

STATE BUILDING CODE INTERPRETATION NO. I-71-00

November 6, 2000

The following is offered in response to your letter in which you seek a formal interpretation of the provisions of the 1999 State Building Code as they may apply to stairs enclosed in a pre-cast concrete bilco-type hatchway that extend from a single-family residential basement to exterior grade. You ask if the riser and tread in such stairs must be in compliance with the requirements for other stairs found in various sections of the code. The answer is no, they need not match the code requirements for other stairs.

Your question has been partially answered in a previously requested interpretation of section 314 of the 1995 CABO One and Two Family Dwelling Code portion of the 1999 State Building Code, which governs the construction of Use Group R-4 one- and two-family residences. I repeat that interpretation here for your information:

I-49-00

Question: Do stairs within a pre-cast concrete (Bilco-type) basement hatchway of a One and Two Family Dwelling constructed to the requirements of the 1995 CABO One and Two Family Dwelling Code have to comply with stair and handrail requirements?

Answer: No, as long as a code-compliant means of egress is provided from the basement. It is not the intention of the code that such a hatchway be utilized or regulated as a means of egress. Such hatchways are intended to provide convenience access to basements rather than to serve as the primary or only means of entry and egress to a basement. As a convenience access, rather than a means of egress, the stairs within the hatchway are not required to meet the provisions of Sections 314 and 315 of the referenced code, however, as a matter of practicality and safety, the geometry of the rise and run must be such that the stairs are functionally usable.

In the event that a code-compliant means of egress is not provided to the occupiable basement, it would not be appropriate to install such a hatchway as the only entry and egress to a basement. In that case, one would have to provide a code-compliant, weather protected stairway or a door to grade to serve as the required means of egress.

Your question also asks if a hatchway incorporated in a Use Group R-3 single-family residence, governed by the BOCA National Building Code/1996 portion of the 1999 State Building code is treated in the same manner. The answer is yes. According to a representative of BOCA International, the BOCA National Building Code/1996 portion of the 1999 State Building Code does not require basement hatchways to comply with the riser and tread requirements set forth in section 1014. The reasoning is similar to that found in I-49-00 found above. Although section 1014.1 of the referenced code states that all stairways shall comply with the provisions of this section, it is not the intent of the code that the steps within the hatchway be regulated as stairways, partially because section 100.1.1 states that the provisions of Chapter 10 shall control the design of building elements required to provide a means of egress, and a basement hatchway such as you describe cannot be employed as a means of egress stairway. The hatchway you describe is more accurately described as a convenience access, than as a stairway. The physical configuration of the hatchway differs greatly from other interior or exterior stairways, giving the user a visual cue that care is to be taken in traversing the

hatchway, similarly to that given by alternating tread stairs or spiral stairs, which both have riser and tread requirements that differ from conventional stairways.

Comment: This interpretation does not apply to interior or exterior stairways that are not required means of egress stairways but that have the appearance of conventional stairways. This is due partially to the fact that there is no visual cue afforded by such a stairway to alert the user that due to nonconformities in riser and tread dimension, additional care must be taken.