



DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
OFFICE OF THE STATE FIRE MARSHAL

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## I-3 OCCUPANCY CODES WORKING GROUP MEETING NOTES – AUGUST 2, 2016

### Attendees:

Greg Andersen  
Fernando Azevedo  
Carmelito (Lito) Cataylo  
Maynard Feist  
Hans Henneberque  
Andrew Henning  
Lorenzo Lopez  
Paul Menard  
Shawn Sen  
Michael Vieira

### Via Phone:

Susie Adamian  
Gary Dunger  
Chris Fowler  
Jeffrey Maddox  
Jon Marhoefer

### AGENDA TOPICS

#### 1. Welcome

Andrew Henning called the meeting to order at 9:05 a.m. and welcomed everyone to the meeting. Ground rules were covered and members in attendance introduced themselves. Members participating via teleconference were asked to email their contact information to Andrew Henning.

Meeting minutes from the June meeting were not available yet. Meeting minutes from the July meeting were completed and sent out to the group. Andrew Henning asked if the group had any questions, comments, or concerns in regards to the July meeting minutes. No one had concerns. There was a motion and second motion to approve the minutes and the meeting minutes were approved. The meeting agenda and minutes can be found on the Office of the State Fire Marshal (OSFM) website.

#### 2. Meeting Objective

The purpose of the meeting today is to do a complete review and discussion of the working group draft report. The last meeting scheduled for August 16, 2016 will only be a final read through of the report. If any proposed language has major issues, no justification, or not otherwise finalized by the August 16, 2016 meeting, it will not be considered by OSFM to be moved into the intervening rulemaking adoption cycle that will be effective July 2018. Anything not finalized will be delayed to the 2018 triennial rulemaking adoption cycle, to be effective January 2020.

#### 3. Report Review

The report was sent to the working group a week ago. Hans Henneberque has provided a more updated report that now includes pictures and the addition of item 1-4. Photos

showing the courtroom or court system should be sent to Hans Henneberque for inclusion in the report.

### *Executive Summary*

Andrew Henning asked if the group had any questions or concerns about the Executive Summary section. It is something that should be updated once the report is finalized. The Executive Summary is a one page summary of the report that provides information on what the working group did and the intent of the working group.

### *Working Group Scope & Goals*

The Working Group Scope and Goals sections were taken verbatim from the brainstorming activity that the working group concurred on during the first two meetings.

### *Recommendations*

The Recommendations section will need to be formatted correctly. Each item should be bulleted and numerically labeled. Each item will be followed by a rationale in the same format and font. Andrew Henning highlighted in grey what needs to be deleted or moved elsewhere.

Lito Cataylo provided an update on what Group 1 has been working on. For item 1-1, new definitions added include "housing pod" and "intake areas." The definition for "dayroom" and "housing unit" were revised. Group 1 was in agreement with the language during their last go-around and forwarded the language to Hans Henneberque for consolidation. Hans Henneberque inserted in language that was reflective on the new 2016 code changes. The group discussed these definitions and determined that the 2016 code revision of "dayroom" is sufficient to capture the group's intent. The proposal for revising the "dayroom" definition is removed. The 2016 code definition of "housing unit" was updated to add language that a housing unit may contain one or more housing pods. Lorenzo Lopez asked if the language should include sleeping areas and other inmate support/program space. The language was added. Hans suggested that Group 4 and Group 1's use of intake area should be coordinated. In the current code, there is no definition for intake area. In Group 4, intake areas was called intake area and release. The definition was expanded to "intake and release areas" and the rationale was also updated accordingly. The "support space" clarification in the rationale was unnecessary and removed.

The working group had a consensus in previous meetings that nothing in the report would add any costs to current methods of construction. Andrew Henning stated that the section on estimated costs highlighted in green do not need to be included in every proposed section, but just added as a blanket statement at the end of the report regarding no cost and increasing safety by adding glaze.

Item 1-2 is updated to add section 5 in the exception for correctional facilities. This allows 7 square feet for a safe dispersal area for each person because inmates may be laying down and needing more space.

