
FIRE PREVENTION AND BUILDING SAFETY COMMISSION
Department of Homeland Security

Written Interpretation of the State Building Commissioner

Interpretation #: CEB-2023-28 [2014 IBC-1104.4-Exc.1]

Building or Fire Safety Law Interpreted

[675 IAC 13-2.6](#) 2014 Indiana Building Code, Section 1104.4 Multilevel buildings and facilities. At least one accessible route shall connect each accessible level, including mezzanines, in multilevel buildings and facilities.

Exceptions:

1. Elevators are not required in facilities that are less than three (3) stories or that have less than three thousand (3,000) square feet per story unless the building is a shopping center, a shopping mall, or a professional office of a health care provider.

The elevator exemption set forth in this paragraph does not obviate or limit in any way the obligation to comply with the other accessibility requirements established in Section 1104. For example, floors above or below the accessible ground floor must meet the requirements of this section, except for elevator service. If toilet or bathing facilities are provided on a level not served by an elevator, then toilet or bathing facilities must be provided in the accessible ground floor. In new construction, if a building or facility is eligible for this exemption but a full passenger elevator is nonetheless planned, that elevator shall meet the requirements of the Indiana Elevator Safety Code ([675 IAC 21](#)) and shall serve each level in the building. A full passenger elevator that provides service from a garage to only one (1) level of a building or facility is not required to serve other levels.

[Exceptions 2 through 5 omitted for lack of relevance to the request.]

Issue

Does Exception 1 to Section 1104.4 of the 2014 *Indiana Building Code* (IBC) exempt a second-floor laundry room in a two-story orthodontist office from the requirement to be located on an accessible route?

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No, Exception 1 to Section 1104.4 of the 2014 IBC does not exempt a second-story laundry room in a two-story orthodontist office from the requirement to be located on an accessible route.¹

Rationale

As discussed in a prior interpretation², the language of Exception 1 is poorly written, and does not clearly communicate the Commission's intent in adopting the rule. Research indicates that it was not the Commission's intent to limit the application of the exception to only elevators, but also to the issue of accessible routes. The exemption was intended to apply to both matters.

However, the language that stops the exception's applicability short of "other accessibility requirements established in Section 1104" is clear – while the Commission's intent in providing the exemption is broad, covering elevators *and* accessible routes, its functional applicability is limited. Other accessibility requirements must be met. There are spaces, functions, and building elements that, if located on an inaccessible level, must be provided on an accessible level as well. The exception names toilet and bathing facilities as building elements that shall not be exempted by the exception, but it would be an error to assume their identification constitutes a complete and all-inclusive list of building facilities and elements that abrogate the exception. Toilet and bathing facilities are named within the context of an example of the types of facilities which cannot exist only on an inaccessible level.

This then raises the question of what kinds of spaces, functions, or building elements may appear only on an inaccessible level, and what kinds may not. In such an analysis, the function or purpose of the room must be considered. General use office spaces can be assumed to be functionally interchangeable if disabled accessibility is needed, but when the purpose of a space requires permanent construction (such as a water supply, waste, and a vent line for a washer, and a vent, gas supply, or 220 volt electrical receptacle for a dryer), and the space's use is required for the operation or occupancy of the structure, such a space cannot be located solely on an inaccessible level.

Again, as discussed in a prior interpretation³, the 2012 *International Building Code Commentary* introduces the

subject of accessibility in its background on Chapter 11 by stating, "[t]he fundamental philosophy of the code on the subject of accessibility is that everything is required to be accessible. . . [t]he code's scoping requirements then address the conditions under which accessibility is not required in terms of exceptions to this general mandate." This approach makes clear that the default condition is one of access – and only rare and specific exemptions are granted.

¹ Not addressed in this interpretation is the question of whether an orthodonture practice constitutes a "professional office of a health care provider," one of the exception's own stated disqualifying conditions.

² Written Interpretation #CEB-2019-09-2014 IBC-1104.4-Exc-1, published June 10, 2019.

³ Written Interpretation CEB-2022-47-2014 IBC-1103.1, published February 2, 2023.

Interpretation Replaces: New

Posted: 12/27/2023 by Legislative Services Agency

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