

CHAPTER 34

EXISTING STRUCTURES

Note: Chapter 34 is entirely Seattle amendments to the *International Building Code* and is not underlined.

SECTION 3401 EXISTING OCCUPANCIES

3401.1 General. This chapter controls the alteration, repair, addition, maintenance and change of occupancy of existing structures.

Exception: Existing bleachers, grandstands and folding and telescoping seating shall comply with ICC 300.

Buildings in existence at the time of the passage of this building code that were legally constructed and occupied in accordance with the provisions of a prior code are permitted to have their existing occupancy continued, provided such occupancy is not hazardous.

In order to legalize an existing occupancy for the record, the building shall comply with the fire and life safety requirements of this building code or the effective code at the time the building was constructed. If the existing occupancy or character of occupancy is other than that for which the building was constructed, the building shall comply with this building code or the effective code at the time the existing occupancy was legally established.

3401.2 Occupant load increases in Group A occupancies. When the occupant load in an existing Group A-2 nightclub is increased, an automatic sprinkler system shall be installed in the fire area containing the nightclub.

Exception: A sprinkler system is not required if all the following conditions are met:

1. The increase is either 50 occupants or less, or no more than 10 percent of the occupant load of the existing nightclub, whichever is greater; and
2. The existing means of egress system has adequate capacity to accommodate the additional occupant load; and
3. The total occupant load in the nightclub does not exceed one occupant per 5 square feet (0.46 m²); and
4. The increase is not part of a substantial alteration.

3401.3 Impracticality. In cases where total compliance with all the requirements of this code, other than Section 3407, is impractical, the applicant is permitted to arrange a predesign conference with the design team and the building official. The applicant shall identify design solutions and modifications that conform to Section 104.14. The building official is authorized to waive specific requirements in this code, other than Section 3407, which the building official determines to be impractical.

SECTION 3402 DEFINITIONS

3402.1 Definitions. The following words and terms, for the purposes of this chapter, and as used elsewhere in this code, have the meanings shown here.

DAMAGE RATIO. The ratio between the cost of work and the estimated replacement cost of the building, expressed as a percentage. The work includes repair of damage to structural and fire/life safety systems.

DESIGN BASIS EARTHQUAKE (DBE). The lesser of an earthquake with a 10 percent chance of exceedance in 50 years or two-thirds MCE.

LIFE SAFETY PERFORMANCE LEVEL. A post-earthquake damage state that includes damage to structural elements, but the building retains a margin against partial or total collapse. Injuries may occur, but the overall risk of life-threatening injury as a result of structural damage is expected to be low.

MAXIMUM CONSIDERED EARTHQUAKE (MCE). An earthquake with a 2 percent probability of exceedance in 50 years.

SECTION 3403 MAINTENANCE

3403.1 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent is responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official is authorized to require a building or structure to be reinspected. The requirements of this chapter do not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

1. The building official is authorized to modify the requirements of this subsection where all or a portion of a building is unoccupied, closed off and reasonably secure from unlawful entry.
2. Occupants of Group R-2 apartments, and Group R-3 dwellings are responsible for the maintenance of smoke alarms required by Chapter 9 and the *International Fire Code*.

3403.2 Unsafe Building Appendages. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members that are supported by, attached to or a part of a building and that are in a deteriorated condition or are otherwise unable to sustain the design loads that are specified in this building code, are hereby designated as unsafe building appendages. All such unsafe building appendages are public nuisances and shall be abated in accordance with Section 102.

3403.3 Central Waterfront Piers. All piers located between West Harrison Street and South Massachusetts Street, both existing and new, and all portions thereof shall be maintained in a safe condition capable of supporting the design loads specified in this code. See also Section 421.

SECTION 3404 ADDITIONS, ALTERATIONS OR REPAIRS

3404.1 Existing buildings or structures. Additions or alterations to any building or structure shall comply with the requirements of this code for new construction. Additions, alterations or repairs shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any provisions of this code, and shall not increase an existing nonconformity. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure except as specifically provided in this chapter.

See the *International Fire Code* for provisions requiring installation of smoke alarms in existing Group R-3 occupancies. See also applicable provisions of the *Seattle Energy Code*. See Section 3407 for accessibility provisions for additions, alterations and repairs.

