
FIRE PREVENTION AND BUILDING SAFETY COMMISSION
Department of Homeland Security**Written Interpretation of the State Building Commissioner****Interpretation #:** CEB-2019-18-2014 IBC-1029.1**Building or Fire Safety Law Interpreted****675 IAC 13-2.6 2014 Indiana Building Code Section 1029.1 [EMERGENCY ESCAPE AND RESCUE] General.**

In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R-2 occupancies in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 occupancies. Basement and sleeping rooms below the fourth story above *grade plane* shall have at least one *exterior emergency escape and rescue opening* in accordance with this section. Where basements contain one or more sleeping rooms, *emergency escape and rescue openings* shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a *public way* or to a *yard or court* that opens to a *public way*.

Issue

Whether the requirement for emergency escape and rescue openings in Section 1029.1 applies to all R-2 apartment buildings.

Interpretation of the State Building Commissioner

The Section 1029.1 requirement for emergency escape and rescue openings does not apply to all bedrooms in all R-2 apartment buildings, but only to those as directed by Table 1021.2(1), and to other R-2 occupancies as directed by Table 1021.2(2).

Rationale

There are two common errors that lead to the regular misapplication of this section. The first is a misunderstanding of the scoping language contained in the very first sentence of the section. It says three things: first, that emergency escape and rescue openings are required in R-2 occupancies as directed by Tables 1021.2(1) and 1021.2(2); second, that emergency escape and rescue openings are required in all R-3 occupancies (and R-4 by virtue of Section 310.6); and third, when provided, they must comply with the requirements of this section (1029). In other words, in R-3 and R-4 occupancies, all bedrooms from basement to third floor level must have at least one compliant emergency escape and rescue opening; and R-2 occupancies require them at those same floor levels, but only when directed by the two referenced tables in Section 1021.

The second error is in understanding what the referenced Section 1021 tables mean.

Table 1021.2(1) addresses occupancies containing R-2 dwelling units. It regulates when stories in such structures are allowed to have only one exit. In doing so, it says two things: at the fourth story and above, there are no scenarios in which a single exit is ever allowed; and at the basement through third stories, a single exit is allowed if the story meets four specific conditions: it must contain no more than 4 dwelling units; it has an exit access travel distance not greater than 125 feet; the building is sprinklered throughout with an NFPA 13 or 13R system; and most importantly (for the purposes of this discussion) it has emergency escape and rescue openings in accordance with 1029.

Logic dictates that if Condition A is allowed only in the presence of Condition B, then in the absence of Condition B, Condition A is not allowed. If we assume for the purposes of simplifying this discussion that the first three conditions above (4 units, 125 feet, sprinklers) are always met, we can put that logic statement into terms appropriate to the question at hand by stating that "a single exit is allowed only if emergency escape and rescue openings are present" is the same as saying "if there are no emergency escape and rescue openings, then a single exit is not allowed." It follows logically from that statement that "if there are no emergency escape and rescue openings, more than one exit is required." That, in turn, tells us that "if more than one exit is provided, emergency escape and rescue openings are not required."

Table 1021.2(2) addresses occupancies containing R-2 sleeping units (and other occupancy groups). The net result in both tables is that if an R-2 structure contains no fewer than two exits per story, then the dwelling units or sleeping units do not require emergency escape and rescue openings in the bedrooms.

While this may seem a convoluted path to follow, we believe it is correct for the following reasons:

- It is consistent with the intent of the section in the previous edition of the code, which exempted all R

occupancies (except R-3) from this requirement if they were sprinklered. Changing to a scenario in which all R-2 bedrooms below the fourth floor require such openings regardless of sprinklering would be a drastic change in the intent of the code's authors.

- It is consistent with the explanatory text of the ICC's own *2012 International Building Code Handbook*.
- It is consistent with prior directives from the Indiana Fire Prevention and Building Safety Commission, including their 2014 Indiana Building Code adoption committee's discussions about this section.

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