

CHAPTER 34 EXISTING BUILDINGS

SECTION 3401 GENERAL

3401.1 Scope. Provisions of this chapter shall govern the application of this code to existing buildings.

- **Exception:** Buildings and structures located within the High Velocity Hurricane Zone shall comply with the provisions of Sections 3401.5, 3401.8, and 3401.2.2.1.

3401.2 Applicability

3401.2.1 Alterations, repairs or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes, provided that the alteration, repair or rehabilitation work conforms to the requirements of the technical codes for new construction. The building official shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction.

3401.2.2 Change of occupancy

3401.2.2.1 If the occupancy classification or occupancy subclassifications of any existing building or structure is changed, the building, electrical, gas, mechanical and plumbing systems shall be made to conform to the intent of the technical codes as required by the building official.

- **3401.2.2.2** Changes in the occupancy of a building now existing or hereafter erected shall not be made until a revised certificate of occupancy has been issued by the building official certifying that the floors are suitable for the loads characteristic of the proposed occupancy.

3401.3 Existing building certificate of occupancy. A certificate of occupancy for any existing building may be obtained by applying to the building official and supplying the information and data necessary to determine compliance with the technical codes for the occupancy intended. Where necessary, in the opinion of the building official, two sets of detailed drawings, or a general inspection, or both, may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of the technical codes and other applicable laws and ordinances for such occupancy, a certificate of occupancy shall be issued.

3401.3.1 Any existing building which complied with the code in effect at the date of issuance of the permit shall be permitted to continue in its approved occupancy group. Such continued approval shall not be construed to prohibit the inspection authority from at any time requiring that the minimum standards of safety be maintained during the

period of use of the building in accordance with the building code in effect on the date of issuance of the permit. Such standards include, but are not limited to, strength, egress, fire resistance, openings in walls, electrical, plumbing, mechanical or elevator equipment or fire extinguishing apparatus.

3401.3.2 Minimum standards of safety shall be in accordance with this code or the *Florida Fire Prevention Code*, whichever standard offers the greatest degree of life safety or alternatives that would provide an equivalent degree of life safety and an equivalent method of construction.

3401.4 Height and area. An existing building shall not be increased in height unless the entire building is altered to meet the requirements of this code for a new building of such increased height and building area.

3401.5 Special historic buildings.

3401.5.1 The provisions of the technical codes relating to the alteration, repair, restoration or moving of buildings or structures shall not be mandatory for existing buildings or structures identified as qualified historic buildings or structures when such buildings or structures are judged by the building official to be safe and in the public interest of health, safety and welfare regarding any proposed alteration, repair, restoration, relocation or moving of buildings within fire districts.

3401.5.2 Qualified historic buildings or structures shall be:

1. Individually listed on the National Register of Historic Places; or
2. A contributing property in a National Register listed historic district; or
3. Designated as a historic property or landmark under the provisions of a local historic preservation ordinance; or
4. A contributing property in a historic district designated under the provisions of a local historic preservation ordinance; or
5. Determined eligible by the Florida State Historic Preservation Officer, either individually or as a contributing building or structure in a district, for listing in the National Register of Historic Places.

3401.5.3 When reviewing the proposed alteration, repair, restoration or moving of qualified historic buildings or structures the building official shall, pursuant to 103.7, consider alternative materials and methods which may be proposed for achieving equivalency with the requirements in the technical codes. Alternate methods for achieving equivalency with the requirements in the technical codes shall be guided by the recommended approaches to rehabilitation set forth in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. (See Appendix D.)

3401.5.4 Non-Qualified Buildings - The provisions of 3401.5.1 - 3401.5.3 shall not apply to the following:

1. New buildings constructed in a historic district;
2. New additions to historic buildings;
3. Buildings that are reconstructed;
4. Institutional occupancies such as hospitals, nursing homes, mental hospitals, detoxification facilities, jails and correctional institutions.

3401.6 Maintenance. All buildings, structures, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the technical codes when constructed, altered or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings, structures, electrical, gas, mechanical and plumbing systems.