Code Alternate CA3404: Alterations, additions, repairs, relocations and changes of occupancy other than historic buildings, substantial alterations and repair of earthquake damage are permitted to comply with the *International Existing Building Code with Seattle amendments* instead of this section.

Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. See Section 3404.4 for other provisions for repairs.

Exceptions:

1. Where changes to offices, outpatient clinics or medical offices occur on a multi-tenant floor that contains nonconforming corridors, new tenant walls associated with the tenant change need not meet the standards for 1-hour corridor construction, unless the project is considered a substantial alteration as defined in this chapter.
2. Automatic sprinkler systems are required when new dwelling units are added to buildings according to Items 2.1 through 2.6 below. This exception is permitted to be used to add one unit over the life of the building.
 - 2.1. One unit is permitted to be added to a residential or commercial building without an automatic sprinkler system unless sprinklers are otherwise required by this section. If more than one unit is added, the new units shall be equipped with a sprinkler system.
 - 2.2. In buildings that do not comply with the provisions of this code for number of stories, allowable area, height or type of construction before the unit is added, an automatic sprinkler system shall be provided in the new unit. The addition of the new unit shall not be allowed if it increases the nonconformity.
 - 2.3. In buildings undergoing substantial alteration, an automatic sprinkler system is re-

quired where required by this code for new construction.

- 2.4. One unit is permitted to be added to an existing duplex without an automatic sprinkler system where both of the following conditions are met:
 - 2.4.1. The project is considered a substantial alteration only because of the change in occupancy; and
 - 2.4.2. The building complies with the requirements for building height and number of stories for a Group R-2 occupancy.
- 2.5. Where one unit is added to an existing duplex, sprinklers are required in the new unit and not in the existing units where all of the following conditions are met:
 - 2.5.1. The existing duplex does not comply with the requirements for building height and story count for a Group R-2 occupancy;
 - 2.5.2. The project is considered a substantial alteration only because of the change in occupancy;
 - 2.5.3. The new unit is constructed as an addition to the duplex;
 - 2.5.4. The new unit is separated from the existing duplex by a fire wall; and
 - 2.5.5. The addition by itself complies with the requirements for a Group R-2 occupancy.
- 2.6. A sprinkler system is not required when a Group U occupancy that is accessory to a Group R-3 occupancy is converted to a dwelling unit.
3. Ceilings in basements are permitted to project to within 6 feet 8 inches (2032 mm) of the finished floor, and beams, girders, ducts or other obstructions are permitted to project to within 6 feet 4 inches (1931 mm) of the finished floor.
4. An existing nonconforming building to which an addition is made is permitted to exceed the height, number of stories and area specified for new buildings if a fire wall is provided, the existing building is not made more nonconforming, and the addition conforms to this code.

3404.2 Structural. Additions or alterations to an existing structure shall not increase the force in any structural element by more than 5 percent, unless the increased forces on the element are still in compliance with the code for new structures, nor shall the strength of any structural element be decreased to less than that required by this code for new structures. Where repairs are made to structural elements of an existing building, and uncovered structural elements are found to be unsound or

otherwise structurally deficient, such elements shall be made to conform to the requirements for new structures.

3404.2.1 Seismic. Additions, alterations and modification of existing buildings shall be in accordance with this section for the purposes of seismic considerations.

3404.2.1.1 Additions to existing buildings. An addition that is structurally independent from an existing structure shall be designed and constructed in accordance with the seismic requirements for new structures. An addition that is not structurally independent from an existing structure shall be designed and constructed such that the entire structure conforms to the seismic-force-resistance requirements for new structures unless the following conditions are satisfied:

1. The addition conforms with the requirements for new structures,
2. The addition does not increase the seismic forces in any structural element of the existing structure by more than 10 percent cumulative since the original construction, unless the element has the capacity to resist the increased forces determined in accordance with ASCE 7, and
3. Additions do not decrease the seismic resistance of any structural element of the existing structure by more than 10 percent cumulative since the original construction, unless the element has the capacity to resist the forces determined in accordance with ASCE 7. If the building's seismic base shear capacity has been increased since the original construction, the percent change in base shear may be calculated relative to the increased value.

Note: A significant addition to an existing building may be considered a substantial alteration.

