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INTERNATIONAL CODES

# IEBC<sup>®</sup>

A Member of the International Code Family™

INTERNATIONAL  
**EXISTING BUILDING CODE**<sup>™</sup>



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# PREFACE

## Introduction

The *International Existing Building Code*® (IEBC®) establishes minimum requirements for existing buildings using prescriptive and performance-related provisions. It is founded on broad-based principles intended to encourage the use and reuse of existing buildings while requiring reasonable upgrades and improvements. This 2018 edition is fully compatible with all of the *International Codes*® (I-Codes®) published by the International Code Council® (ICC®), including the *International Building Code*®, *International Energy Conservation Code*®, *International Fire Code*®, *International Fuel Gas Code*®, *International Green Construction Code*®, *International Mechanical Code*®, *International Plumbing Code*®, *International Private Sewage Disposal Code*®, *International Property Maintenance Code*®, *International Residential Code*®, *International Swimming Pool and Spa Code*®, *International Wildland-Urban Interface Code*®, *International Zoning Code*® and *International Code Council Performance Code*®.

The I-Codes, including this *International Existing Building Code*, are used in a variety of ways in both the public and private sectors. Most industry professionals are familiar with the I-Codes as the basis of laws and regulations in communities across the U.S. and in other countries. However, the impact of the codes extends well beyond the regulatory arena, as they are used in a variety of non-regulatory settings, including:

- Voluntary compliance programs such as those promoting sustainability, energy efficiency and disaster resistance.
- The insurance industry, to estimate and manage risk, and as a tool in underwriting and rate decisions.
- Certification and credentialing of individuals involved in the fields of building design, construction and safety.
- Certification of building and construction-related products.
- U.S. federal agencies, to guide construction in an array of government-owned properties.
- Facilities management.
- “Best practices” benchmarks for designers and builders, including those who are engaged in projects in jurisdictions that do not have a formal regulatory system or a governmental enforcement mechanism.
- College, university and professional school textbooks and curricula.
- Reference works related to building design and construction.

In addition to the codes themselves, the code development process brings together building professionals on a regular basis. It provides an international forum for discussion and deliberation about building design, construction methods, safety, performance requirements, technological advances and innovative products.

## Development

This 2018 edition presents the code as originally issued, with changes reflected in the 2006 through 2015 editions and further changes approved by the ICC Code Development Process through 2017. A new edition such as this is promulgated every 3 years.

This code is founded on principles intended to encourage the use and reuse of existing buildings that adequately protect public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

## Maintenance

The *International Existing Building Code* is kept up to date through the review of proposed changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The ICC Code Development Process reflects principles of openness, transparency, balance, due process and consensus, the principles embodied in OMB Circular A-119, which governs the federal government's use of private-sector standards. The ICC process is open to anyone; there is no cost to participate, and people can participate without travel cost through the ICC's cloud-based app, *cdp-Access*<sup>®</sup>. A broad cross section of interests are represented in the ICC Code Development Process. The codes, which are updated regularly, include safeguards that allow for emergency action when required for health and safety reasons.

In order to ensure that organizations with a direct and material interest in the codes have a voice in the process, the ICC has developed partnerships with key industry segments that support the ICC's important public safety mission. Some code development committee members were nominated by the following industry partners and approved by the ICC Board:

- American Institute of Architects (AIA)
- National Association of Home Builders (NAHB)

The Code Development Committees evaluate and make recommendations regarding proposed changes to the codes. Their recommendations are then subject to public comment and council-wide votes. The ICC's governmental members—public safety officials who have no financial or business interest in the outcome—cast the final votes on proposed changes.

The contents of this work are subject to change through the code development cycles and by any governmental entity that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the International Code Council.

While the I-Code development procedure is thorough and comprehensive, the ICC, its members and those participating in the development of the codes disclaim any liability resulting from the publication or use of the I-Codes, or from compliance or noncompliance with their provisions. The ICC does not have the power or authority to police or enforce compliance with the contents of this code.

## Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

In each code development cycle, proposed changes to this code are considered at the Committee Action Hearings by the International Existing Building Code Development Committee. Proposed changes to a code section having a number beginning with a letter in brackets are considered by a different code development committee. For example, proposed changes to code sections that are preceded by the designation [F] (e.g., [F] 1404.2) are considered by the International Fire Code Development Committee at the Committee Action Hearings.

The content of sections in this code that begin with a letter designation is maintained by another code development committee in accordance with the following:

- [A] = Administrative Code Development Committee;
- [BE] = IBC—Means of Egress Code Development Committee;
- [BG] = IBC—General Code Development Committee;
- [BS] = IBC—Structural Code Development Committee;
- [E] = International Commercial Energy Conservation Code Development Committee or International Residential Energy Conservation Code Development Committee;

- [F] = International Fire Code Development Committee;
- [FG] = International Fuel Gas Code Development Committee;
- [M] = International Mechanical Code Development Committee; and
- [P] = International Plumbing Code Development Committee.

For the development of the 2021 edition of the I-Codes, there will be two groups of code development committees and they will meet in separate years.