Item 1-3 added new definitions of suites. In 2010, corridors were unrated under code section 408.1.2.2. In 2013, the code section was updated so that certain suites would not be considered corridors. Lorenzo Lopez added it was never the intent of the working groups in the past that all corridors be replaced. Chief Steve Guarino and Chief Sandy Margullis joined the meeting to discuss suites and the overlay confusion. The working

group has been trying to find the best way to address the overlay confusion whether it is moving forward with suites, keeping the occupancy overlay, fixing this confusion with an interpretation, or making changes to the guidebook. The workgroup went through a series of detailed designs to discuss this issue, intervening spaces, corridors, housing pods, egress, etc. Two definitions for suites, "correctional medical or mental health suite" and "detention program suite" were maintained following the discussion. The other definitions that remain for this section are: correctional hospitals, correctional nursing facilities, correctional mental health facilities, and correctional treatment centers.

Item 1-4 added exception 8 to code section 1015.2. This exception would not require a guard at elevated facility observation station access hatches at I-3 facilities. Hans Henneberque suggested that "I-3 facilities" be changed to "detention facilities." Detention facilities incorporate both prisons and jails.

Andrew went over the highlights of Group 1 and stated that the bullet points at the end do not need to be broken up into different sections. It should be included at the end because it encompasses about 90% of the suggested revisions such as cleaning up the code, making the code less confusing, removing the wide variety of interpretation, etc. For the rationale, Andrew Henning stated that all the Chapter 2 changes should be put as one line item and then have the rationale grouped and not as separate bullet items.

Instead of deleting section 408.1.2.2 under 2-0, the working group revised the language. Section 1020.1 for construction adds exception 7 that provides a reference to Section 408.1.2.2 for exceptions to fire resistance ratings for corridors in Group I-3 occupancies. For the rationale, Andrew Henning suggested that pictures and facility diagrams discussed during the meeting be included to ensure that the intent is correctly captured. It will then be copied into or referenced as part of the Initial Statement of Reasons.

The working group took a break for lunch at noon and resumed at 12:50 p.m.

The working group continued to discuss intervening spaces in item 2-0. The group added to exception 1 of intervening spaces that exit access within the housing unit may be a non-rated corridor provided the exit occupant load from each dayroom does not exceed 64 persons. This section would need a rationale.

Item 2-1 with definitions for code section 408.2.2 was deleted. The rationale was kept but would need to be modified.

Item 2-2 revised exception 5 for code section 716.5.3. The group discussed this change, deleted the revision for code section 716.5.3, and started from scratch under code section 408.1.3. Smoke seals on smoke partitions do not have to be a rated smoke seal. The language now states that security door assemblies in corridors, smoke barriers, and smoke partitions to be constructed in accordance with NFPA 252, UL 10C, or UL 1784 and not required to be tested or labeled.

Jeffery Maddox provided an update on what Group 3 worked on. Item 3-1 incorporated the comments made from the working group for code section 408.9.1 and added a rationale and the cost. The formatting for this section needs to be fixed.

Hans Henneberque provided an update on Group 4. In item 4-1, the group clarified the definition of cell tiers to allow up to two-thirds for type 1 construction and one-third of the floor area for any other type of construction. Section 408.1.2.8 was added to clarify that fire stopping is also not required between the tiers. The working group discussed if this

language should be taken out and addressed in the guidance manual instead. Andrew Henning suggested this section stay in the report for now as a proposed code change. Since the code is being misapplied, it is best to clean this up and put this forward as a formal group recommendation that fire stopping of floor penetrations between tiers is not required.

Item 4-2 went from having four definitions to only two definitions now.

Item 4-3 brought in language to allow a custody station within a corridor. The language used here is the same as the language used for charting stations in an I-2 corridor. At the last group meeting, there were no significant discussions on this topic. Chief Greg Andersen asked if this section addresses nursing stations. At the last meeting, Group 5 was tasked with taking the old language on nursing stations and incorporating back it into this report as a recommendation to OSFM to have it put back into Title 19. Gary Dunger has the old Office of Administrative Law (OAL) language that was to be added to Title 19 but was later rescinded. Gary Dunger will email this language to Hans Henneberque to be included in the report as a recommendation to OSFM for inclusion into Title 19. Andrew Henning stated that this would be a standalone recommendation, so should be put at the end of the report.