3404.2.1.2 Alterations. Alterations are permitted to be made to any structure without requiring the structure to comply with Section 1613, if the alterations conform to the requirements for a new structure. Alterations that increase the seismic force in any existing structural element by more than 10 percent cumulative since the original construction or decrease the design strength of any existing structural element to resist seismic forces by more than 5 percent cumulative since the original construction are not permitted unless the entire seismic-force-resisting system is determined to conform to ASCE 7 for a new structure. If the building's seismic base shear capacity has been increased since the original construction, the percent change in base shear may be calculated relative to the increased value.

Exception: Alterations to existing structural elements or additions of new structural elements that are not required by ASCE 7 and are initiated for the purpose of increasing the strength or stiffness of the seismic-force-resisting system of an existing structure need not be designed for forces conforming to ASCE 7, provided that an engineering analysis is submitted indicating the following:

1. The design strength of existing structural elements required to resist seismic forces is not reduced.

2. The seismic force to required existing structural elements is not increased beyond their design strength.
3. New structural elements are detailed and connected to the existing structural elements as required by Chapter 16.
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by Chapter 16.
5. The alterations do not create a structural irregularity as defined in ASCE 7 or make an existing structural irregularity more severe.
6. The alterations do not result in the creation of an unsafe condition.

3404.2.1.3 Repairs. Repairs shall comply with Section 3404.4.

3404.3 Compliance with retroactive ordinances. Alterations and repairs to existing buildings that are being made in response to a notice or order requiring compliance with the *Housing and Building Maintenance Code*, Subtitle II, Title 22 of the *Seattle Municipal Code*, Fire Code or other ordinances applicable to existing buildings, are permitted to be made in accordance with the standards contained in those ordinances, rather than the standards for new buildings contained in this building code or the standards of this chapter. Where standards are not specified in those ordinances, such alterations or repairs must conform to the requirements of this chapter of the building code.

3404.4 Damaged buildings. Buildings damaged by fire, earthquake and other means shall comply with Section 3404.4.

3404.4.1 Determining repair levels. Required repair levels shall be based on the damage ratio as defined in Section 3402. Repair levels shall be determined according to rules promulgated by the Director.

3404.4.2 Requirements for repair of minor damage. Repair of buildings with damage ratios less than 10 percent shall comply with this Section 3404.4.2.

1. Damage to structural elements and fire/life safety systems shall be repaired.
2. New or replaced structural elements shall comply with current code requirements and shall be tied into new or existing structure in accordance with the structural engineer's recommendations and accepted practice. The building official is permitted to allow replacement in kind for minor repairs according to Section 3404.5.
3. All structural repairs shall be designed by a structural engineer licensed in the State of Washington.
4. The building official is authorized to waive specific items that are impractical in accordance with Section 3401.3.
5. Regardless of the amount of damage to the building, all parapets constructed of unreinforced masonry and other unsafe building appendages shall be evaluated. Parapets and other appendages determined to be deficient shall either be:

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- a. braced in accordance with ASCE 41 for life safety performance; or
- b. abated in accordance with SBC Section 3403.2.

Note: Many parapets function as required fire walls and are required to remain in place. There may also be restrictions on alteration and removal of parapets on historic buildings.

- 6. Cracked concrete and masonry shall be repaired where required by FEMA 306, 307 and 308.
- 7. Strengthening of the overall structure is not required.
- 8. Fire protection and safety systems required when the building was built or altered are required to be repaired in accordance with Section 3403.1.
- 9. No portion of the building shall be altered so that the building becomes less safe than it was before the damage occurred, nor shall the work create an unsafe condition as defined in Section 102.

3404.4.3 Requirements for repair of moderate damage. Repair of buildings with damage ratios of at least 10 percent and less than 30 percent shall comply with Section 3404.4.2 and this Section 3404.4.3.

All structures supporting and supported by the damaged portions of the building shall be repaired in accordance with items 1-6 below.

- 1. The capacity of existing structural elements supporting and supported by the damaged portion of the building shall not be reduced below the building's condition before the damage occurred.
- 2. The lateral loading to existing elements of the seismic force resisting system shall not be increased beyond their capacity.
- 3. New work shall not introduce new irregularities, and shall not worsen existing irregularities.
- 4. New structural elements shall be detailed and connected to the existing structural elements as required by this code.
- 5. New or relocated nonstructural elements shall be detailed and connected to existing or new structural elements as required by this code.
- 6. The alterations shall not create an unsafe condition.

