

## STATE BUILDING CODE INTERPRETATION NO. I-39-99

August 17, 1999

**Question 1:** “For student dormitory suites with bath and kitchen facilities within the suite, which section would apply - section 1107.4.1.1 specific to dormitories requiring 1 accessible bed in 25 or section 1107.4.2.1 requiring all R2 dwelling units on ground or elevator floors to be fully type “A” accessible?”

**Answer 1:** Sections 1107.4.1.1 and 1107.4.2.1 of the 1999 State Building Code are both based on requirements set forth in section 29-273 of the Connecticut General Statutes. Subsection (b) of such statute states in part that a dormitory, *as defined in the State Building Code*, (emphasis added) which is in a complex or a building not part of a complex, containing in the aggregate 25 or more beds, must provide accessibility to at least one bed for every 25 beds or fraction thereof. The State Building Code defines dormitory as “A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.” The definition does not preclude the arrangement you describe in which suites of rooms which include bath and kitchen facilities accommodate several students, not members of the same family group.

Section 1107.4.2.1 of the State Building Code which is based on subsection (c) of section 29-273 of the Connecticut General Statutes states in part that all Use Group R-2 dwelling units located on the street floor or on any floor serviced by an elevator shall be Type A dwelling units. Section 29-273 further includes the designation R-2 “Residential-Multifamily” *as defined in the State Building Code*, (emphasis added) when setting forth the requirement for accessibility. The State Building Code defines a multiple-family dwelling as “A building or portion thereof containing more than two dwelling units and not meeting the requirements for a multiple single-family dwelling.” Note the use of the word family within the term.

While it is true that the physical configuration of the building you describe meets the definition of both dormitory and multiple-family dwelling, the key to the answer you seek lies within the use of the building and the definition for dormitory which includes the phrase “for persons not members of the same family group.” It is my interpretation that the building you describe is most appropriately designated a dormitory and that accessibility requirements for such building would be determined by section 1107.4.1.1.

**Question 2:** “Where a dormitory is a part of a complex, under 1107.4.1.1 can we consider all available accessible on campus housing of a similar type, under the provisions of a complex, to meet our 4% (1/25) minimum requirement?”

**Answer 2:** Yes. The definition of Complex, found in section 1102.1 of the 1999 State Building Code states in part that the term means any group of buildings located on a single parcel of land promoted by common management for the purpose of lease of the entire complex. Since all of the dormitory rooms on the campus are under common management for the purpose of leasing rooms to the students, it would be appropriate to consider all dormitory rooms on the campus for the purposes of determining compliance with section 1107.4.1.1.

Please note that the above interpretation does not include reference to either the Americans with Disabilities act or the Fair Housing Amendment, since this office is not authorized to interpret or enforce either of those laws.