Item 4-4 is no longer part of the report. There was a discussion on bringing small storage rooms back into Table 5.10 (2016 code), but the group decided that changes for 508 was good enough and dropped the proposal.

Gary Dunger provided an update on Group 5. Updated language from Group 5 was not incorporated into this latest report but was incorporated in during the meeting. In item 5-1, the exception language for code section 508.2.4 was updated to match the 2016 code language. Rationale for why Group A was included in the exception for I-3 but not for I-2 and I-2.1 was added.

Item 5-2 reorganized housing pod to have an occupant load factor based on the number of beds and reorganized the two footnotes that are part of this code change. Additions to the rationale included a discussion to clarify that overcrowding is an enforcement issue, not a construction issue.

Item 5-3 with provisions for health care in detention facilities had changes in Table 803.9 to move footnote "n" to the group column instead of having it in each box. Footnote "n" is a new proposal. Code section 907.2.6.2.2, exception 4 was reworded to make better sense. In section 1010.1.9.6, exception 5 was removed because it was an operational provision, not a construction provision. Andrew Henning stated that Chapter 4 of the International Fire Code (IFC) is not adopted by the state, but many local fire authorities do adopt the chapter; therefore this exception should not be removed. A note is left on the report for OSFM to determine if the exception can be adopted.

### *Commentary*

Commentary will be required for the fire stopping between tiers proposal.

### *Conclusion*

The working group discussed some of the conclusion. Gary Dunger will wordsmith the conclusion. Bullet points in the conclusion were elaborated on to summarize what the

report is about and include the big ticket items such as the clarification of code section 408.1.2.2. Gary Dunger will expand on a bullet to be included for I-2 restraints and Hans Henneberque will work on a bullet for medical and mental health for I-3.

#### **4. Action Items**

##### *Report Formatting*

Andrew Henning went over the correct formatting of the report. All font should be Verdana. The report is easier to fix if it is not auto-numbered. The proposed changes to code sections do not need to be tabbed or indented. Where there are some notes that states that certain exceptions are unchanged, make sure that it is universal and consistent throughout. The group will need to make sure that the express terms matches what is in the 2016 codes. Members may set up a time come to OSFM's office and use their 2016 California Fire Code to correctly cross reference the language. The editor of the report will correctly format and numerically order the items by code and to cross reference all the proposed code changes to the 2016 code. The cost will be at the end of the Title 24 section, before the Title 19 section. Graphics that help explain proposals better should be included in the rationale. The working group needs to evaluate if any of the proposed change are for only the building code, or only the fire code, or both. A majority of the proposals are for both the building code and fire code. A matrix or table should be added into the end of the report distinguishing which code each proposal applies to.

##### *Guidebook*

Scheduling the meeting to start working on the guidebook will need to further be discussed internally at OSFM. The Code Development and Analysis Division or the Fire Life and Safety Division may take the lead for developing the guidebook. By October, OSFM will know which of the proposed provisions in this report will be moving forward. Work on the guidebook can begin once that is known. The working group will discuss at the next meeting how they want to approach the guidebook, whether it be a smaller subgroup doing the legwork with the entire working group commenting on the guidebook or the entire working group contributing to the guidebook together.

##### *Deadlines*

Before the close of business day, Andrew Henning will send the report that was worked on at the meeting to the entire working group. Hans Henneberque will have the report updated and sent to the subgroup leads by August 8<sup>th</sup>. Subgroups will work on their sections and send it back to Hans Henneberque to be consolidated. Hans will send the consolidated report to OSFM by August 10<sup>th</sup>. OSFM will distribute the report back to the working group on August 11<sup>th</sup> for review.

#### **5. Adjourn**

Andrew Henning adjourned the meeting at 3:30 p.m. The next meeting to finalize the report will be on August 16, 2016.