<b>Group A Codes (Heard in 2018, Code Change Proposals Deadline: January 8, 2018)</b>	<b>Group B Codes (Heard in 2019, Code Change Proposals Deadline: January 7, 2019)</b>
<b>International Building Code</b> – Egress (Chapters 10, 11, Appendix E) – Fire Safety (Chapters 7, 8, 9, 14, 26) – General (Chapters 2–6, 12, 27–33, Appendices A, B, C, D, K, N)	Administrative Provisions (Chapter 1 of all codes except IECC, IRC and IgCC, administrative updates to currently referenced standards, and designated definitions)
<b>International Fire Code</b>	<b>International Building Code</b> – Structural (Chapters 15–25, Appendices F, G, H, I, J, L, M)
<b>International Fuel Gas Code</b>	<b>International Existing Building Code</b>
<b>International Mechanical Code</b>	<b>International Energy Conservation Code—Commercial</b>
<b>International Plumbing Code</b>	<b>International Energy Conservation Code—Residential</b> – IECC—Residential – IRC—Energy (Chapter 11)
<b>International Property Maintenance Code</b>	<b>International Green Construction Code</b> (Chapter 1)
<b>International Private Sewage Disposal Code</b>	<b>International Residential Code</b> – IRC—Building (Chapters 1–10, Appendices E, F, H, J, K, L, M, O, Q, R, S, T)
<b>International Residential Code</b> – IRC—Mechanical (Chapters 12–23) – IRC—Plumbing (Chapters 25–33, Appendices G, I, N, P)	
<b>International Swimming Pool and Spa Code</b>	
<b>International Wildland-Urban Interface Code</b>	
<b>International Zoning Code</b>	
<b>Note:</b> Proposed changes to the ICC <i>Performance Code</i> ™ will be heard by the code development committee noted in brackets [ ] in the text of the ICC <i>Performance Code</i> ™.	

Code change proposals submitted for code sections that have a letter designation in front of them will be heard by the respective committee responsible for such code sections. Because different committees hold Committee Action Hearings in different years, it is possible that some proposals for this code will be heard by a committee in a different year than the year in which the primary committee for this code meets. In the case of the IEBC, the primary committees that maintain this code will meet in 2019.

For instance, Section 503.3 is designated as the responsibility of the IBC—Structural Code Development Committee, along with all structural-related provisions of the IEBC. This committee will conduct its code development hearings in 2019 to consider all code change proposals to the *International Building Code* and any portions of other codes that it is responsible for, including Section 503.3 of the IEBC and other structural provisions of the IEBC (designated with [BS] in front of those sections). Therefore, any proposals received for Section 503.3 will be considered in 2019 by the IBC—Structural Code Development Committee.

As another example, every section of Chapter 1 of this code is designated as the responsibility of the Administrative Code Development Committee, which is part of the Group B portion of the hear-

ings. This committee will hold its Committee Action Hearings in 2019 to consider code change proposals for Chapter 1 of all I-Codes except the *International Energy Conservation Code*, *International Residential Code* and *International Green Construction Code*. Therefore, any proposals received for Chapter 1 of this code will be assigned to the Administrative Code Development Committee for consideration in 2019.

It is very important that anyone submitting code change proposals understand which code development committee is responsible for the section of the code that is the subject of the code change proposal. For further information on the Code Development Committee responsibilities, please visit the ICC website at [www.iccsafe.org/scoping](http://www.iccsafe.org/scoping).

## Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2015 edition. Deletion indicators in the form of an arrow (➡) are provided in the margin where an entire section, paragraph, exception or table has been deleted or an item in a list of items or a table has been deleted.

A single asterisk [\*] placed in the margin indicates that text or a table has been relocated within the code. A double asterisk [\*\*] placed in the margin indicates that the text or table immediately following it has been relocated there from elsewhere in the code. The following table indicates such relocations in the 2018 edition of the *International Existing Building Code*:

2018 LOCATION	2015 LOCATION
302.2	401.3
305	410
904.1.4	804.2.4
1201.5	1202.2
1206.1	1202.3

## Chapter Reorganization

The 2018 edition of the IEBC had several chapters moved based on the need for more effective and consistent application of the provisions. The following table shows the chapter numbering changes:

Chapter, 2018	Chapter, 2015	Title
4	6	Repairs
5	4	Prescriptive Method
6	5	Classification of Work
13	14	Performance Method
14	13	Relocated or Moved Buildings

## Coordination of the International Codes

The coordination of technical provisions is one of the strengths of the ICC family of model codes. The codes can be used as a complete set of complementary documents, which will provide users with full integration and coordination of technical provisions. Individual codes can also be used in subsets or as stand-alone documents. To make sure that each individual code is as complete as possible, some technical provisions that are relevant to more than one subject area are duplicated in some of the model codes. This allows users maximum flexibility in their application of the I-Codes.

## Italicized Terms

Selected words and terms defined in Chapter 2, Definitions, are italicized where they appear in code text and the Chapter 2 definition applies. Where such words and terms are not italicized, common-use definitions apply. The words and terms selected have code-specific definitions that the user should read carefully to facilitate better understanding of the code.

## Adoption

The International Code Council maintains a copyright in all of its codes and standards. Maintaining copyright allows the ICC to fund its mission through sales of books, in both print and electronic formats. The ICC welcomes adoption of its codes by jurisdictions that recognize and acknowledge the ICC's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC.

The ICC also recognizes the need for jurisdictions to make laws available to the public. All I-Codes and I-Standards, along with the laws of many jurisdictions, are available for free in a nondownloadable form on the ICC's website. Jurisdictions should contact the ICC at [adoptions@iccsafe.org](mailto:adoptions@iccsafe.org) to learn how to adopt and distribute laws based on the *International Existing Building Code* in a manner that provides necessary access, while maintaining the ICC's copyright.

To facilitate adoption, several sections of this code contain blanks for fill-in information that needs to be supplied by the adopting jurisdiction as part of the adoption legislation. For this code, please see:

Section 101.1 Insert: [NAME OF JURISDICTION]



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## EFFECTIVE USE OF THE INTERNATIONAL EXISTING BUILDING CODE

The *International Existing Building Code* is a model code in the *International Code* family of codes intended to provide requirements for repair and alternative approaches for alterations and additions to existing buildings. A large number of existing buildings and structures do not comply with the current building code requirements for new construction. Although many of these buildings are potentially salvageable, rehabilitation is often cost-prohibitive because compliance with all the requirements for new construction could require extensive changes that go well beyond the value of the building or the original scope of the alteration. At the same time, it is necessary to regulate construction in existing buildings that undergo additions, alterations, extensive repairs or change of occupancy. Such activity represents an opportunity to ensure that new construction complies with the current building codes and that existing conditions are maintained, at a minimum, to their current level of compliance or are improved as required to meet basic safety levels. To accomplish this objective, and to make the alteration process easier, this code allows for options for controlled departure from full compliance with the *International Codes* dealing with new construction, while maintaining basic levels for fire prevention, structural and life safety features of the rehabilitated building.

