

Warren County, Tennessee
Building & Environmental Codes Department

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Minimum Requirements for Residential Occupancy
Codes and FAQs

Below are the applicable minimum standards for occupancy of a structure as a dwelling unit based on the 2012 International Residential Code (IRC) for One and Two-Family Dwellings and the 2009 International Energy Conservation Code:

- **R105.1** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.
- **R303.1** All habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural *ventilation* shall be through windows, doors, louvers or other *approved* openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 4 percent of the floor area being ventilated.

Exceptions:

1. The glazed areas need not be openable where the opening is not required by [Section R310](#) and a whole-house mechanical *ventilation* system is installed in accordance with [Section M1507](#).
 2. The glazed areas need not be installed in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 footcandles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.
 3. Use of sunroom and patio covers, as defined in [Section R202](#), shall be permitted for natural *ventilation* if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.
- **R303.3** Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 m²), one-half of which must be openable.

- **Exception:** The glazed areas shall not be required where artificial light and a local exhaust system are provided. The minimum local exhaust rates shall be determined in accordance with [Section M1507](#). Exhaust air from the space shall be exhausted directly to the outdoors.

R303.7 All interior and exterior stairways shall be provided with a means to illuminate the stairs, including the landings and treads. Interior stairways shall be provided with an artificial light source located in the immediate vicinity of each landing of the stairway. For interior stairs the artificial light sources shall be capable of illuminating treads and landings to levels not less than 1 foot-candle (11 lux) measured at the center of treads and landings. Exterior stairways shall be provided with an artificial light source located in the immediate vicinity of the top landing of the stairway. Exterior stairways providing access to a *basement* from the outside *grade* level shall be provided with an artificial light source located in the immediate vicinity of the bottom landing of the stairway.

Exception: An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stairway section.

R303.7.1 Light activation.

Where lighting outlets are installed in interior stairways, there shall be a wall switch at each floor level to control the lighting outlet where the stairway has six or more risers. The illumination of exterior stairways shall be controlled from inside the *dwelling* unit.

Exception: Lights that are continuously illuminated or automatically controlled.

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- **R303.9** When the winter design temperature in Table R301.2(1) is below 60°F (16°C), every *dwelling unit* shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.
- **R304.1** Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet of gross floor area*** (this requirement has been removed in the 2015 IRC)
- **R304.2** Other habitable rooms shall have a floor area of not less than 70 square feet (except kitchens)

- **R304.3** Habitable rooms shall not be less than 7 feet in any horizontal dimension (except kitchens)
- **R304.4** Portions of a room with a sloping ceiling measuring less than 5 feet between floor and ceiling shall not be considered as contributing to the minimum required habitable area for that room.

This means that the legal limit for a tiny house could be as small as 138 square feet (120 sf habitable room at 7' wide + 18 sf bathroom)



Simple illustrative drawing of an 8'x20' tiny house that meets the 2012 IRC minimum area requirements

Even if one maintains the layout of a more traditional house, it could be as small as 260 square feet (bedroom @ 70 sf. + kitchen @ 50 sf + bathroom @ 20 sf + living room @ 120 sf)

- **R305.1** *Habitable space*, hallways, bathrooms, toilet rooms, laundry rooms and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) at the center of the front clearance area for fixtures as shown in Figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

- **R306.1** Requires that every dwelling have a water closet, lavatory, and bathtub or shower (which could be as small as 18 sf while still meeting spacing requirements in Section 307)
- **R306.2** Requires that every *dwelling* have a kitchen area with a sink
- There are no requirements that the sleeping area or kitchen has to be in a separate room.
- **R307.1** Plumbing fixtures shall be spaced in accordance with Figure R307.1 (Below), and in accordance with the requirements of Section P2705.1 (Below).

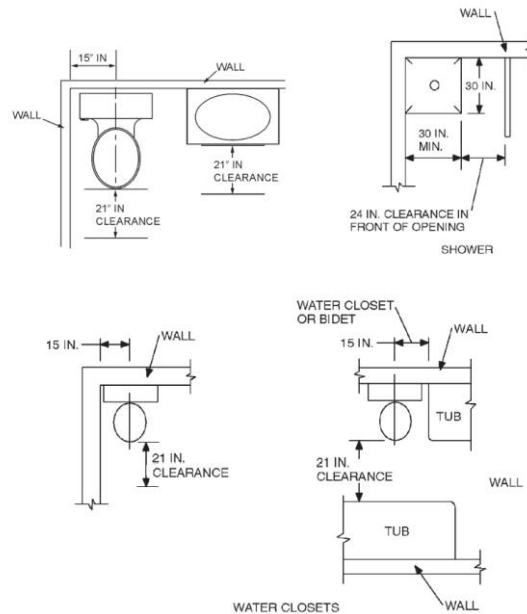


Figure R307.1

P2705.1 The installation of plumbing fixtures shall conform to the following:

1. Floor-outlet or floor-mounted fixtures shall be secured to the drainage connection and to the floor, where so designed, by screws, bolts, washers, nuts and similar fasteners of copper, brass or other corrosion-resistant material.
2. Wall-hung fixtures shall be rigidly supported so that strain is not transmitted to the plumbing system.
3. Where fixtures come in contact with walls and floors, the contact area shall be water tight.

4. Plumbing fixtures shall be usable.

5. Water closets, lavatories and bidets. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be a clearance of not less than 21 inches (533 mm) in front of a water closet, lavatory or bidet to any wall, fixture or door.

6. The location of piping, fixtures or equipment shall not interfere with the operation of windows or doors.

7. In flood hazard areas as established by Table R301.2(1), plumbing fixtures shall be located or installed in accordance with Section R322.1.7.

8. Integral fixture-fitting mounting surfaces on manufactured plumbing fixtures or plumbing fixtures constructed on site, shall meet the design requirements of ASME A112.19.2/CSA B45.1 or ASME A112.19.3/CSA B45.1.

- **R310.1** Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) measured from the finished floor to the bottom of the clear opening. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with [Section R310.3](#). The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with [Section R310.2](#). Emergency escape and rescue openings shall open directly into a public way, or to a *yard* or court that opens to a public way.

R310.1.1 All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m²).

Exception: *Grade* floor openings shall have a minimum net clear opening of 5 square feet (0.465 m²).

R310.1.2 The minimum net clear opening height shall be 24 inches (610 mm).

R310.1.3 The minimum net clear opening width shall be 20 inches (508 mm).

R310.1.4 Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

- **R314.3** Smoke alarms shall be installed in the following locations:
 1. In each sleeping room.
 2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
- **R315.1** For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* within which fuel-fired *appliances* are installed and in dwelling units that have attached garages.

International Energy Conservation Code 2009 Edition Requirements

- **402.1.1 Insulation and fenestration criteria.** The *building thermal envelope* shall meet the requirements of Table 402.1.1 based on the climate *zone* specified in Chapter 3.

Climate Zone – 4 Except Marine
Fenestration U-Factor – 0.35
Skylight U-Factor – 0.6
Ceiling R-Value – 38
Wood Frame Wall R-Value – 13
Mass Wall R-Value – 5/10
Floor R-Value – 19
Basement Wall R-Value – 10/13
Slab R-Value and Depth – 10/2ft
Crawl Space Wall R-Value – 10/13

FAQs

Q: I don't need a permit if it's less than 200 sq/ft., right?

A: This is true. Typically if you are building something under 200 sq/ft. you don't need a permit. The catch is that there's an exception to this is and it's when you want to dwell/live in it. Then it is classified as "dwelling" and it doesn't matter if its 10,000 square feet or 10 square feet, you are required to have a permit.

Q: It has wheels or it's not being attached to a permanent foundation, so I'm classifying it as an RV or Trailer/Mobile Home and therefore I don't need a permit, right?

A: Only if your home is being built by a certified RV or Manufactured Home (Mobile Home) manufacturer. You can't build a tiny house or convert a storage building into a residence and then classify it as an RV or Manufactured Home (Mobile Home). If your dwelling doesn't have an affixed HUD Certification Label, it requires a building permit.

Q: What is considered a Manufactured Home (Mobile Home)?

A: A manufactured home (formerly known as a mobile home) is built to the Manufactured Home Construction and Safety Standards (HUD Code) and displays a red certification label on the exterior of each transportable section. Manufactured homes are built and inspected in the controlled environment of a manufacturing facility and are transported in one or more sections on a permanent chassis. Manufactured homes are constructed according to a code administered by the U.S. Department of Housing and Urban Development (HUD Code).

The State of Tennessee Manufactured Housing Section administers portions of the Uniform Standards Code for Manufactured Homes and Recreational Vehicles Act (TCA Title 68, Chapter 126, Part 2) related to H.U.D. Labeled Manufactured Homes, the Tennessee Manufactured Home Installation Act (TCA Title 68, Chapter 126, Part 4), and acts as HUD's State Administrative Agent and exclusive Production Inspection - Primary Inspection Agency, to administer certain aspects of the National Manufactured Housing Construction and Safety Standards Act of 1974 (the Federal Act).