3401.7 Application to existing buildings

3401.7.1 Additions

3401.7.1.1 When additions, or alterations increasing floor area, are made to an existing building, and the addition and existing buildings are separated by a fire wall, the addition shall conform to all the requirements of this code applicable to a building of the area of the addition.

3401.7.1.2 Where the existing building and the addition are not separated by a fire wall and the area of the addition is 25 percent or more of the area of the existing building, the existing building and the addition shall be made to comply with all requirements of this code for a building of area equal to the combined area of the addition and existing building.

Exception: Existing buildings shall not be required to be upgraded to the structural requirements of the code in effect on the date of application of the permit for the addition.

3401.7.1.3 Where the existing building and the addition are not separated by a fire wall and the area of the addition is less than 25 percent of the area of the existing building, the addition shall conform to all requirements of this code applicable to the building of the combined area of the existing building and the addition; and the existing building shall conform to the requirements of this code applicable to facilities for means of egress and automatic fire-extinguishing systems for a building of the combined area of the addition and existing building.

3401.7.2 Repairs and Alterations

3401.7.2.1 Repairs and alterations not increasing the area of the building, made within any 12 month period, shall be as set forth in this section.

3401.7.2.2 Structural repairs and alterations, the cost of which does not exceed 25 percent of the value of the existing building or structure, shall comply with the

requirements for new buildings or structures except that minor structural alterations, with the approval of the building official, may be made of the same material and degree of fire-resistivity of which the building or structure is constructed.

3401.7.2.3 Non-structural repairs and alterations exclusive of fixtures and furniture, the cost of which does not exceed 25 percent of the value of the existing building or structure and which do not affect egress or fire-resistivity, may be made of the same material of which the building or structure is constructed.

3401.7.2.4 The replacement of garage doors, exterior doors, skylights, operative and inoperative windows shall be designed and constructed in accordance with Chapter 16 of this code.

3401.7.2.5 Repairs and alterations amounting to over 25 percent but not exceeding 50 percent of the value of the existing building may be made during any 12 month period without making the entire existing building comply provided such repairs and alterations comply with the requirements of this code for a building of like area, height and occupancy.

3401.7.2.6 When repairs and alterations amounting to more than 50 percent of the value of the existing building are made during any 12 month period, the building or structure shall be made to conform to the requirements for a new building or structure or be entirely demolished.

Exceptions:

1. Provided there is no change in occupancy, foundations, slabs, tie beams, tie columns, reinforced masonry and masonry walls erected in compliance with the code under which the building was constructed.
2. Those property improvements involuntarily altered by right of eminent domain need only to meet the requirements of the code in force at the time of original construction.

3401.7.3 Structural Determination. For purposes of 3401.7, structural shall mean any part, material or assembly of a building or structure which affects the safety of such building or structure and/or which supports any dead or designed live load and the removal of which part, material or assembly could cause, or be expected to cause, all or any portion to collapse or to fail.

3401.8 High Velocity hurricane zone application to existing buildings

3401.8.1 General

3401.8.1.1 Existing buildings or structures to which additions, alterations, repair or changes of group of occupancy are proposed or intended shall be made to comply with all the requirements for new buildings or structures of like area, height, type of construction or group of occupancy, except as provided in this Section.

3401.8.1.2 The requirements of this section shall not supersede specific requirements of the code for construction in Fire Zones.

3401.8.2 Additions

3401.8.2.1 Any addition or alterations increasing the floor area of the building, shall meet the requirements of this section. For purposes of this section, whether an addition falls within the stated percentages shall be calculated based on the cumulative increase of the building during the course of one calendar year.

3401.8.2.2 All except Group R3 occupancies shall comply with the following:

3401.8.2.2.1 When additions, or alterations increasing floor area, are made to an existing building, and the addition and existing building are separated by a fire rated wall, as defined in Section 704, the addition shall conform to all the requirements of the code applicable to a building of the area of the addition.