This code provides three main options for a designer in dealing with alterations of existing buildings. These are laid out in Section 301 of this code:

**OPTION 1:** Work for alteration, change of occupancy or addition of all existing buildings shall be done in accordance with the Prescriptive Compliance Method given in Chapter 4. It should be noted that this method originates from the former Chapter 34 of the *International Building Code* (2012 and earlier editions).

**OPTION 2:** Work for alteration, change of occupancy or addition of all existing buildings shall be done in accordance with the Work Area Compliance Method given in Chapters 6 through 12.

**OPTION 3:** Work for alteration, change of occupancy or addition of all existing buildings shall be done in accordance with the Performance Compliance Method given in Chapter 13. It should be noted that this option was also provided in the former Chapter 34 of the *International Building Code* (2012 and earlier editions).

Under limited circumstances, a building alteration can be made to comply with the laws under which the building was originally built, as long as there has been no substantial structural damage and there will be limited structural alteration.

Note that all repairs must comply with Chapter 4 and relocated buildings are addressed by Chapter 14.

### Arrangement and Format of the 2018 IEBC

Before applying the requirements of the IEBC, it is beneficial to understand its arrangement and format. The IEBC, like other codes published by ICC, is arranged and organized to follow logical steps that generally occur during a plan review or inspection. The IEBC is divided as follows:

Chapters	Subjects
1–2	Administrative Requirements and Definitions
3	Provisions for all Compliance Methods
4	Repairs
5	Prescriptive Compliance Method for Existing Buildings
6–12	Work Area Compliance Method for Existing Buildings
13	Performance Compliance Method for Existing Buildings
14	Relocated Buildings
15	Construction Safeguards

16	Referenced Standards
Appendix A	Guidelines for Seismic Retrofit of Existing Buildings
Appendix B	Supplementary Accessibility Requirements for Existing Buildings
Appendix C	Guidelines for Wind Retrofit of Existing Buildings
Resource A	Guidelines on Fire Ratings of Archaic Materials and Assemblies

The following is a chapter-by-chapter synopsis of the scope and intent of the provisions of the *International Existing Building Code*:

**Chapter 1 Scope and Administration.** This chapter contains provisions for the application, enforcement and administration of subsequent requirements of the code. In addition to establishing the scope of the code, Chapter 1 identifies which buildings and structures come under its purview. Chapter 1 is largely concerned with maintaining “due process of law” in enforcing the regulations contained in the body of the code. Only through careful observation of the administrative provisions can the code official reasonably expect to demonstrate that “equal protection under the law” has been provided.

**Chapter 2 Definitions.** All defined terms in the code are provided in Chapter 2. While a defined term may only be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code.

Where understanding of a term’s definition is especially key to or necessary for understanding of a particular code provision, the term is shown in italics wherever it appears in the code. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known.

Guidance regarding tense, gender and plurality of defined terms as well as guidance regarding terms not defined in this code is also provided.

**Chapter 3 Provisions for All Compliance Methods.** This chapter explains the three compliance options available in the code. In addition, this chapter also lays out the methods to be used for seismic design and evaluation throughout the IEBC. Finally this chapter clarifies that provisions in other I-Codes related to repairs, alterations, additions, relocation and changes in occupancy must also be addressed unless they conflict with the IEBC. In that case, the IEBC takes precedence.

**Chapter 4 Repairs.** Chapter 6 governs the repair of existing buildings. The provisions define conditions under which repairs may be made using materials and methods like those of the original construction or the extent to which repairs must comply with requirements for new buildings.

This chapter, like Chapter 14 related to relocated or moved buildings, is independent from the three methods presented by this code.

**Chapter 5 Prescriptive Compliance Method.** This chapter provides one of the three main options of compliance available in the IEBC for buildings and structures undergoing alteration, addition or change of occupancy.

**Chapter 6 Classification of Work.** This chapter provides an overview of the Work Area Method available as an option for rehabilitation of a building. The chapter defines the different classifications of alterations and provides general requirements for alterations, change of occupancy, additions and historic buildings. Detailed requirements for all of these are given in subsequent Chapters 7 through 12.

**Chapter 7 Alterations—Level 1.** This chapter provides the technical requirements for those existing buildings that undergo Level 1 alterations as described in Section 503, which includes replacement or covering of existing materials, elements, equipment or fixtures using new materials for the same purpose. This chapter, similar to other chapters of this code, covers all building-related subjects, such as structural, mechanical, plumbing, electrical and accessibility as well as the fire and life safety issues when the alterations are classified as Level 1. The purpose of this chapter is to pro-

vide detailed requirements and provisions to identify the required improvements in the existing building elements, building spaces and building structural system. This chapter is distinguished from Chapters 8 and 9 by only involving replacement of building components with new components. In contrast, Level 2 alterations involve more space reconfiguration and Level 3 alterations involve more extensive space reconfiguration, exceeding 50 percent of the building area.

**Chapter 8 Alterations—Level 2.** Like Chapter 7, the purpose of this chapter is to provide detailed requirements and provisions to identify the required improvements in the existing building elements, building spaces and building structural system when a building is being altered. This chapter is distinguished from Chapters 7 and 9 by involving space reconfiguration that could be up to and including 50 percent of the area of the building. In contrast, Level 1 alterations (Chapter 7) do not involve space reconfiguration and Level 3 alterations (Chapter 9) involve extensive space reconfiguration that exceeds 50 percent of the building area. Depending on the nature of alteration work, its location within the building and whether it encompasses one or more tenants, improvements and upgrades could be required for the open floor penetrations, sprinkler system or the installation of additional means of egress such as stairs or fire escapes.

