



## California State Fire Marshal **CODE INTERPRETATION**

Date Issued	5/11/09	Interpretation	08-090
Topic	Annual Inspection Requirements of Multi Family Dwellings		
Code Section(s)	Health and Safety Code §13146.2		
Requested by	Richard Gallagher, Fire Marshal Culver City Fire Department 9770 Culver Boulevard Culver City, CA 90232 (310) 253-5925		

**My request for interpretation is in reference to §13146.2 and §17921 as printed in the Health and Safety Code.**

**The direction of §13146.2. “All buildings and structures are to be inspected annually per §17921. (b) which excludes single-family dwellings.”**

**Section 310 of the 2007 California Building Code states in part “R-3 Residential Occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-3.1, R-4 or I, including:**

**Buildings other than townhouses that do not contain more than two dwelling units.**

**Townhouses not more than three stories above grade in height with separate means of egress.”**

**The 2007 CA Fire Code Chapter 2, Definitions, “Townhouse, A single-family dwelling unit constructed in a group of three or more attached units in which each units extends from the foundation to the roof and with open space on at least two sides.”**

**Many complexes carry the description of different multi-family living units such as condominiums, townhomes or townhouses regardless of the actual occupancy classification. Our community has apartment buildings**

**that have been converted into condos which means they have become private (dwelling) units owned by separate individuals (single-family dwellings).**

**1. Are these single family dwellings exempt? If not, why?**

Yes. Only where these buildings are classified as Group R-3 occupancies by the Code Official, than an annual fire inspection is not required. 2007 CBC Section 310 only permits townhouses as Group R-3 occupancies. The 2007 CBC does not allow the construction of townhouses in other occupancy groups.

**2. Is the building exempt? If not, Why?**

No. Apartment buildings that have been converted into condominiums are not exempt from annual inspections unless reclassified by the Code Official as a Group R-3 occupancies.

**3. Are we required to inspect ANY multi-family building that does not comply under the definition of "TOWNHOUSE"?**

Yes. The 2007 CBC Section 310 only permits townhouses as Group R-3 occupancies.

**4. What is the definition of a multi-family residential occupancy that is required to be inspected? R-1's, R-2's only?**

Yes. Fire safety inspections are required in all hotels, motels, lodging houses, apartment houses, condominiums, townhomes and townhouses not otherwise classified as a Group R-3 occupancy.

**5. Do we include R-3's which are multi-family buildings?**

No.