3401.8.2.2.2 Where the existing building and the addition are not separated by a fire rated wall and the area of the addition is 25 percent or more of the area of the existing building, the existing building and the addition shall be made to comply with all requirements of the code for a building of area equal to the combined area for the addition and existing building.

3401.8.2.2.3 Where the existing building and the addition are not separated by a fire rated wall or where the addition is vertically superimposed on an existing building, and the area of the addition is less than 25 percent of the area of the existing building, the following requirements shall apply:

1. The addition shall conform to all requirements of the code applicable to a building having the combined area and height of the existing building and the addition.
2. The existing building shall conform to all requirements of the means of egress for a building of the combined area and height of the addition and the existing building.
3. An approved detection, alarm and communications system, detecting products of combustion, shall be required for all public areas and means of egress within the existing building.

3401.8.2.3 Group R3 Occupancies shall comply with the following:

3401.8.2.3.1 When additions, or alterations increasing floor area, are made to an existing building and the addition constitutes 25 percent or more of the area of the existing building, the addition shall be made to comply with all the requirements of the code and the existing building shall comply with the following:

1. Impact resistance devices having a valid NOA shall be installed at openings to provide protection against storms.
2. Corners of buildings of masonry construction shall be checked for tie downs. If tie downs are not found in corners, testing shall be performed to locate tie downs in all walls. Proper installation of tie downs shall be done at 20 foot intervals and at each corner except that interior tie downs may be provided in each side not less than 2 feet on each side of each corner.
 - 2.1 Tie down refers to the anchorage from the foundation to the tie beam and shall provide the equivalent strength of a vertical #5 reinforcing bar properly attached to the foundation and tie beam encased in concrete or mortar and lapped a minimum of 30 inches or otherwise spliced in a manner which will develop the full strength of the bar.
 - 2.2 Alternate methods of providing anchorage of equivalent strength to that described in 2.1 may be used where design calculations which admit rational analysis are submitted by a Registered Engineer or Architect proficient in structural design.
3. Roof anchorage shall be checked at all walls where the addition connects to the existing building. If major deficiencies are found and the anchorage is not in compliance with the minimum requirements of the code, the roof anchorage shall be checked for all the existing roof. Minimum anchorage shall be provided to each member bearing on the exterior walls.
4. Permanent roof bracing shall be provided at all gable ends.
5. G.F.C.I. outlets shall be installed where required by the code.
6. Smoke detectors shall be installed where required by the code.

3401.8.2.3.2 The design professional shall conduct a site visit to ascertain the necessary work to be performed to comply with the requirements of this Section.

3401.8.2.3.3 The design professional shall provide an inspection report and indicate on the drawings all remedial actions to be performed on the building submittal as a part of the permit plans.

3401.8.3 Repairs and alterations

3401.8.3.1 Repairs and alterations not increasing the area of the building, made within any 12 month period, shall meet the requirements of this section.

3401.8.3.2 Structural repairs and alterations, the cost of which does not exceed 25 percent of the replacement value of the existing building or structure, shall comply with the requirements for new buildings or structures except that minor structural repairs and alterations may, with the approval of the building official, be constructed of the same materials and with the same degree of fire-resistivity as the original building or structure.

3401.8.3.3 Non-structural repairs and alterations, the cost of which does not exceed 25 percent of the replacement value of the existing building or structure, and which do not affect egress or fire-resistivity, may comply with the requirements of the building code in effect at the time of original construction, except that repairs and alterations to plumbing, mechanical and electrical systems shall comply with the code in effect at the time the permit for such work is issued.

3401.8.3.4 Repairs and alterations amounting to 25 percent but not exceeding 50 percent of the replacement value of the existing building may be performed without making the entire existing building comply with all of the requirements for a new building, provided such repairs and alterations comply with the requirements of the code for a building of like area, height and occupancy.

3401.8.3.5 Where repairs and alterations amounting to more than 50 percent of the replacement value of the existing building are made during any 12 month period, the building or structure shall be made to conform to all the requirements for a new building or structure or be entirely demolished.

3401.8.4 Roofing. Not more than 25 percent of the roof covering of any building or structure shall be replaced in any 12 month period unless the entire roof covering is made to conform to the requirements of the code.