**Chapter 9 Alterations—Level 3.** This chapter provides the technical requirements for those existing buildings that undergo Level 3 alterations. The purpose of this chapter is to provide detailed requirements and provisions to identify the required improvements in the existing building elements, building spaces and building structural system. This chapter is distinguished from Chapters 7 and 8 by involving alterations that cover 50 percent of the aggregate area of the building. In contrast, Level 1 alterations do not involve space reconfiguration and Level 2 alterations involve extensive space reconfiguration that does not exceed 50 percent of the building area. Depending on the nature of alteration work, its location within the building and whether it encompasses one or more tenants, improvements and upgrades could be required for the open floor penetrations, sprinkler system or the installation of additional means of egress such as stairs or fire escapes. At times and under certain situations, this chapter also intends to improve the safety of certain building features beyond the work area and in other parts of the building where no alteration work might be taking place.

**Chapter 10 Change of Occupancy.** The purpose of this chapter is to provide regulations for the circumstances when an existing building is subject to a change of occupancy or a change of occupancy classification. A change of occupancy is not to be confused with a change of occupancy classification. The *International Building Code* (IBC) defines different occupancy classifications in Chapter 3, and special occupancy requirements in Chapter 4. Within specific occupancy classifications there can be many different types of actual activities that can take place. For instance, a Group A-3 occupancy classification deals with a wide variation of different types of activities, including bowling alleys and courtrooms, indoor tennis courts and dance halls. When a facility changes use from, for example, a bowling alley to a dance hall, the occupancy classification remains A-3, but the different uses could lead to drastically different code requirements. Therefore, this chapter deals with the special circumstances that are associated with a change in the use of a building within the same occupancy classification as well as a change of occupancy classification.

**Chapter 11 Additions.** Chapter 11 provides the requirements for additions, which correlate to the code requirements for new construction. There are, however, some exceptions that are specifically stated within this chapter. An "Addition" is defined in Chapter 2 as "an extension or increase in the floor area, number of stories or height of a building or structure." Chapter 11 contains the minimum requirements for an addition that is not separated from the existing building by a fire wall.

There are also requirements for storm shelters when additions are being made to Group E occupancies.

**Chapter 12 Historic Buildings.** This chapter provides some exceptions from code requirements when the building in question has historic value. The most important criterion for application of this chapter is that the building must be essentially accredited as being of historic significance by a state or local authority after careful review of the historical value of the building. Most, if not all, states have such authorities, as do many local jurisdictions. The agencies with such authority can be located at the state or local government level or through the local chapter of the American Institute of Architects (AIA). Other considerations include the structural condition of the building (i.e., is the building structurally sound), its proposed use, its impact on life safety and how the intent of the code, if not the letter, will be achieved.

**Chapter 13 Performance Compliance Methods.** This chapter allows for existing buildings to be evaluated so as to show that alterations, while not meeting new construction requirements, will improve the current existing situation. Provisions are based on a numerical scoring system involving 19 various safety parameters and the degree of code compliance for each issue.

**Chapter 14 Relocated or Moved Buildings.** Chapter 14 is applicable to any building that is moved or relocated.

This chapter, like the chapter on repairs, is independent from the three methods presented in this code.

**Chapter 15 Construction Safeguards.** The building construction process involves a number of known and unanticipated hazards. Chapter 15 establishes specific regulations in order to minimize the risk to the public and adjacent property. Some construction failures have resulted during the initial stages of grading, excavation and demolition. During these early stages, poorly designed and installed sheeting and shoring have resulted in ditch and embankment cave-ins. Also, inadequate underpinning of adjoining existing structures or careless removal of existing structures has produced construction failures.

There are also several fire safety and means of egress issues addressed by this chapter.

**Chapter 16 Referenced Standards.** The code contains numerous references to standards that are used to regulate materials and methods of construction. Chapter 16 contains a comprehensive list of all standards that are referenced in the code, including the appendices. The standards are part of the code to the extent of the reference to the standard. Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with the code can be readily determined. The basis for code compliance is, therefore, established and available on an equal basis to the building code official, contractor, designer and owner.

Chapter 16 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards, alphabetically, by acronym of the promulgating agency of the standard. Each agency's standards are then listed in either alphabetical or numeric order based upon the standard identification. The list also contains the title of the standard; the edition (date) of the standard referenced; any addenda included as part of the ICC adoption; and the section or sections of this code that reference the standard.

**Appendix A Guidelines for the Seismic Retrofit of Existing Buildings.** Appendix A provides guidelines for upgrading the seismic resistance capacity of different types of existing buildings. It is organized into separate chapters which deal with buildings of different types, including unreinforced masonry buildings, reinforced concrete and reinforced masonry wall buildings, and light-frame wood buildings.

**Appendix B Supplementary Accessibility Requirements for Existing Buildings and Facilities.** Chapter 11 of the *International Building Code* (IBC) contains provisions that set forth requirements for accessibility to buildings and their associated sites and facilities for people with physical disabilities. Section 305 addresses accessibility provisions and alternatives permitted in existing buildings. Appendix B was added to address accessibility in construction for items that are not typically enforceable through the traditional building code enforcement process.

**Appendix C Guidelines for Wind Retrofit of Existing Buildings.** This Appendix is intended to provide guidance for retrofitting existing structures to strengthen their resistance to wind forces. This appendix is similar in scope to Appendix A which addresses seismic retrofits for existing buildings except that the subject matter is related to wind retrofits. These retrofits are voluntary measures that serve to better protect the public and reduce damage from high wind events for existing buildings.

The purpose of the Appendix is to provide prescriptive alternatives for addressing retrofit of buildings in high-wind areas. Currently there are two chapters which deal with the retrofit of gable ends and the fastening of roof decks, Appendix Chapters C1 and C2, respectively.

