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**FIRE PREVENTION AND BUILDING SAFETY COMMISSION**  
**Department of Homeland Security****Written Interpretation of the State Building Commissioner****Interpretation #:** CEB-2023-19 [2014 IBC-1109.5.1]**Building or Fire Safety Law Interpreted**

**675 IAC 13-2.6 2014 Indiana Building Code Section 1109.5.1 [Drinking fountains] Minimum number.** No fewer than two drinking fountains shall be provided. One drinking fountain shall comply with the requirements for people who use a wheelchair and one drinking fountain shall comply with the requirements for standing persons.

**Exceptions:**

1. A single drinking fountain that complies with the requirements for people who use a wheelchair and standing persons shall be permitted to be substituted for two separate drinking fountains.
2. Where drinking fountains are primarily for children's use, drinking fountains for people using wheelchairs shall be permitted to comply with the children's provisions in ICC A117.1 and drinking fountains for standing children shall be permitted to provide the spout at 30 inches (762 mm) minimum above the floor.

**Issue**

Whether the installation of a wheelchair-height drinking fountain and the installation of a standard-height bottle filling station together meet the requirements of Section 1109.5.1 of the *2014 Indiana Building Code* (IBC).

**Interpretation of the State Building Commissioner**

Yes, the installation of a wheelchair-height drinking fountain and the installation of a standard-height bottle filling station together meet the requirements of Section 1109.5.1 of the *2014 IBC* – provided the wheelchair fountain is designed and installed in accordance with the code *and* the bottle filling station is equipped with vessels for use by occupants lacking their own bottles.

**Rationale**

This interpretation requires examination of Chapter 29 of the *2014 IBC* in addition to the cited Section 1109.5.1.

Table 2902.1 of the *2014 IBC* specifies the required quantity of plumbing fixtures based on the fixture type, the occupancy group, the nature of the use within that group, and the number of occupants. Drinking fountains are among the fixture types regulated by this table, and their column includes references to table footnotes "e," "f" and "h."

Footnote "e" states that the minimum number of drinking fountains provided must comply with the requirements of both the table and Chapter 11. This ensures that even if the table requires only one drinking fountain for a given occupancy, the Section 1109.5.1 requirement for a minimum of two such fountains still applies.

Footnote "f" eliminates the requirement for drinking fountains for any occupant load of 15 or fewer. This exemption overrides the table requirement for a drinking fountain, as well as the Section 1109.5.1 requirement for a minimum of two fountains, if the occupant load is small enough.

Footnote "h" states that drinking fountains shall not be required where water is served free of charge in restaurants, or where bottled water or bottled water coolers are provided free of charge in other occupancies.

Taken in aggregate, these regulations provide that:

- Chapter 11 and Chapter 29 must both be considered when determining fixture counts.
- When drinking fountains or water coolers are provided, no fewer than two are required, one at wheelchair height and one at standing height.
- Where drinking water is provided free of charge, and that source of water is among those listed in footnote "h," it serves as an acceptable substitute for the required drinking fountains. Nothing in the regulations limits this substitution to either the low or high unit, though if the drinking water source is self-service, and it substitutes for the low fountain, the features and operational controls of the source must meet the reach requirements of A117.1-2009.
- If the occupant load is 15 or fewer, no drinking fountain or other drinking water source is required.

The purpose of the drinking fountain requirement is the free availability of water *for consumption* by the building's occupants. As such, implicit in the acceptance of other drinking water sources as substitutes for drinking fountains is the assumption that the user of such sources can access and drink the water. Depending on the nature of the

drinking water source, the user may need to be provided with a vessel required to capture the water from the source and drink it. Drinking water served in a restaurant is typically provided to the customer in a glass or other vessel. If it is bottled water, the bottle serves as the vessel. If the required drinking water is provided by a bottled water cooler, there is an obligation on the owner's part to provide a suitable vessel to enable drinking. A bottled water cooler is useless to an occupant who lacks a cup, glass, or other bottle to capture the dispensed water and allow its consumption. Therefore, a bottled water cooler alone without vessels cannot be considered an acceptable substitute for a required drinking fountain.

As the only difference for the occupant between a bottled water cooler and a bottle filling station is that the bottle filling station is permanently connected to the building's water supply, whereas a bottled water cooler is not, the benefit of the difference accrues to the bottle filling station. Consequently, it is considered the functional equivalent, or better, of the bottled water cooler, and is identical for the code's purpose of providing a required source of drinking water, including the owner's obligation to ensure it can be used by the occupant through the provision of a suitable vessel.

It should be noted that the owner obligation to provide vessels does not apply to alternative drinking water sources that are installed or provided in excess of the minimum drinking fountain requirement.

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