

## STATE BUILDING CODE INTERPRETATION NO. I-10-05

August 1, 2005

The following is offered in response to your letter to me dated July 25, 2005 in which you seek a formal interpretation of the provisions of the 2003 International Residential Code portion of the 1999 State Building Code as it applies to repairs to an existing means of egress stairway.

**Question:** When repairing the exterior landing or steps that serve the required exit from a single family dwelling by placing a new surface over them, is one obligated to meet the code's requirements regarding riser height and tread depth?

**Answer:** Yes. Section R101.2 of the referenced code makes it clear that the provisions of the code apply to repairs as well as to new construction, additions, alterations, replacement, etc. Adding an additional surface to existing steps or landings may have an impact on the riser height and tread depth. When performing a repair such as this, one must ensure that the maximum riser height of 8 ¼ inches is not exceeded and that the maximum difference between risers in any flight of stairs does not exceed 3/8 inch (R311.5.3.1). Likewise, the minimum tread depth of 9 inches must be met and the maximum difference between treads in any flight of stairs cannot exceed 3/8 inch (R311.5.3.2). Since the work you describe is a rearrangement of parts of a structure affecting the means of egress, it does not qualify as an ordinary repair, and a permit is thus required. Even if a permit had not been required, Section R105.2 of the referenced code states, in part, "exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code".