**Resource A Guidelines on Fire Ratings of Archaic Materials and Assemblies.** In the process of repair and alteration of existing buildings, based on the nature and the extent of the work, the IEBC might require certain upgrades in the fire-resistance rating of building elements, at which time it becomes critical for the designers and the code officials to be able to determine the fire-resistance rating of the existing building elements as part of the overall evaluation for the assessment of the need for improvements. This resource document provides a guideline for such an evaluation for fire-resistance rating of archaic materials that is not typically found in the modern model building codes.

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## CHAPTER 1

# SCOPE AND ADMINISTRATION

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### User note:

**About this chapter:** Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—Scope and Administration (Sections 101–102) and Part 2—Administration and Enforcement (Sections 103–117). Section 101 identifies which buildings and structures come under its purview and references other I-Codes<sup>®</sup> as applicable.

This code is intended to be adopted as a legally enforceable document, and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the registered design professional, contractor and property owner.

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## PART 1—SCOPE AND APPLICATION

### SECTION 101 GENERAL

[A] **101.1 Title.** These regulations shall be known as the *Existing Building Code* of [NAME OF JURISDICTION], herein-after referred to as “this code.”

[A] **101.2 Scope.** The provisions of the this code shall apply to the *repair, alteration, change of occupancy, addition* to and relocation of *existing buildings*.

**Exception:** Detached one- and two-family *dwellings* and multiple single-family *dwellings (townhouses)* not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with this code or the *International Residential Code*.

[A] **101.3 Intent.** The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*.

[A] **101.4 Applicability.** This code shall apply to the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*, regardless of occupancy, subject to the criteria of Sections 101.4.1 and 101.4.2.

[A] **101.4.1 Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose, in accordance with the laws in existence at the time of its completion, shall be permitted to comply with the provisions of the laws in existence at the time of its original permit unless such permit has expired. Subsequent permits shall comply with the *International Building Code* or *International Residential Code*, as applicable, for new construction.

[A] **101.4.2 Buildings previously occupied.** The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or the *International Property Maintenance*

*Code*, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

[A] **101.5 Safeguards during construction.** Construction work covered in this code, including any related demolition, shall comply with the requirements of Chapter 15.

[A] **101.6 Appendices.** The *code official* is authorized to require retrofit of buildings, structures or individual structural members in accordance with the appendices of this code if such appendices have been individually adopted.

[A] **101.7 Correction of violations of other codes.** *Repairs* or *alterations* mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such *repair* or *alteration* so provides.

### SECTION 102 APPLICABILITY

[A] **102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where in any specific case different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[A] **102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

[A] **102.3 Application of references.** References to chapter or section numbers or to provisions not specifically identified by number shall be construed to refer to such chapter, section, or provision of this code.

[A] **102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall govern.

## SCOPE AND ADMINISTRATION

[A] **102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] **102.4.2 Conflicting provisions.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] **102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

## PART 2—ADMINISTRATION AND ENFORCEMENT

### SECTION 103 DEPARTMENT OF BUILDING SAFETY

[A] **103.1 Creation of enforcement agency.** The Department of Building Safety is hereby created, and the official in charge thereof shall be known as the *code official*.

[A] **103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] **103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, the related technical officers, inspectors, plan examiners, and other employees. Such employees shall have powers as delegated by the *code official*.

### SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL

[A] **104.1 General.** The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] **104.2 Applications and permits.** The *code official* shall receive applications, review construction documents, and issue permits for the *repair, alteration, addition, demolition, change of occupancy*, and relocation of buildings; inspect the premises for which such permits have been issued; and enforce compliance with the provisions of this code.

[A] **104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, repair, *alteration, addition* or other improvement of *existing buildings* or structures located in *flood hazard areas*, the building official shall determine where the proposed work constitutes *substantial*

*improvement* or repair of *substantial damage*. Where the building official determines that the proposed work constitutes *substantial improvement* or repair of *substantial damage*, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 of the *International Building Code*.

[A] **104.2.2 Preliminary meeting.** When requested by the permit applicant or the *code official*, the *code official* shall meet with the permit applicant prior to the application for a construction permit to discuss plans for the proposed work or *change of occupancy* in order to establish the specific applicability of the provisions of this code.

**Exception:** *Repairs and Level 1 alterations.*

[A] **104.2.2.1 Building evaluation.** The *code official* is authorized to require an *existing building* to be investigated and evaluated by a registered design professional based on the circumstances agreed on at the preliminary meeting. The design professional shall notify the *code official* if any potential noncompliance with the provisions of this code is identified.

[A] **104.3 Notices and orders.** The *code official* shall issue necessary notices or orders to ensure compliance with this code.

[A] **104.4 Inspections.** The *code official* shall make the required inspections, or the *code official* shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

[A] **104.5 Identification.** The *code official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] **104.6 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the *code official* has reasonable cause to believe that there exists in a structure or on a premises a condition that is contrary to or in violation of this code that makes the structure or premises *unsafe, dangerous, or hazardous*, the *code official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the *code official* shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the structure or premises and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

[A] **104.7 Department records.** The *code official* shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

[A] **104.8 Liability.** The *code official*, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

[A] **104.8.1 Legal defense.** Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

[A] **104.9 Approved materials and equipment.** Materials, equipment, and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

[A] **104.9.1 Used materials and equipment.** The use of used materials that meet the requirements of this code for new materials is permitted. Used equipment and devices shall be permitted to be reused subject to the approval of the *code official*.

[A] **104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases on application of the owner or owner's authorized representative, provided that the *code official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Building Safety.

[A] **104.10.1 Flood hazard areas.** For *existing buildings* located in *flood hazard areas* for which *repairs, alterations* and *additions* constitute *substantial improvement*, the *code official* shall not grant modifications to provisions related to flood resistance unless a determination is made that:

1. The applicant has presented good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render compliance with the flood-resistant construction provisions inappropriate.
2. Failure to grant the modification would result in exceptional hardship.
3. The granting of the modification will not result in increased flood heights, additional threats to public safety, extraordinary public expense nor create nuisances, cause fraud on or victimization of the public or conflict with existing laws or ordinances.

