

## STATE BUILDING CODE INTERPRETATION I-15-07

June 26, 2007

The following is offered in response to your June 11, 2007 letter to me in which you seek a formal interpretation of the provisions of Section 3406 of the 2003 International Building Code (IBC) portion of the 2005 State Building Code.

**Question:** In an existing mixed occupancy building undergoing a partial change of occupancy to a greater hazard category as determined by Section 3406.1.1, does the code require the entire building to comply with the requirements for the new occupancy even though portions of the existing building will not change occupancy and will not undergo alteration?

**Answer:** The intent of the code with respect to this matter is found in Section 302 of the IBC. A partial change of occupancy in a mixed occupancy building is treated differently depending on whether or not the occupancies are separated. When the mixed occupancies are not separated, the entire building must comply with height and area limitations for the most restricted occupancy. In addition, the most restrictive provisions of Section 403 (High-Rise Buildings) and Chapter 9 (Fire Protection Systems) apply to the entire building. Other provisions of the code are applied to the individual occupancies based on the use of the space.

On the other hand, when the occupancies are separated in accordance with Section 302.3.2, each fire area must comply with the code based on the use of the space. In addition, each fire area shall comply with the height limitations based on its use and in each story the sum of the ratios of the actual floor area divided by the allowable floor area shall not exceed one.

An available alternative to Section 3406 of the IBC is Chapter 8 of the 2003 International Existing Building Code portion of the 2005 State Building Code. The choice of which code to follow is made by the permit applicant at the time of application.