



Washington State Building Code Council  
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Washington State Building Code Council:

The Washington State Fire Marshal Association and Washington Fire Chiefs would like to register disagreement with the proposed Emergency Rule amending WAC 51-51-0100 requiring Lodging Houses to install fire sprinklers only where required by local ordinance.

This issue does not appear to meet the requirements of an emergency rule, which should be used only for "the preservation of public health, safety, or general welfare, and the observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest." In fact, this amendment achieves the opposite effect on public safety.

We are concerned that this amendment negates an important safety provision specifically included in the initial language that allowed lodging houses to move from the International Building Code to the less restrictive International Residential Code. Specifically, the 2012 IRC code Section R101.2, exception 2 states:

Owner-occupied lodging houses with five or fewer guest rooms shall be permitted to be constructed in accordance with the *International Residential Code for One- and Two-family Dwellings* **when equipped with a fire sprinkler system complying with Section P2904.**

The model language allows small bed and breakfasts to be constructed according to the International Residential Code with the acknowledgement that "lodging house" generally encompass rental lodging within dwelling units, distinct from hotels and boarding houses which are "not occupied as a single-family unit." The intent--as clearly spelled out--was to provide occupants in these establishments with the same fire protection requirements as hotels and motels--a hardwired smoke detector and automatic fire sprinklers. Similar to hotels, guests in such lodging houses turn over quickly. Fire sprinklers allow lodging house occupants the extra time needed to evacuate their unfamiliar surroundings during a fire. Adding to the risks, commercial-style cooking may also occur on premise. Clearly, there are differences between these lodgings and one- and two-family homes.

*It is our understanding that the IRC TAG voted to remove the fire sprinkler requirement for lodging homes in their meetings, but that change in the language was **not** included in the documentation that was presented for public comment. Had the language been presented as the TAG recommended, we would have participated in the normal process to present our concerns and recommendation to keep the fire sprinkler requirement as written in the model code language. The language that was included in the public comment process was not commented on negatively and went through the full process to be included in the WAC effective July 1, 2013. Making a change at this time to include this particular requirement bypasses the normal process for amendments to the model code.*



*In reviewing the history of this particular code change, it actually originated from Washington State and the City of Seattle. The resulting model code language was approved at the national level as a negotiated solution. If the requirements for fire sprinklers are removed, then the allowance for lodging homes to be constructed under the IRC should also be removed.*

We see no reasonable justification for the State Building Code Council to remove this fire safety requirement, particularly when this change is proposed under an Emergency Rule-Making Order that does not allow for examination and discussion of this issue.

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