4. The modification is the minimum necessary to afford relief, considering the flood hazard.
5. A written notice will be provided to the applicant specifying, if applicable, the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation and that construction below the design flood elevation increases risks to life and property.

[A] **104.11 Alternative materials, design and methods of construction, and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design, or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method, or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] **104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] **104.11.2 Tests.** Where there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall approve the testing procedures. Tests shall be performed by an *approved* agency. Reports of such tests shall be retained by the *code official* for the period required for retention.

## SECTION 105 PERMITS

[A] **105.1 Required.** Any owner or owner's authorized agent who intends to repair, add to, alter, relocate, demolish, or change the occupancy of a building or to repair, install, add, alter, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *code official* and obtain the required permit.

[A] **105.1.1 Annual permit.** Instead of an individual permit for each *alteration* to an already *approved* electrical,

## SCOPE AND ADMINISTRATION

gas, mechanical, or plumbing installation, the *code official* is authorized to issue an annual permit on application therefor to any person, firm, or corporation regularly employing one or more qualified trade persons in the building, structure, or on the premises owned or operated by the applicant for the permit.

**[A] 105.1.2 Annual permit records.** The person to whom an annual permit is issued shall keep a detailed record of *alterations* made under such annual permit. The *code official* shall have access to such records at all times, or such records shall be filed with the *code official* as designated.

**[A] 105.2 Work exempt from permit.** Exemptions from 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 or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

### Building:

1. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and that are not part of an accessible route.
2. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
3. Temporary motion picture, television, and theater stage sets and scenery.
4. Shade cloth structures constructed for nursery or agricultural purposes, and not including service systems.
5. Window awnings supported by an exterior wall of Group R-3 or Group U occupancies.
6. Movable cases, counters, and partitions not over 69 inches (1753 mm) in height.

### Electrical:

1. **Repairs and maintenance:** Minor *repair* work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for power supply, the installations of towers, and antennas.
3. **Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

### Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

### Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.

3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

### Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work, and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, and the removal and reinstallation of water closets, provided that such *repairs* do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

**[A] 105.2.1 Emergency repairs.** Where equipment replacements and *repairs* must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the *code official*.

**[A] 105.2.2 Repairs.** Application or notice to the *code official* is not required for *repairs* to structures and items listed in Section 105.2 provided that such *repairs* do not include any of the following:

1. The cutting away of any wall, partition, or portion thereof.
2. The removal or cutting of any structural beam or load-bearing support.
3. The removal or change of any required means of egress or rearrangement of parts of a structure affecting the egress requirements.
4. Any *addition to, alteration of, replacement or relocation* of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent, or similar piping, or electric wiring.
5. Mechanical or other work affecting public health or general safety.

**[A] 105.2.3 Public service agencies.** A permit shall not be required for the installation, *alteration, or repair* of generation, transmission, distribution, or metering or other related equipment that is under the ownership and control of public service agencies by established right.

**[A] 105.3 Application for permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Department of Building Safety for that purpose. Such application shall:

1. Identify and describe the work in accordance with Chapter 3 to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.3.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the *code official*.

**[A] 105.3.1 Action on application.** The *code official* shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the *code official* shall reject such application in writing, stating the reasons therefor. If the *code official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *code official* shall issue a permit therefor as soon as practicable.

**[A] 105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**[A] 105.4 Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *code official* from requiring the correction of errors in the construction documents and other data. The *code official* is authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

**[A] 105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The *code official* is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**[A] 105.6 Suspension or revocation.** The *code official* is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete infor-

mation or in violation of any ordinance or regulation or any of the provisions of this code.

**[A] 105.7 Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.

## SECTION 106 CONSTRUCTION DOCUMENTS

**[A] 106.1 General.** Submittal documents consisting of construction documents, special inspection and structural observation programs, investigation and evaluation reports, and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The *code official* is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

**[A] 106.2 Construction documents.** Construction documents shall be in accordance with Sections 106.2.1 through 106.2.6.

**[A] 106.2.1 Construction documents.** Construction documents shall be dimensioned and drawn on suitable material. Electronic media documents are permitted to be submitted where *approved* by the *code official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *code official*. The *work areas* shall be shown.

**[A] 106.2.2 Fire protection system(s) shop drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the construction documents and shall be *approved* prior to the start of system installation. Shop drawings shall contain information as required by the referenced installation standards in Chapter 9 of the *International Building Code*.

**[A] 106.2.3 Means of egress.** The construction documents for *Alterations—Level 2*, *Alterations—Level 3*, *additions* and *changes of occupancy* shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. The construction documents shall designate the number of occupants to be accommodated in every *work area* of every floor and in all affected rooms and spaces.

**[A] 106.2.4 Exterior wall envelope.** Construction documents for work affecting the exterior wall envelope shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction



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documents shall provide details of the exterior wall envelope as required, including windows, doors, flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane, and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the wind and weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

**[A] 106.2.5 Exterior balconies and elevated walking surfaces.** Where the scope of work involves balconies or other elevated walking surfaces exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

**[A] 106.2.6 Site plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and *existing structures* on the site, distances from lot lines, the established street grades, and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of *existing structures* and construction that are to remain on the site or plot. The *code official* is authorized to waive or modify the requirement for a site plan where the application for permit is for *alteration, repair or change of occupancy*.

**[A] 106.3 Examination of documents.** The *code official* shall examine or cause to be examined the submittal documents and shall ascertain by such examinations whether the construction or occupancy indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**[A] 106.3.1 Approval of construction documents.** Where the *code official* issues a permit, the construction documents shall be *approved* in writing or by stamp as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, shall be kept at the site of work, and shall be open to inspection by the *code official* or a duly authorized representative.