3404.4.4 Requirements for repair of significant damage. Repair of buildings with damage ratios of at least 30 percent and less than 50 percent shall comply with Sections 3404.4.2, 3404.4.3 and this Section 3404.4.4.

- 1. The engineer shall submit a report identifying structural damage and falling hazards to exitways, pedestrian walkways and public rights of way. The report shall also contain a statement acknowledging that compliance with this section may not satisfy the requirements for substantial alteration of Section 3404.9.
- 2. All identified falling hazards in exits and exit discharges shall be mitigated so as to limit damage at pri-

mary means of egress to increase the likelihood that occupants will be able to exit the building safely after a design basis earthquake.

- 3. The walls, roofs and floors of unreinforced masonry buildings shall comply with the portions of either Appendix A1 of the *International Existing Building Code* or ASCE 31 as listed in Table 3404.4.4, using ³/₄ of the design basis earthquake values with a minimum value of 0.80 for S_{DS} and of 0.35 for S_{D1} .

**TABLE 3404.4.4
REQUIREMENTS FOR UNREINFORCED MASONRY BUILDINGS**

COMPONENT	ASCE 31 SECTION	IEBC SECTION
Masonry strength (mortar and anchor tests) for anchorage to masonry and for wall bracing ^a	4.2.6.2.2	A106.3.3
Diaphragm shear transfer	4.2.6.3.2.6	A111.5
Out-of-plane transfer	4.2.6.3.5	A113.1
Wall bracing	4.2.6.3.4	A113.5

a. If the tested mortar strength is less than the minimums indicated in Table 3404.4.4, then Section 3404.4.4, item 3 shall not be permitted to be used, and the structure shall be evaluated in accordance with Section 3404.4.4.

- 4. Repair of earthquake damage for buildings subject to this Section 3404.4.4 will be considered when determining whether Section 3404.9 provisions for substantial alterations apply.

3404.4.5 Requirements for repair of extensive damage. Repair of buildings with damage ratios of 50 percent or more shall comply with Sections 3404.4.2 through 3404.4.4 and this Section 3404.4.5.

- 1. The repaired structure shall be designed to satisfy the requirements for life safety performance at the design basis earthquake.
- 2. A seismic evaluation report shall be submitted. The report shall comply with rules promulgated by the building official, and the following requirements.
 - 2.1. The report shall be prepared by a structural engineer registered in the State of Washington.
 - 2.2. The report shall be based on ASCE 31 or ASCE 41 for life safety performance at the design basis earthquake. Unreinforced masonry buildings are permitted to comply with IEBC Appendix A1. The limitations of Section 3404.4.4 item 3 are not allowed.
 - 2.3. At a minimum, the report shall contain the information listed below. A previously-written report may be submitted if it satisfies the requirements of this section.
 - 2.3.1. An overall description of the building, including size (number of stories and basements, approximate floor area) and the occupancies or uses in the building.
 - 2.3.2 Identification of building deficiencies.

2.3.3. A prioritized list of recommendations from the structural engineer on how to address the identified deficiencies.

2.3.4. The seismic evaluation report shall comply with rules promulgated by the building official.

3404.5 Allowable materials. Nonstructural alterations or repairs and repair of minor structural damage as defined in Section 3404.4.2 are permitted to be made of the same materials of which the building or structure is constructed, if they do not adversely affect any structural member or the fire-resistance rating of any part of the building or structure.

3404.6 Maintenance of structural stability. When approved by the building official, minor structural alterations or repairs necessary to maintain the structural stability of the building are permitted to be made with the same material of which the building or structure is constructed.

3404.7 Historic buildings and structures. The building official may modify the specific requirements of this code as it applies to landmarks, and require in lieu thereof alternate requirements that, in the opinion of the building official, will result in a reasonable degree of safety to the public and the occupants of those buildings.

3404.7.1 Definition. For purposes of this section a landmark is a building or structure that is subject to a requirement to obtain a certificate of approval from the City Landmarks Preservation Board before altering or making significant changes to specific features or characteristics, that has been nominated for designation or has been designated for preservation by the City Landmarks Preservation Board, that has been designated for preservation by the State of Washington, has been listed or determined eligible to be listed in the National Register of Historic Places, or is located in a landmark or special review district subject to a requirement to obtain a certificate of approval before making a change to the external appearance of the structure.

