

STATE BUILDING CODE INTERPRETATION NO. I-36-00

May 23, 2000

The following is offered in response to your request for a formal interpretation of section 403.9.1.3 of the BOCA National Building Code/1996 portion of the 1999 State Building Code.

Question: Does an existing eight story building undergoing a change of use group from R-2 to R-1 have to comply with section 403.9.1.3 of the BOCA National Building Code/1996 portion of the 1999 State Building Code?

Answer: Yes, if the building in question has occupied floors located more than 75 feet above the lowest level of fire department vehicle access, and is thus a high-rise building. Section 3405.1 of the above referenced code states, in part, that a change of occupancy shall not be made to any structure which will subject the structure to any special provisions of this code without approval of the code official. The commentary to this section goes on to say that this section applies the provisions of the code for new construction to the existing structure with the new occupancy. Section 403.9.1.3 sets forth requirements for those facilities that must be connected to the standby power source in high-rise buildings. Assuming this building meets the definition of a high-rise building, the change of occupancy brought about by the change in use group would require compliance with section 403.9.1.3, as well as all other provisions of the code that apply to the new use group. Keep in mind that as an alternative, obtaining passing scores for all criteria evaluated under section 3408.0, Compliance Alternatives, can also show code compliance for a building undergoing a change of occupancy.