**[A] 106.3.2 Previous approval.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been issued and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

**[A] 106.3.3 Phased approval.** The *code official* is authorized to issue a permit for the construction of foundations or any other part of a building before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

**[A] 106.3.4 Deferred submittals.** Deferral of any submittal items shall have the prior approval of the *code official*. The *registered design professional in responsible charge* shall list the *deferred submittals* on the construction documents for review by the *code official*.

Submittal documents for *deferred submittal* items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *code official* with a notation indicating that the *deferred submittal* documents have been reviewed and that they have been found to be in general conformance to the design of the building. The *deferred submittal* items shall not be installed until their *deferred submittal* documents have been *approved* by the *code official*.

**[A] 106.4 Amended construction documents.** Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the *approved* construction documents shall be resubmitted for approval as an amended set of construction documents.

**[A] 106.5 Retention of construction documents.** One set of *approved* construction documents shall be retained by the *code official* for a period of not less than the period required for retention of public records.

**[A] 106.6 Design professional in responsible charge.** Where it is required that documents be prepared by a registered design professional, the *code official* shall be authorized to require the owner or the owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the *registered design professional in responsible charge*. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *code official* shall be notified in writing by the owner or the owner's authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties. The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and *deferred submittal* items, for compatibility with the design of the building. Where structural observation is required, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

## SECTION 107 TEMPORARY STRUCTURES AND USES

[A] **107.1 General.** The *code official* is authorized to issue a permit for temporary uses. Such permits shall be limited as to time of service but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

[A] **107.2 Conformance.** Temporary uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

[A] **107.3 Temporary power.** The *code official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

[A] **107.4 Termination of approval.** The *code official* is authorized to terminate such permit for a temporary use and to order the temporary use to be discontinued.

## SECTION 108 FEES

[A] **108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

[A] **108.2 Schedule of permit fees.** On buildings, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a permit, a fee for each permit shall be paid as required in accordance with the schedule as established by the applicable governing authority.

[A] **108.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work including materials and labor for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the *code official*, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the *code official*. Final building permit valuation shall be set by the *code official*.

[A] **108.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to an additional fee established by the *code official* that shall be in addition to the required permit fees.

[A] **108.5 Related fees.** The payment of the fee for the construction, *alteration*, removal, or demolition of work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

[A] **108.6 Refunds.** The *code official* is authorized to establish a refund policy.

## SECTION 109 INSPECTIONS

[A] **109.1 General.** Construction or work for which a permit is required shall be subject to inspection by the *code official*, and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

[A] **109.2 Preliminary inspection.** Before issuing a permit, the *code official* is authorized to examine or cause to be examined buildings and sites for which an application has been filed.

[A] **109.3 Required inspections.** The *code official*, on notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.10.

[A] **109.3.1 Footing or foundation inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready-mixed in accordance with ASTM C94, the concrete need not be on the job.

[A] **109.3.2 Concrete slab or under-floor inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories, and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.

[A] **109.3.3 Lowest floor elevation.** For *additions* and *substantial improvements* to existing buildings in flood hazard areas, on placement of the lowest floor, including basement, and prior to further vertical construction, the elevation documentation required in the *International Building Code* shall be submitted to the *code official*.

[A] **109.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, framing, fire blocking, and bracing are in place and pipes, chimneys, and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes, and ducts are *approved*.

[A] **109.3.5 Lath or gypsum board inspection.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

**Exception:** Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

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**[A] 109.3.6 Weather-exposed balcony and walking surface waterproofing.** Where the scope of work involves balconies or other elevated walking surfaces exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

**Exception:** Where special inspections are provided in accordance with Section 1705.1.1, Item 3, of the *International Building Code*.

**[A] 109.3.7 Fire and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

**[A] 109.3.8 Other inspections.** In addition to the inspections specified in Sections 109.2 through 109.3.7, the *code official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Department of Building Safety.

**[A] 109.3.9 Special inspections.** Special inspections shall be required in accordance with the *International Building Code*.

**[A] 109.3.10 Final inspection.** The final inspection shall be made after work required by the building permit is completed.

**[A] 109.4 Inspection agencies.** The *code official* is authorized to accept reports of *approved* inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

**[A] 109.5 Inspection requests.** It shall be the duty of the holder of the building permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for any inspections of such work that are required by this code.

**[A] 109.6 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, on notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.

### SECTION 110 CERTIFICATE OF OCCUPANCY

**[A] 110.1 Change of occupancy.** Altered areas of a building and relocated buildings shall not be used or occupied, and *change of occupancy* of a building or portion thereof shall not be made until the *code official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

**[A] 110.2 Certificate issued.** After the *code official* inspects the building and does not find violations of the provisions of this code or other laws that are enforced by the Department of Building Safety, the *code official* shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *code official*.
7. The edition of the code under which the permit was issued.
8. The use and occupancy in accordance with the provisions of the *International Building Code*.
9. The type of construction as defined in the *International Building Code*.
10. The design occupant load and any impact the *alteration* has on the design occupant load of the area not within the scope of the work.
11. If fire protection systems are provided, whether the fire protection systems are required.
12. Any special stipulations and conditions of the building permit.

**[A] 110.3 Temporary occupancy.** The *code official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *code official* shall set a time period during which the temporary certificate of occupancy is valid.

**[A] 110.4 Revocation.** The *code official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

### SECTION 111 SERVICE UTILITIES

**[A] 111.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, or power to any building or system that is regulated by this code for which a permit is required, until *approved* by the *code official*.

**[A] 111.2 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel, or power.

[A] **111.3 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 111.1 or 111.2. The *code official* shall notify the serving utility and, wherever possible, the owner or the owner's authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## SECTION 112 BOARD OF APPEALS

[A] **112.1 General.** In order to hear and decide appeals of orders, decisions, or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

[A] **112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

[A] **112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

## SECTION 113 VIOLATIONS

[A] **113.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to *repair*, alter, extend, add, move, remove, demolish, or change the occupancy of any building or equipment regulated by this code or cause same to be done in conflict with or in violation of any of the provisions of this code.

