

Issue: DCA09-DEC-418. The Petitioner is requesting clarification regarding the application of the Florida Building Code to commercial swimming pool. The Petitioner provides for the following questions:

1. Does Florida Building Code 1004.1.1 Areas Without Fixed Seating apply to an outdoor public swimming pool for the purpose of determining occupancy load as per Table 1004.1.1? Then applying 1008.1.9 Panic and Fire Exit Hardware to require panic hardware on the required gates, in addition to the barrier requirements in 64E-9 and 424.1.3.1.9.
2. Does Florida Building Code 1004.1.1 Areas Without Fixed Seating apply to an outdoor public swimming pool for the purpose of deeming occupancy load as per Table 1004.1.1? Then using this section to require additional sanitary facilities required for this load in addition to the facilities required by 64E-9 and 424.1.6?
3. Dose the Florida Building Code requirement for Sanitary Facilities for the Cabana bath be added to the ones required for by the pool?

Background:

Project description:

Recently Holland Pools applied for a permit application with the Osceola County Building Department. The permit number is P-09-003284 for a commercial swimming pool. We submitted sealed plans approved by the Florida State Health Department.

This plan was approved by the Florida State Health Department and meets the requirements for sanitary facilities and deck areas according to 64E-9.006.4.2 and the Florida Building Code 424.1.6.1. It also meets the barrier requirements of 64E-9 and 424/1/3/1/9 of the Florida Building Code.

The Cabana bath facility has a “community room” of approximately 800 sq ft. The provided exit out of this room does not empty into the pool area but instead into the parking lot. This facility will be mostly unoccupied which is typical for these types of facilities. This facility will only be used by persons using this residential community pool.

Pool: Length	48 ft
Width	24 ft
Area	1,411 sqft
Perimeter	141 ft.
Depth	3ft to 5 ft.
Bathing Load	33 Persons

Pool Deck Area 2339 sq.ft

Fixture count provided for Pool

1wc, 1 lav. for women

1wc, 1 lav. 1 urn. for men

Project P06-006907 Clubhouse

Clubhouse 1050 sq.ft.

Occupant Load $1050/7 = 150$

Fixture count provided in clubhouse 0

After much discussion Mr. Deatherage decided that the code was not clear in this area so we decided to submit a request for a Declaratory Statement from the Florida Building Commission for clarification.

Also, see attached drawing.

2007 Florida Building Code, Building

SECTION 303 ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

Exceptions:

- 1. A building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.**
- 2. A room or space used for assembly purposes with an occupant load of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.**
- 3. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and is accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.**

Assembly occupancies shall include the following:

A-1 Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to:

Motion picture theaters

**Symphony and concert halls
Television and radio studios admitting an audience
Theaters**

A-2 Assembly uses intended for food and/or drink consumption including, but not limited to:

**Banquet halls
Night clubs
Restaurants
Taverns and bars**

A-3 Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to:

**Amusement arcades
Art galleries
Bowling alleys
Places of religious worship
Community halls
Courtrooms
Dance halls (not including food or drink consumption)
Exhibition halls
Funeral parlors
Gymnasiums (without spectator seating)
Indoor swimming pools (without spectator seating)
Indoor tennis courts (without spectator seating)
Lecture halls
Libraries
Museums
Waiting areas in transportation terminals
Pool and billiard parlors**

A-4 Assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

**Arenas
Skating rinks
Swimming pools
Tennis courts**

A-5 Assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

**Amusement park structures
Bleachers**

Grandstands Stadiums

303.1.1 Restaurants and drinking establishments with an occupant load of less than 50 persons shall be classified as Group M, mercantile.

SECTION 424 SWIMMING POOLS AND BATHING PLACES (PUBLIC AND PRIVATE)

424.1.3.1.9 All public pools shall be surrounded by a minimum 48 inch (1219 mm) high fence or other approved substantial barrier. The fence shall be continuous around the perimeter of the pool area that is not otherwise blocked or obstructed by adjacent buildings or structures and shall adjoin with itself or abut to the adjacent members. Access through the barrier or fence from dwelling units, such as homes, apartments, motel rooms and hotel rooms, **shall be through self-closing, self-latching lockable gates of 48 inch (1219 mm) minimal height from the floor or ground with the latch located a minimum of 54 inches (1372 mm) from the bottom of the gate or at least 3 inches (76mm) below the top of the gate on the pool side.** If the self-closing, self-latching gate is also self-locking and is operated by a key lock, electronic opener or integral combination lock, then the operable parts of such locks or openers shall be 34 inches minimum (864 mm) and 48 inches maximum (1219 mm) above the finished floor or ground. Gates shall open outward away from the pool area. A latched, lockable gate shall be placed in the fence within ten feet (3048mm) of the closest point between the pool and the equipment area for service access.