3404.8 Unreinforced masonry chimneys. Whenever an unreinforced masonry chimney is altered or when the building in which such a chimney is located undergoes substantial alteration, the chimney shall conform to rules promulgated by the building official.

3404.9 Substantial alterations or repairs. Any building or structure to which substantial alterations or repairs are made shall conform with the requirements of this section and Sections 403 (high rise buildings) when applicable, special requirements for the Fire District found in Chapter 4 when applicable, Section 716 (protection of ducts and air-transfer openings), Chapter 8 (interior finishes), Section 903 (automatic sprinkler systems), Chapter 10 (means of egress) and Chapter 17 (special inspection). Fire alarms shall be provided as required by the *International Fire Code*.

See Section 3404.8 for specific requirements for unreinforced masonry chimneys.

3404.9.1 Definition. For the purpose of this section, substantial alterations or repairs mean any one of the following, as determined by the building official:

1. Extensive structural repair.

Note: “Extensive structural repair” may not be the same as “repair of extensive structural damage” in Section 3404.4.5.

2. Remodeling or additions that substantially extend the useful physical and/or economic life of the building or a significant portion of the building, other than typical tenant remodeling.
3. A change of a significant portion of a building to an occupancy that is more hazardous than the existing occupancy, based on the combined life and fire risk as determined by the building official. The building official is permitted to use Table 3404.9 as a guideline. A change of tenant does not necessarily constitute a change of occupancy.
4. Reoccupancy of a building that has been substantially vacant for more than 24 months in occupancies other than Group R-3.
5. A significant increase in the occupant load of an unreinforced masonry building.

3404.9.2 Seismic regulations. The provisions of Section 1613 apply to all buildings or structures to which substantial alterations or repairs are made. In addition, the building official is authorized to require testing of existing materials when there is insufficient evidence of structural strength or integrity.

Exceptions:

1. If an alteration is substantial only because it is a change to a more hazardous occupancy, compliance with this subsection is required only if the life hazard risk increases, as determined by the building official.
2. The building official is authorized to accept a proposal in lieu of compliance with Chapter 16. The proposal shall be based on a comprehensive report prepared by a licensed structural engineer according to rules promulgated by the building official. The report shall include an investigation and structural analysis of the building based on an approved standard. The report shall specify the building’s seismic deficiencies and propose measures that will provide an acceptable degree of seismic safety considering the nature, size and scope of the project. This requirement shall also apply to Section 102 as conditions require.
3. In lieu of compliance with the seismic provisions of Chapter 16 for Group R-3 Occupancies, when approved by the building official the applicant is permitted to evaluate and strengthen portions of the building lateral support structure, such as foundations and cripple walls.

3404.9.3 Extensive structural repair. Extensive structural repair shall comply with Section 3404.5.

3404.9.4 Other structural work. All structural work, other than seismic, shall comply with the requirements of Chapters 15 through 23 and Sections 1405 and 2605.

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**TABLE 3404.9
RATING OF OCCUPANCIES BY DEGREE OF HAZARD**

OCCUPANCY	DESCRIPTION	LIFE	FIRE	COMBINED RATING
A1	Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures.	4	3	12
A2	Assembly uses intended for food and/or drink consumption.	4	3	12
A3	Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A.	4	3	12
A4	Assembly uses intended for viewing of indoor sporting events and activities with spectator seating.	3	1	3
A5	Assembly uses intended for participation in or viewing outdoor activities.	3	1	3
B	Office, professional or service-type transactions, including storage of records and accounts.	2	1	2
B	Eating and drinking establishments with an occupant load of less than 50.	2	1	2
B	Buildings or portions of buildings having rooms used for educational purposes beyond 12th grade.	2	1	2
E	Any building used for educational purposes by six or more persons at any one time for educational purposes through the 12th grade.	3	2	6
E	Day care centers for more than five children older than 2½ years of age.	3	2	6
I4	Facilities that provide accommodations for less than 24 hours for more than five unrelated adults and provide supervision and personal care services; facilities that provide supervision and personal care on less than a 24-hour basis for more than five children 2½ years of age or less.	4	3	12
F1	Moderate hazard factory and industrial.	2	2	4
F2	Low-hazard factory and industrial.	1	1	1
H1	Occupancies with a detonation hazard.	5	4	20
H2	Occupancies which present a deflagration hazard or a hazard from accelerated burning.	5	4	20
H3	Occupancies containing materials that readily support combustion or that pose a physical hazard.	5	4	20
H4	Occupancies containing materials that are health hazards.	5	4	20
H5	Semiconductor fabrication facilities.	5	4	20
I1	Buildings, structures or parts thereof housing more than 16 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services.	3	3	9
I2	Buildings and structures used for medical, surgical, psychiatric, nursing or custodial care on a 24-hour basis of more than five persons who are not capable of self-preservation; child care facilities that provide care on a 24-hour basis to more than five children 2½ years of age or less.	4	3	12
I3	Jails, prisons, reformatories.	4	3	12
M	Buildings used for display and sale of merchandise.	3	2	6
R1	Residential occupancies where the occupants are primarily transient in nature.	3	3	9
R2	Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature.	3	3	9
R3	One- and two-family dwellings; family child day care homes; adult family homes.	2	1	2
R4	Buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16 occupants.	3	3	9
S1	Moderate hazard.	2	2	4
S2	Low-hazard storage	1	1	1
U	Accessory character and miscellaneous structures	1	1	1