[A] **113.2 Notice of violation.** The *code official* is authorized to serve a notice of violation or order on the person responsible for the *repair*, *alteration*, extension, *addition*, moving, removal, demolition, or change in the occupancy of a building in violation of the provisions of this code or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[A] **113.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the *code official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct,

or abate such violation or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[A] **113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who *repairs* or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the *code official* or of a permit or certificate issued under the provisions of this code shall be subject to penalties as prescribed by law.

## SECTION 114 STOP WORK ORDER

[A] **114.1 Authority.** Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a *dangerous* or *unsafe* manner, the *code official* is authorized to issue a stop work order.

[A] **114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

[A] **114.3 Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or *unsafe* condition, shall be subject to penalties as prescribed by law.

## SECTION 115 UNSAFE BUILDINGS AND EQUIPMENT

[A] **115.1 Conditions.** Buildings, structures or equipment that are or hereafter become *unsafe*, shall be taken down, removed or made safe as the *code official* deems necessary and as provided for in this code.

[A] **115.2 Record.** The *code official* shall cause a report to be filed on an *unsafe* condition. The report shall state the occupancy of the structure and the nature of the *unsafe* condition.

[A] **115.3 Notice.** If an *unsafe* condition is found, the *code official* shall serve on the owner, the owner's authorized agent or person in control of the structure a written notice that describes the condition deemed *unsafe* and specifies the required *repairs* or improvements to be made to abate the *unsafe* condition, or that requires the *unsafe* building to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *code official* acceptance or rejection of the terms of the order.

[A] **115.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is delivered to the owner or the owner's authorized agent personally; sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with the return receipt

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requested; or delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent or on the person responsible for the structure shall constitute service of notice on the owner.

**[A] 115.5 Restoration.** The building or equipment determined to be *unsafe* by the *code official* is permitted to be restored to a safe condition. To the extent that *repairs, alterations, or additions* are made or a *change of occupancy* occurs during the restoration of the building, such *repairs, alterations, additions, or change of occupancy* shall comply with the requirements of this code.

### SECTION 116 EMERGENCY MEASURES

**[A] 116.1 Imminent danger.** Where, in the opinion of the *code official*, there is imminent danger of failure or collapse of a building that endangers life, or where any building or part of a building has fallen and life is endangered by the occupation of the building, or where there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases, or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required *repairs*, removing the hazardous condition, or of demolishing the same.

**[A] 116.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is imminent danger due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

**[A] 116.3 Closing streets.** Where necessary for public safety, the *code official* shall temporarily close structures and close or order the authority having jurisdiction to close sidewalks, streets, public ways, and places adjacent to *unsafe* structures, and prohibit the same from being utilized.

**[A] 116.4 Emergency repairs.** For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**[A] 116.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises or the

owner's authorized agent where the *unsafe* structure is or was located for the recovery of such costs.

**[A] 116.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, on petition directed to the appeals board, be afforded a hearing as described in this code.

### SECTION 117 DEMOLITION

**[A] 117.1 General.** The *code official* shall order the owner or owner's authorized agent of any premises on which is located any structure that in the *code official's* judgment is so old or dilapidated, or has become so out of *repair* as to be *dangerous, unsafe, insanitary* or otherwise unfit for human habitation of occupancy, and such that it is unreasonable to *repair* the structure, to demolish and remove such structure; or if such structure is capable of being made safe by *repairs*, to *repair* and make safe and sanitary or to demolish and remove to the owner's or the owner's authorized agent's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

**[A] 117.2 Notices and orders.** Notices and orders shall comply with Section 113.

**[A] 117.3 Failure to comply.** If the owner or the owner's authorized agent of a premises fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate on which the structure is located and shall be a lien on such real estate.

**[A] 117.4 Salvage materials.** Where any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## CHAPTER 2

# DEFINITIONS

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**User note:**

**About this chapter:** Codes, by their very nature, are technical documents. Every word, term and punctuation mark can add to or change the meaning of a technical requirement. It is necessary to maintain a consensus on the specific meaning of each term contained in the code. Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code.

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### SECTION 201 GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the other *International Codes*, such terms shall have the meanings ascribed to them in those codes.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies.

### SECTION 202 GENERAL DEFINITIONS

**[A] ADDITION.** An extension or increase in floor area, number of stories, or height of a building or structure.

**[A] ALTERATION.** Any construction or renovation to an *existing structure* other than a *repair* or *addition*.

**[A] APPROVED.** Acceptable to the *code official*.

**[A] BUILDING.** Any structure utilized or intended for supporting or sheltering any occupancy.

**[A] CHANGE OF OCCUPANCY.** A change in the use of a building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.
3. Any change in use within a group for which there is a change in application of the requirements of this code.

**[A] CODE OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of this code.

**[BS] DANGEROUS.** Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under service loads.

**[A] DEFERRED SUBMITTAL.** Those portions of the design that are not submitted at the time of the application and that are to be submitted to the *code official* within a specified period.

**[BS] DISPROPORTIONATE EARTHQUAKE DAMAGE.** A condition of earthquake-related damage where both of the following occur:

1. The 0.3-second spectral acceleration at the building site as estimated by the United States Geological Survey for the earthquake in question is less than 40 percent of the mapped acceleration parameter SS.
2. The vertical elements of the lateral force-resisting system have suffered damage such that the lateral load-carrying capacity of any story in any horizontal direction has been reduced by more than 10 percent from its predamage condition.

**EQUIPMENT OR FIXTURE.** Any plumbing, heating, electrical, ventilating, air conditioning, refrigerating, and fire protection equipment, and elevators, dumbwaiters, escalators, boilers, pressure vessels and other mechanical facilities or installations that are related to building services. Equipment or fixture shall not include manufacturing, production, or process equipment, but shall include connections from building service to process equipment.

**[A] EXISTING BUILDING.** A building erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

**[A] EXISTING STRUCTURE.** A structure erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.