

Building Code Requirements
Large Dwellings Used As an Overnight Rental

The purpose of this document is to offer clarification and information regarding certain large dwellings used as overnight rental units and other smaller properties used as overnight rentals. An increase in the number and size of rental properties caused a review of applicable building codes pertaining to the specific nature of a larger than average residential structure with transient occupants. The Gatlinburg Department of Building Inspection Services enacted in June 2003 a clarification in building code interpretation regarding certain dwellings used as overnight rentals and now has revised that interpretation to meet the current International Building Code as of November 2009. The Gatlinburg Fire Department concurs with the Building Departments interpretation and the International Code Council confirms this interpretation to be correct.

Dwellings utilized as overnight rentals that have six (6) or more sleeping rooms or accommodations for 16 or more transient guests or are larger than 3 stories, are required to be designed and constructed to meet the building code requirements as a Group R-1 Occupancy Classification as defined in Section 310.1 of the 2006 International Building Code. Specific code requirements that will impact the design and construction of these larger dwellings include (but are not limited to):

Type of Construction	Table 503
Fire Sprinklers	903.2.7
Fire Alarms	907
Exit Signs & Lighting	1006/1011
Exits	1015

All structures must meet the requirements of Table 503 for allowable heights (stories) and areas (sizes). Proposed dwellings having 6 or more sleeping rooms or more than 16 people or are larger than 3 stories are required to strictly adhere to Table 503. A code complying basement is not considered a story as long as the basement complies with the definition in section (502) "Basement".

Lofts in dwellings are generally considered a story if they are larger than one-third of the open floor space of the main floor immediately below, per section (505). Typically lofts are counted as a story. Structures with Group R-1 Occupancy are required to be protected by a fire sprinkler system.

A fire sprinkler system meeting section (903.2.7) is required when the structure is an R-1 Occupancy, sleeps 16 or more people or is more than 3 stories in height or has 6 or more sleeping rooms.

Automatic Fire Alarm systems are required (907.2.8.2) in all R-1 occupancies.

Two independent exits per floor are required (1019.1). Although not required Exit signs are recommended to indicate all interior exit doors and interior exit stairways with emergency illumination, and directional if necessary. Exit signs and lighting with emergency back up power is required at all exterior stairs (1011.1-1011.5.3)

Provisions for handicap accessibility are also required in R-1 Occupancy classification dwellings. The current accessibility code is the 1991 North Carolina State Handicapped Code Volume 1-C with the 1996 Revisions. Typically, a properly designated parking space, an accessible entrance into the structure, one accessible bedroom/bath and an accessible kitchen is required. If recreational features are available, they must be also accessible. Additional ADA requirements may apply, we recommend you check www.ada.org.

Larger structures with additional bedrooms require additional parking requirements and other zoning-related provisions may be applicable. Please check with the Gatlinburg Planning Department regarding zoning regulations.

This is intended to be an overview of main issues concerning this topic and is not intended to cover all the design requirements. Please note that all dwellings that are for rent, lease, sale or overnight rental are required to be designed by a design professional registrant of Tennessee (Architect or Engineer). All plans and documentation must be sealed and signed by the registrant. Two copies of design plans are required for plan review and permit issuance.

If a rental property has been designed to be utilized for rent as a single family overnight rental (smaller rental cabin) and not as an R-1 Occupancy it is the sole responsibility of the owner or his/her representative, to make sure the property is not to be used for larger than the designed capacity.

In conclusion you may be allowed to have an overnight rental property that is 3 stories in height, sleeps 15 or less people and has 5 or fewer sleeping rooms and meet the requirements of the International Residential Code. If any of the three categories is greater than previously noted the structure must adhere to the International Building Code for R-1 Occupancies.

Please feel free to contact our office Monday through Friday (excluding holidays) between the hours of 8:00 A.M. to 4:30 P.M. at 865-436-7792. Other related information is available at the City website at www.ci.gatlinburg.tn.us.