SECTION 3405 MOVED BUILDINGS

3405.1 Nonresidential buildings or structures. Nonresidential buildings or structures moved into or within the city shall comply with standards adopted by the building official. The building official is authorized to require an inspection of the building before or after moving. The permit holder shall correct all deficiencies identified by the inspection. The building official is authorized to require that a bond or cash deposit in an amount sufficient to abate or demolish the building be posted prior to issuance of a permit. See Section 106 for information required on plans. Any moved building that is not in complete compliance with standards for moved buildings within 18 months from the date of permit issuance and is found to be a public nuisance may be abated.

3405.2 Residential buildings or structures. Residential buildings or structures moved into or within the city are not required to comply with all of the requirements of this code if the original occupancy classification of the building or structure is not changed. Compliance with all of the requirements of this chapter will be required if the moved residential buildings or structures undergo substantial alteration. Work performed on new and existing foundations shall comply with all of the requirements of this code for new construction.

SECTION 3406 CHANGE OF OCCUPANCY

3406.1 Change of occupancy. No change shall be made in the character of occupancies or use of any building that would place the building in a different division or subdivision of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this chapter and the requirements of Chapters 4, 5 and 9 for such division or group of occupancy. Change of tenants will be permitted so long as the character of the occupancy is not changed.

Exception: The character of the occupancy of existing buildings is permitted to be changed subject to the approval of the building official, as set forth in Section 3404. The building is permitted to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups if the new or proposed use is not more hazardous, based on life and fire risk, than the existing use.

No change in the character of occupancy of a building shall be made without a certificate of occupancy, as required in Section 109 of this code. The building official is authorized to issue a certificate of occupancy pursuant to the above exception without certifying that the building complies with all provisions of this code.

In addition to the requirements of Sections 419, 1203 and 2903, upon conversion of an existing building to residential occupancy, the elements of the dwelling unit envelope that are altered shall comply with the sound transmission control requirements of Section 1207.

See Section 3404.9 for additional requirements for substantial alterations.

Code Alternate CA3406: Changes of occupancy that are not substantial alterations are permitted to comply with the *International Existing Building Code with Seattle amendments* instead of this section.

SECTION 3407 ACCESSIBILITY FOR EXISTING BUILDINGS

3407.1 Scope. The provisions of Sections 3407.1 through 3407.9 apply to maintenance, change of occupancy, additions and alterations to existing buildings, including those identified as historic buildings.

Exception: Type B dwelling or sleeping units required by Section 1107 are not required to be provided in existing buildings and facilities.

3407.1.1 Definitions. The following terms shall, for the purposes of this chapter and as used elsewhere in the code, have the following meanings:

PRIMARY FUNCTION. A primary function is a major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer service lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation or other private entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors and restrooms are not areas containing a primary function.

TECHNICALLY INFEASIBLE. An alteration of a building or a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

3407.2 Maintenance of facilities. A building, facility or element that is constructed or altered to be accessible shall be maintained accessible during occupancy.

3407.3 Extent of application. An alteration of an existing element, space or area of a building or facility shall not impose a requirement for greater accessibility than that which would be required for new construction.

Alterations shall not reduce or have the effect of reducing accessibility of a building, portion of a building or facility.