3401.8.5 Value determination. The value of a building or structure shall be the estimated cost of constructing a new building of like size, design and materials at the site of the original structure, assuming such site to be clear. Cost of additions, alterations and repairs shall be construed as the total cost of labor, materials and services based on current prices for new materials.

3401.8.6 Structural determination. For purposes of this section, structural shall mean any part, material or assembly of a building or structure which affects the safety of such building or structure and/or which supports and dead or designed live load and the removal of which part, material or assembly could cause, or be expected to cause, all or any portion to collapse or to fail.

SECTION 3402 DEFINITIONS

For definitions, see Chapter 2.

♿ SECTION 3403 EXISTING BUILDING ACCESSIBILITY FOR PEOPLE WITH PHYSICAL DISABILITIES

See Chapter 11 of this code for accessibility provisions in existing buildings.

SECTION 3404 GRANDSTANDS, BLEACHERS, REVIEWING STANDS AND ASSEMBLY AISLES AND SEATING

3404.1 Aisle width. The minimum clear width of aisles shall be as follows:

1. 42 inches (1067 mm) for stairs having seating on both sides.
2. 30 inches (762 mm) for stairs having seating on only one side and serving fewer than 60 seats.
3. 20 inches (508 mm) on narrow existing aisles between a stair handrail or guardrail and seating when the aisle is subdivided by a handrail. See 1007.5.
4. 42 inches (1067 mm) for level or ramped aisles having seating in both sides.
5. 30 inches (762 mm) for level or ramped aisles having seating only on one side and serving 60 or fewer seats.
6. 23 inches (584 mm) between a stair handrail and seating when an aisle does not serve more than five rows on one side.

3404.2 Other provisions. Additional provisions for aisles and seating are contained in 1019.10.2.5 and 1019.11.5.5.

SECTION 3405 RAT-PROOFING

Provisions governing rat-proofing in existing buildings are contained in 1205.1.2.

SECTION 3406 STANDARDS FOR DEMOLITION

3406.1 Purpose and Scope. The standard set forth in this code shall apply to the demolition of buildings or structures for which a permit is required under 104.

3406.2 Definition. Demolition: The act of razing, dismantling or removing a building or structure, or portion thereof to the ground level.

3406.3 Time limit. Notwithstanding the provision of 104.5, the building official may impose a time limit as an additional condition of a permit for completion of demolition work once such work shall have commenced, provided that for cause one or more extensions of time, for periods not exceeding 30 days each, may be allowed in writing by the building official.

3406.4 Standards.

3406.4.1 Demolition work having commenced shall be pursued diligently and without unreasonable interruption with due regard to safety. It is the intent of this section to limit the existence of an unsafe condition or nuisance on the premises during the period of demolition operations.

3406.4.2 Any surface holes or irregularities, wells, septic tanks, basements, cellars, sidewalk vaults or coal chutes remaining after demolition of any building or structure shall be filled with material as approved by the building official, and shall be graded in a manner that will provide effective surface drainage.

3406.4.3 All debris and accumulation of material resulting from demolition of any building or structure shall be removed from the premises.

3406.4.4 All building sewers shall be effectively plugged with concrete at the property line, or as may be required by the building official.

3406.4.5 Except where there is adequate space, or approval has been granted by the building official, the demolition of a multistory building by other than explosive means shall proceed with the complete removal of one story at a time. In the demolition of any building other than by explosive means, story after story shall be removed and shall be properly wet to alleviate any dust.

3406.4.6 No wall, chimney or other construction shall be allowed to fall in mass on an upper floor. Bulky material, such as beams and columns, shall be lowered and not allowed to fall. When any building over one story in height is demolished, precautions for protecting the public shall be taken as prescribed in Chapter 33.

3406.4.7 In order to control dust during a demolition project, the permit holder shall take the necessary safeguards to ensure that water supply is available and appropriate actions are taken to retain dust at the immediate vicinity of the demolition project and to ensure that no dust is transmitted to neighboring properties or streets.

