

Issue DS 2019-007: The petitioner Derek Wiechmann, Building Official for the City of Ocala Growth Management Building Division is seeking a declaratory statement on whether the 2017 Florida Building Code, Building, SECTION 903 AUTOMATIC SPRINKLER SYSTEMS, [F] 903.2.8 Group R, apply to the townhouse building in question.

Background:

A contractor in Ocala is currently in the process of submitting townhouse building plans to our office, clarification on sections of the code are requested which may reduce the cost of future developments, and to ensure that the townhouse buildings are in compliance with the current Florida Building Code, Residential. The plans are designed per the 2017 Florida Building Code, Residential, SECTION R302 FIRE-RESISTANT CONSTRUCTION, and R302.2 Townhouses. The townhouse building will have 2 floors above the bottom floor garage level for a maximum of 3 stories above grade, 3 or more units attached, all units separated by 2-hour fire walls, and meets CHAPTER 2 DEFINITIONS, SECTION R202 DEFINITIONS, [RB] TOWNHOUSE. A single-family dwelling unit not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

6th Edition (2017) Florida Building Code (FBC), Building

[A] **101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. *Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the Florida Building Code, Residential.*
2. Code requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

Section 310.1 Residential Group R.

Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *Florida Building Code, Residential*.

Section 903.2.8 Group R.

An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

Section 903.2.11.3 Buildings three stories or more in height.

Any building which is of three stories or more in height shall be equipped with an approved automatic sprinkler system installed in accordance with Section 903.1.

Exceptions:

1. Single- and two-family dwellings

6th Edition (2017) Florida Building Code, Residential

Section R202 Definitions

[RB] TOWNHOUSE. A single-family *dwelling unit* not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which each unit extends from foundation to roof and with a *yard* or public way on not less than two sides.

Section R302.2 Townhouses.

Each townhouse shall be considered a separate building and shall be separated by separate fire resistance rated exterior wall assemblies meeting the requirements of zero clearance from property lines of Section R302.1 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263, or in accordance with the Florida Building Code, Building Section 722 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall unless such materials and methods of penetration comply with Section R302.4. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

**SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS
RESERVED**

PREFACE

Marginal Markings

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Sections deleted from the base code are designated “Reserved” in order to maintain the structure of the base code.

553.73 Florida Building Code.— Florida Statutes

(17) A provision of the International Residential Code relating to mandated fire sprinklers may not be incorporated into the Florida Building Code as adopted by the Florida Building

Commission and may not be adopted as a local amendment to the Florida Building Code. This subsection does not prohibit the application of cost-saving incentives for residential fire sprinklers that are authorized in the International Residential Code upon a mutual agreement between the builder and the code official. This subsection does not apply to a local government that has a lawfully adopted ordinance relating to fire sprinklers which has been in effect since January 1, 2010.

Staff Analysis:

Question 1:

Does the 2017 Florida Building Code, Building, SECTION 903 AUTOMATIC SPRINKLER SYSTEMS, [F]903.2.8 Group R, apply to this townhouse building?

Answer:

Option #1/Petitioner:

Petitioner believes that fire sprinklers are not required for townhouses meeting the exact definition per 2017 Florida Building Code, Residential, Chapter 2 Definitions, Section R202 Definitions, [RB] Townhouse, and the residential code applies not the commercial building code.

Option #2/Staff:

The answer to the question is “No.” As per Section 101.2, Scope, of the 6th Edition (2017) FBC, Building, the project in question falls within the scope of the 6th Edition (2017) FBC, Residential and therefore, Section 903.2.8 of the 6th Edition (2017) FBC, Building does not apply to the townhouse building in question.

Question 2:

Are fire sprinklers required?

Answer:

Option #1/Petitioner:

See answer to question 1.

Option #2/Staff:

The answer to the question is “No.” As per Section R313 Automatic Fire Sprinkler Systems “Reserved”, the townhouse in question is not required to be sprinkled.