Instead of a fence, permanent natural or man-made features such as bulkheads, canals, lakes, navigable waterways, etc., adjacent to a pool may be permitted as a barrier when approved. When evaluating such barrier features, the applicable governing body may perform onsite inspections, and review evidence, such as surveys, aerial photographs, water management agency standards and specifications, and any other similar documentation to verify at minimum, the following: the barrier feature is not subject to natural changes, deviations or alterations and is capable of providing an equivalent level of protection as that provided by a structure, and the barrier feature clearly impedes, prohibits or restricts access to the pool.

Screened pool enclosures must be hardened on the bottom three feet (914 mm). Fencing consideration shall be given to the U.S. Consumer Product Safety Commission (CPSC) Publication, No. 362, March 2005, guidelines available from CPSC.gov; or Sections 424.2.17.1.1 through 424.2.17.1.8. Safety covers that comply with ASTM F 1346-91 (Reapproved 2003), titled *Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs*, and available from ASTM.org, do not satisfy this requirement.

SECTION 1004 OCCUPANT LOAD

1004.1 Design occupant load. In determining means of egress requirements, the number of occupants for whom means of egress facilities shall be provided shall be determined in accordance with this section. Where occupants from accessory areas egress through a primary space, the calculated occupant load for the primary space shall include the total occupant load of the primary space plus the number of occupants egressing through it from the accessory area.

Exceptions:

1. In a special purpose factory-industrial occupancy, the occupant load shall be the maximum number of persons to occupy the area under any probable conditions.
2. The occupant load for towers shall be the number of persons expected to occupy the space, with spaces not subject to human occupancy because of machinery or equipment excluded from the gross area calculation.

1004.1.1 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.1. **For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table 1004.1.1. Where an intended use is not listed in Table 1004.1.1, the building official shall establish a use based on a listed use that most nearly resembles the intended use.**

Exception: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

1004.8 Outdoor areas. Yards, patios, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.

TABLE 1004.1.1: MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

<u>FUNCTION OF SPACE</u>	<u>FLOOR AREA IN SQ FT PER OCCUPANT</u>
Swimming pool deck	30 gross
Swimming pool water surface	50 gross
Decks	15 gross

1008.2 Gates. Gates serving the means of egress system shall comply with the requirements of this section. Gates used as a component in a means of egress shall conform to the applicable requirements for doors.

Exception: Horizontal sliding or swinging gates exceeding the 4-foot (1219 mm) maximum leaf width limitation are permitted in fences and walls surrounding a stadium.

1008.2.1 Stadiums. Panic hardware is not required on gates surrounding stadiums where such gates are under constant immediate supervision while the public is present, and where safe dispersal areas based on 3 square feet (0.28 m²) per occupant are located between the fence and enclosed space. Such required safe dispersal areas shall not be located less than 50 feet (15 240 mm) from the enclosed space. See Section 1024.6 for means of egress from safe dispersal areas.

1008.1.9 Panic and fire exit hardware. Where panic and fire exit hardware is installed, it shall comply with the following:

1. The actuating portion of the releasing device shall extend at least one-half of the door leaf width.
2. The maximum unlatching force shall not exceed 15 pounds (67 N).

Each door in a means of egress from a Group A or E occupancy having an occupant load of 50 or more and any Group H occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

Exception: A main exit of a Group A occupancy in compliance with Section 1008.1.8.3, Item 2. Electrical rooms with equipment rated 1,200 amperes or more and over 6 feet (1829 mm) wide that contain over current devices, switching devices or control devices with exit access doors must be equipped with panic hardware and doors must swing in the direction of egress. If balanced doors are used and panic hardware is required, the panic hardware shall be the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side.

1008.1.8 Door operations. Except as specifically permitted by this section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.8.1 Hardware. Door handles, pulls, latches, locks and other operating devices on doors required to be accessible by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate.

1008.1.8.2 Hardware height. A latch or other fastening device on a door shall be provided with a releasing device having an obvious method of operation under all lighting conditions. The releasing mechanism for any latch shall be located at least 34 inches (864 mm) and not more than 48 inches (1219 mm) above the finished floor.

2007 Florida Building Code, Plumbing

SECTION 403 MINIMUM PLUMBING FACILITIES

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the code official.

The number of occupants shall be determined by the *Florida Building Code, Building*. Occupancy classification shall be determined in accordance with the *Florida Building Code, Building*.

