

D. Fire Safety Requirements for Bedrooms

- 1) Two means of exit must be available from a bedroom with one being a door or window leading directly to the exterior.
- 2) A window exit must have a width of at least 20 inches, a height of at least 24 inches, and a clear opening at least 5.7 square feet in area. A window sill may be a maximum of 44 inches above the floor.
- 3) An exit must not lead through another sleeping area or a bathroom.
- 4) Sleeping rooms built after 1996 must have an electrically-powered smoke detector, interconnected with smoke detectors in other sleeping rooms.

An Example—Applying the Standards in a Single Family Dwelling

Suppose you live in a single-family dwelling with livable floor area of 1,800 square feet and four bedrooms measuring 88, 120, 144, and 180 square feet. To figure out the number of people who can live in your home, calculate how many people are allowed based on the tables in Sections A and B and then confirm the relationships allowed in Section C. The standards in Section A (based on the size of the residence) permit six related adult occupants plus all related children. The occupancy standards in Section B (bedroom size) allow eight related persons (1 in the 88 sq. ft. bedroom, 2 in the 120 sq. ft. bedroom, 2 in the 144 sq. ft. bedroom, and 3 in the 180 sq. ft. bedroom). The maximum number of people permitted in the residence must conform to the limits of both standards. Therefore, this unit could house a total of eight persons, but not more than six adults may live there. Please note that if more than four persons live in the residence, they must all be related (Section C).

Related Issues

- Alterations to a residence require a building permit and zoning approval. Please consult the Building Official's office at (540) 667-1815.
- Under most circumstances, you may not have a second kitchen in your home. If you want to add a kitchen, please contact the Zoning and Inspections Department by calling (540) 667-1815.

If you have additional questions or concerns related to the information presented in this brochure, please contact the Zoning and Inspections Department at (540) 667-1815.

The City of Winchester applies occupancy requirements to all residents regardless of their race, color, creed, sex, national origin, age, or religion.



Residential Occupancy Standards

Enacted Regulations to Prevent Excessive Occupancy



City of Winchester

Rouss City Hall
15 North Cameron Street
Winchester, Virginia 22601
www.winchesterva.gov

February 2016

Basis for Concern

Over-occupancy of dwelling units creates health and safety dangers to home occupants and their neighbors. These dangers include fire hazards, spread of disease to occupants and the general population, an opportunity for domestic violence and abuse, effects to mental health, and other adverse impacts on the peace, comfort, and safety of residents. To protect against these dangers, the City has established regulations limiting the number of occupants in a residence. These regulations are intended to ensure a good living environment in residential neighborhoods and reduce vehicle congestion, noise, and overwhelming of public utilities.

Applicable Codes and Ordinances

The City utilizes the Virginia Uniform Statewide Building Code (USBC) and the Winchester Zoning Ordinance to ensure the safe occupancy of dwelling units.¹ In general, the limitations are based on the size of the house, the size and number of bedrooms, the relationships of the residents, and fire safety standards. **Failure to comply with any portion of these requirements constitutes a violation of legal occupancy allowances.**

A. Occupancy Standards Based on the Size of the Residence

The City limits the number of adult occupants in a house based upon the size of the entire dwelling unit. The following table outlines these limits for single family and two-family dwellings.

Livable Floor Area of Dwelling Unit (in square feet)	Maximum Number of Adult Occupants*
Up to 1,200	4 adult occupants
1,201 to 1,750	5 related adult occupants
1,751 to 2,400	6 related adult occupants
2,401 to 3,150	7 related adult occupants
3,151 to 4,000	8 related adult occupants
4,001 to 4,500	9 related adult occupants
4,501 to 5,000	10 related adult occupants

* *Adult occupant* means any individual 18 years of age or older, living or sleeping in a building, or having possession of space within a building.

¹ Standards taken from the Virginia Maintenance Code, §404 and the Winchester Zoning Ordinance, Virginia §18-4.

In a condominium or apartment, the number of adults allowed is calculated by taking the square footage of the unit and dividing by 200. The result gives the number of adults who may live in that unit according to this standard (e.g., 5 adults are allowed in a 1,000 square foot unit, though the standards of Section B will likely reduce the number allowed).

B. Occupancy Standards for Bedrooms:

One occupant—requires at least 70 square feet of floor area.

Two or more occupants—at least 50 square feet of floor area per person.

Required Bedroom Area

Bedroom Size (square feet)	Maximum Number of Occupants per Room*
70	1
100	2
150	3
200	4

* *Number of occupants* includes adults and children.

C. Relationship of Occupants

Residential dwellings may be occupied by any one of the following groups of persons or types of families:

- 1) One or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit.
- 2) A number of persons, not exceeding four persons, who are living and cooking together as a single housekeeping unit, though not related by blood, adoption, or marriage.
- 3) No more than eight persons who are residents of a group home as defined within the Code of Virginia and the Winchester Zoning Ordinance, or who are handicapped as defined in the Fair Housing Act.