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**FIRE PREVENTION AND BUILDING SAFETY COMMISSION**  
**Department of Homeland Security****Written Interpretation of the State Building Commissioner****Interpretation #:** CEB-2022-38-2014 IBC-1406.3 Exc.3-Amended Written Interpretation**Building or Fire Safety Law Interpreted**

**675 IAC 13-2.6 2014 Indiana Building Code Section 1406.3 Balconies and similar projections.** Balconies and similar projections of combustible construction other than fire-retardant-treated wood shall be fire-resistance rated where required by Table 601 for floor construction or Section 711.3 for floors separating dwelling units or shall be of Type IV construction in accordance with Section 602.4. The aggregate length of the projections shall not exceed 50 percent of the building's perimeter on each floor.

**Exceptions:** [Exceptions 1, 2, and 4 omitted for lack of relevance to the request.]

3. Balconies and similar projections on buildings of Type III, IV and V construction shall be permitted to be of Type V construction unless projecting from floor/ceiling assemblies separating dwelling units, and shall not be required to have a *fire-resistance rating* where sprinkler protection is provided throughout the building and extended to those areas.

**Issue**

Whether Exception 3 of Section 1406.3 of the *2014 Indiana Building Code* allows balconies of unprotected Type V construction in Types III, IV, and V structures if the structure and the balconies are protected by an automatic sprinkler system.

**Interpretation of the State Building Commissioner**

Yes, Exception 3 of Section 1406.3 of the *2014 Indiana Building Code (IBC)* allows balconies of unprotected Type V construction in Types III, IV, and V structures if the structure and the balconies are protected by an automatic sprinkler system, and if the balcony structure is not a projection of a floor/ceiling assembly that separates dwelling units.

**Rationale**

Section 1406.3 of the *2014 IBC* regulates the manner in which combustible balconies and similar projections (both referred to hereinafter by the single term "balconies") must be constructed. The fire-resistance requirements of the section apply to all combustible balconies unless they are constructed of fire-retardant-treated wood (FRTW). It then goes on to provide several enumerated exceptions delineating conditions under which the protection requirement is exempted. We will examine the requirements of the basic section, and then the exemptions provided by Exception 3, as that is the focus of the request.

Section 1406.3 states as a base requirement that non-FRTW combustible balconies must either be provided fire protection at least equal to the building's required protection, or they must be constructed from Type IV heavy timber. If the designer chooses to provide protection, then balconies that are not constructed as extensions of an interior horizontal dwelling unit separation assembly must have protection at least equal to that required for the "floor construction" category in Table 601. Balconies that are extensions of an interior horizontal dwelling unit separation assembly must have protection at least equal to that required for the separation assembly under Section 711.3.

Exception 3 provides two exemptions to Section 1406.3, and it is important to understand that they are different, with different effects. The first exemption allows the use of Type V construction for balconies on structures of Construction Types III and IV in addition to structures of Construction Type V. Before the second exemption is introduced, the first exemption is followed by the conditional phrase, "unless projecting from floor/ceiling assemblies separating dwelling units." This means that if the balcony is constructed as a projection of a dwelling unit separation assembly, the ability to utilize Type V balcony construction with Type III, Type IV, and Type V structures is lost.

That phrase is followed immediately by the independent clause "and shall not be required to have a fire-resistance rating where sprinkler protection is provided throughout the building and extended to those areas." The subject of this clause is understood to be the same as in the first independent clause, i.e., "balconies on buildings of Type III, IV and V construction." This clause grants exemption from protection requirements for *all* Type V balconies on Types III, IV, and V buildings, if those buildings are sprinklered throughout, including the balconies. It does not, however, override the exception's prohibition on Type V balconies constructed as projections from horizontal dwelling unit separation assemblies.

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