403.8 Sanitary facilities for public swimming pools. Swimming pools with a bathing load of 20 persons or less may utilize a unisex restroom. Pools with bathing loads of 40 persons or less may utilize two unisex restrooms or meet the requirement of Table 403.8. Unisex restrooms shall meet all the requirements for materials, drainage and signage as indicated in Sections 424.1.6.1.1 through 424.1.6.1.4 of the *Florida Building Code, Building*. Each shall include a water closet, a diaper change table, a urinal and a lavatory. Pools with a bathing load larger than 40 persons shall provide separate sanitary facilities labeled for each sex. The entry doors of all restrooms shall be located within a 200-foot radius (60 960 mm) walking distance of the nearest water's edge of each pool served by the facilities.

Exception: Where a swimming pool serves only a designated group of residential dwelling units and not the general public, poolside sanitary facilities are not required if all living units are within a 200-foot (60 960 mm) horizontal radius of the nearest water's edge, are not over three stories in height and are each equipped with private sanitary facilities.

403.8.1 Required fixtures. Fixtures shall be provided as indicated on Table 403.8. The fixture count of Table 403.8 is deemed to be adequate for the pool and pool deck area that is up to three times the area of the pool surface provided. An additional set of fixtures shall be provided in the men's restroom for every 7,500 square feet (697m²) or major fraction thereof for pools greater than 10,000 square feet (929 m²). Women's restrooms shall have a ratio of three to two water closets provided for women as the combined total of water closets and urinals provided for men. Lavatory counts shall be equal.

403.8.2 Outside access. Outside access to facilities shall be provided for bathers at outdoor pools. Where the restrooms are located within an adjacent building and the restroom doors do not open to the outside, the restroom doors shall be within 50 feet (1270 mm) of the building's exterior door. If the restrooms are not visible from any portion of the pool deck, signs shall be posed showing directions to the facilities. Directions shall be legible from any portion of the pool deck; letters shall be a minimum of 1-inch (25 mm) high.

403.8.3 Sanitary facility floors. Floors of sanitary facilities shall be constructed of concrete or other nonabsorbent materials, shall have a smooth, slip-resistant finish, and shall slope to floor drains. Carpets, duckboards and footbaths are prohibited. The intersection between the floor and walls shall be coved where either floor or wall is not made of waterproof materials such as tile or vinyl.

TABLE 403.8

PUBLIC SWIMMING POOL—REQUIRED FIXTURE COUNT

SIZE	MEN'S RESTROOMS	WOMEN'S RESTROOMS
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	Urinals	WC	Lavatory	WC	Lavatory
0 - 2500 sq ft	1	1	1	1	1
2501 - 5000 sq ft	2	1	1	5	1
5001 - 7500 sq ft	2	2	2	6	2
7501 - 10,000 sq ft	3	2	3	8	3

Staff analysis:

- According to Section 303 of the FBC, Building, pool enclosure including deck area with an occupant load of 50 or more is to be classified Assembly Group A-4.
- According to Section 1004.8 of the FBC, Building, outdoor areas accessible to and usable by the building occupants must be provided with means of egress as per Chapter 10 of the FBC, Building.
- According to Section 1004.1 of the FBC, Building, in determining means of egress requirements, the number of occupants must be determined in accordance with Section 1004.1.1.
- Sanitary facilities for a public swimming pool including deck area must be in accordance with Section 403.8 of the FBC, Plumbing.
- Fixture count for the cabana is subject to Section 403.1 of the FBC, Plumbing.

Staff recommendation:

Question #1: Does Florida Building Code 1004.1.1 Areas Without Fixed Seating apply to an outdoor public swimming pool for the purpose of determining occupancy load as per Table 1004.1.1? Then applying 1008.1.9 Panic and Fire Exit Hardware to require panic hardware on the required gates, in addition to the barrier requirements in 64E-9 and 424.1.3.1.9.

Answer: Yes. In addition to meeting the requirements of Section 424.1.3.1.9, the project in question falls under Assembly Group A Occupancy and is subject to the requirements of Chapter 10, Means of Egress, including Table 1004.1.1 and 1008.1.9 as applicable.

Question #2: Does Florida Building Code 1004.1.1 Areas Without Fixed Seating apply to an outdoor public swimming pool for the purpose of deeming occupancy load as per Table 1004.1.1? Then using this section to require additional sanitary facilities required for this load in addition to the facilities required by 64E-9 and 424.1.6?

Answer: No. Plumbing fixture count for the pool and the open deck area is subject to the requirements of Section 403.8 of the FBC, Plumbing.

Question #3: Dose the Florida Building Code requirement for Sanitary Facilities for the Cabana bath be added to the ones required for by the pool?

Answer:: Yes. Total plumbing fixture count required for the project in question must at minimum consist of the total fixture count required for the pool and the Cabana bath.