

STATE BUILDING CODE INTERPRETATION I-25-06

December 15, 2006

The following is offered in response to a question regarding the application of Sections 505.2 and 812.3 of the 2003 International Existing Building Code (IEBC) portion of the 2005 State Building Code, as well as the exceptions found in Section 812 that state that compliance with all the provisions of Chapter 7 is not required when the change of occupancy complies with Section 812.3.

Question: A change of occupancy in an existing building is planned from a Group R-3 occupancy to a new Group B occupancy. The owner does not plan to undertake any alterations, but merely wishes to redecorate and move office furniture into the building. Is it the intent of the code that when undergoing this change of occupancy (where all three of the hazard classifications of the proposed occupancy are to an equal or lesser hazard, thus qualifying for Section 812.3) that compliance with Section 505.2 is not required?

Answer: No. During the adoption of the IEBC, one of the concerns that the Codes and Standards Committee, along with the 541 Committee, the State Building Inspector and the Deputy State Fire Marshal had was to ensure that as a minimum, the means of egress requirements for existing buildings found in Part IV of the Connecticut State Fire Safety Code (CSFSC) would be the absolute minimum requirements for means of egress in all buildings in the State that were undergoing alteration or change of occupancy. Based on the fact that the requirements of the IEBC are generally cumulative (that is, Chapter 8 generally refers you to Chapter 7, which then refers you to 6 and then to 5), these minimum requirements were put in Section 505.2, which was added through the Connecticut Supplement. The thinking at the time was that there was no way to use the IEBC for an alteration or change of occupancy without ending up having to meet the requirements of Chapter 5. Unfortunately, the review process missed the fact that Section 812.3 allows the code user to bypass the requirements of Chapter 7 (and thus 6 and 5) assuming the change of occupancy doesn't involve at least a Level 1 Alteration. This results in a very few cases where there appears not to be a path from Chapter 8 to Chapter 5 and thus to Section 505.2. This was clearly not the intent, which is obvious from the language of Section 505.2:

(Add) **505.2 Minimum standards.** In addition to the requirements of this code, means of egress in existing buildings shall meet the requirements of the existing buildings provisions of the 2003 NFPA 101 Life Safety Code portion of the Connecticut State Fire Safety Code.

This section makes it clear that regardless of what is being done to an existing building, the code means to set the CSFSC existing building means of egress requirements as the minimum standard (in addition to, not in place of, other more or less stringent requirements found in the IEBC). To allow otherwise would be to encourage an immediate violation of Part IV of the CSFSC upon completion of the work. Connecticut is unique in that it is one of a few states that require yearly inspection of all buildings other than one- and two-family dwellings by the local fire marshal. This activity is governed by Part IV of the CSFSC. Coordination with the CSFSC is one of the reasons that Connecticut was unable to adopt the IEBC as written and why Section 505.2 was added. Unfortunately, in retrospect, it appears that the minimum means of egress requirements should have been added to Chapter 1 instead of Chapter 5, but that doesn't alter the intent of the code, which is that as an absolute minimum, the CSFSC existing building provisions for means of egress apply to all buildings utilizing the IEBC for alteration or change of occupancy.