



STATE OF HAWAII CODE AMENDMENT PROPOSAL
FORM FOR PUBLIC PROPOSALS TO
AMEND THE HAWAII STATE BUILDING CODES
 (Form Version 1.0 May 2010)

1)

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Submitted on Behalf of: MW Group			
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2) Indicate appropriate Model Code(s) and Sections to be amended in Hawaii by this Proposal –
This proposal amends Subsection 3-18-023 Group I-1 assisted living facilities of the State Building Code effective date April 16, 2010.

CODE AMENDMENT PROPOSAL INSTRUCTIONS
Please provide all of the following items in your code change proposal.

REQUIRED INFORMATION:

The following items are required to be included in your proposal:

1. The proponent shall clearly state the purpose of the proposed code amendment (e.g., clarify the Code; revise outdated material; substitute new or revised material for current provision of the Code; add new Hawaii requirements to the adopted Code; delete current requirements, etc.). Any proposed revisions or additions to tables or figures must be included.
2. The proponent shall justify amending the current code provisions, stating why the proposal is superior to the current provisions of the Model Code. Proposals that add or delete requirements shall be supported by a logical explanation which clearly shows why the current Code provisions are inadequate or overly restrictive, specifies the shortcomings of the current Code provisions in Hawaii, and explains how such proposals will improve the Hawaii State Code.
3. The proponent shall substantiate the proposed code change based on technical information and substantiation. Substantiation provided which is determined as not germane to the technical issues addressed in the proposed code change shall be identified as such, and the proponent shall be notified that the proposal is considered an incomplete proposal and may be held until the deficiencies are corrected.
4. The proponent shall submit a bibliography of any substantiating material submitted with the code change proposal. The proponent shall make the substantiating materials available for review.
5. Per Hawaii Revised Statutes §107-26, the State Building Code Council shall not adopt provisions that relate to administrative, permitting, or enforcement and inspection procedures of each county. Any such code amendments shall be proposed instead to the individual county building officials during the code adoption process of each county.

PROPOSAL FORMATTING:

Show the proposal (see form on page 2) using strikeout, underline format. At the beginning of each section, one of the following instruction lines are also needed:

- Revise as follows
- Add new text as follows
- Delete and substitute as follows
- Delete without substitution

The only formatting that is needed is **BOLDING, STRIKEOUT AND UNDERLINING**. Please do not provide additional formatting such as tabs, columns etc. **DO NOT USE THE TRACKING CHANGES OPTION, AUTOMATIC NUMBERING, OR ANY OTHER ADVANCED FORMATTING TOOLS PROVIDED BY WORD.**

This Section For Official Use Only

Date Considered by Building Official Sub-Committee: _____

Sub-Committee Action on Proposal: _____

Reason for Sub-Committee Action: _____

Action by State Building Code Council: _____

Date: _____

PUBLIC PROPOSAL FORM TO AMEND THE HAWAII STATE BUILDING CODES

HAWAII CODE AMENDMENT PROPOSAL FORM

(See instructions on page 1)

Model Code: IBC ~~-09~~ (*IBC-09, IEBC, IECC, UFC, IMC, UPC, IRC, etc*)

Code Sections/Tables/Figures/Standard Proposed for Revision; If the proposal is for a new section, indicate proposed section #.

This proposal would delete the amendment added in the adoption of the 2006 IBC and keep the 2009 IBC Section 420.1 Group I – 1 assisted living facilities without any amendments.

Proponent: Name/Company/Representing: (DO NOT USE ACRONYMS FOR YOUR COMPANY OR ORGANIZATIONAL NAME)
Wattenbarger Architects and The City and County of Honolulu

Revise as follows (include deletion in strikeout, with modified text/proposed addition underlined, affected Code Section(s) in Bold):

~~**419.4 Group I-1 assisted living facilities.** Group I-1 assisted living facilities shall comply with the provisions of Sections 419.4.1 and 419.4.2.~~

~~**419.4.1 Building story limitations.** Buildings shall not exceed one story in type VB construction, two stories in Types IIB, III, IV and VA construction, and three stories in type IIA construction, including any allowable automatic sprinkler increases. Other Construction type limitations on stories shall be limited by the provisions of chapter 5.~~

~~**419.4.2 Group I-1 smoke barriers.** Group I-1 occupancies shall be provided with at least one smoke barrier in accordance with Section 709. Smoke barriers shall subdivide every story use by residents for sleeping or treatment into at least two smoke compartments. Each compartment shall have not more than 16 sleeping rooms, and the travel distance from any point in a smoke compartment to a smoke barrier door shall not exceed 150 feet (45 720 mm). At least 10 square feet (0.93 m²) of refuge area per resident shall be provided within the aggregate area of corridors, treatment rooms, or other low hazard common space rooms on each side of each smoke barrier.~~

Reason:

419.4.1 - The inclusion of the height restriction for assisted living buildings found in the 2006 Hawaii State Building Code Section 419.4.1, is derived from the NFPA 5000. The NFPA 5000 building code is an alternate code which has not been adopted by the State of Hawaii or any other state. The NFPA and IBC take different strategies in their approach to fire protection and life safety. Implementing language and taking the strictest provisions from both building codes creates a level of redundancy, and in some cases conflict which is not necessary as it exceeds what each codes mandates to be the "minimum acceptable level of safety. The 2009 State Building Code is derived from the 2009 IBC and we recommend keeping the language in line with those provisions.

419.4.2 – The language used in determining the maximum smoke compartment size and travel distances is derived from the NFPA 5000 building code. Again, we recommend retaining the language of the 2009 IBC to limit redundancy and potential conflict in the code. ~~We have noted that~~ The 2009 IBC requires smoke compartmentation only for the I-2 & I-3 occupancy. Unlike the I-2 occupancy, the I-1 and I-3 occupancy already require a 1-hr fire rating with protected openings at the corridors and the addition of smoke barriers would be redundant. ~~however many states have adopted this language as well for the I-1 occupancy and we feel that it is a simple and important improvement for life safety. The area and travel distance limitations found in the 2009 IBC reflect those in the NFPA 101 life safety code, which is in effect in 43 states, including the adoption of some provisions within the state of Hawaii.~~

In addition to the code implications noted above, the limitation to (2) stories for assisted living I-1 occupancies has significant economic impacts that will make it much harder to provide affordable quality housing and care for seniors. Given the high cost of land in Hawaii, a two story project is often not financially viable. Requiring buildings over (2) stories to be of non combustible type IIA, will increase construction costs by approximately 20%. This adds about \$3,000,000 in a typical 4 story 100,000 SF structure. The additional costs will negatively impact the availability and quality of assisted living in the state. This additional cost is not justified given that the

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deleted amendments were additional requirements imposed upon the 2006 IBC, provisions for a minimum level of life-safety

List of Supporting Information References (attached):

Excerpts from the 2006 NFPA 5000 building code. Table 7.4.1, Section 7.6 for area increase for fire sprinklers, and Chapter 26 which defines large vs. small Residential Board and Care Occupancies.

Proposals must be submitted using this form and are to be submitted electronically to Council at state.bcc@hawaii.gov or mailed to the Department of Accounting & General Services, Administrative Services Office, 1151 Punchbowl Street, Room 414, Honolulu, Hawaii 96813