3407.4 Change of occupancy. Existing buildings, or portions thereof, that undergo a change of group or occupancy shall have all of the following accessible features:

1. At least one accessible building entrance.

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2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with Section 1110.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, when loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Change of group or occupancy that incorporates any alterations or additions shall comply with this section and Sections 3407.5 3407.6, 3407.7 and 3407.8.

3407.5 Additions. Provisions for new construction shall apply to additions. An addition that affects the accessibility to, or contains an area of primary function, shall comply with the requirements in Section 3407.7

3407.6 Alterations. A building, facility or element that is altered shall comply with the applicable provisions in Chapter 11 and ICC A117.1, unless technically infeasible. Where compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent technically feasible.

Exceptions:

1. The altered element or space is not required to be on an accessible route, unless required by Section 3407.7.
2. Accessible means of egress required by Chapter 10 are not required to be provided in existing buildings and facilities.
3. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provision for a Type B dwelling unit and shall comply with the applicable provisions in Chapter 11 and ICC A117.1.

3407.7 Alterations affecting an area containing a primary function. Where an alteration affects the accessibility to, or contains an area of primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities, telephones or drinking fountains serving the area of primary function.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.
2. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, instal-

lation or alteration of fire protection systems and abatement of hazardous materials.

4. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility or element.

3407.8 Scoping for alterations. The provisions of Sections 3407.8.1 through 3407.8.12 shall apply to alterations to existing buildings and facilities.

3407.8.1 Entrances. Accessible entrances shall be provided in accordance with Section 1105.

Exception: Where an alteration includes alterations to an entrance, and the building or facility has an accessible entrance, the altered entrance is not required to be accessible, unless required by Section 3407.7. Signs complying with Section 1110 shall be provided.

3407.8.2 Elevators. Altered elements of existing elevators shall comply with ASME A17.1 and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

3407.8.3 Platform lifts. Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

3407.8.4 Stairs and escalators in existing buildings. In alterations where an escalator or stair is added where none existed previously, an accessible route shall be provided in accordance with Sections 1104.4 and 1104.5.

3407.8.5 Ramps. Where steeper slopes than allowed by Section 1010.2 are necessitated by space limitations, the slope of ramps in or providing access to existing buildings or facilities shall comply with Table 3407.8.5.

**TABLE 3407.8.5
RAMPS**

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

3407.8.6 Performance areas. Where it is technically infeasible to alter performance areas to be on an accessible route, at least one of each type of performance area shall be made accessible.

3407.8.7 Dwelling or sleeping units. Where I-1, I-2, I-3, R-1 or R-2 dwelling or sleeping units are being altered or added, the requirements of Section 1107 for Accessible or Type A units and Section 907 for accessible alarms apply only to the quantity of spaces being altered or added. At least one sleeping room for each 25 sleeping rooms, or fraction thereof, being added or altered, shall have telephones and visible notification devices complying with Section 1107.8.2.4, as well as visible alarms.

3407.8.8 Jury boxes and witness stands. In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness

stands and shall be permitted to be located outside these spaces where the ramp or lift access restricts or projects into the means of egress.

3407.8.9 Toilet rooms. Where it is technically infeasible to alter existing toilet and bathing facilities to be accessible, an accessible unisex toilet or bathing facility is permitted. The unisex facility shall be located on the same floor and in the same area as the existing facilities. The number of toilet facilities and water closets required by Chapter 29 is permitted to be reduced by one, in order to provide accessible features.

3407.8.10 Dressing, fitting and locker rooms. Where it is technically infeasible to provide accessible dressing, fitting or locker rooms at the same location as similar types of rooms, one accessible room on the same level shall be provided. Where separate-sex facilities are provided, accessible rooms for each sex shall be provided. Separate-sex facilities are not required where only unisex rooms are provided.

3407.8.11 Check-out aisles. Where check-out aisles are altered, at least one of each check-out aisle serving each function shall be made accessible until the number of accessible check-out aisles complies with Section 1109.12.2.

3407.8.12 Thresholds. The maximum height of thresholds at doorways shall be $\frac{3}{4}$ inch (19.1 mm). Such thresholds shall have beveled edges on each side.

3407.9 Historic buildings. These provisions shall apply to buildings and facilities designated as historic structures that undergo alterations or a change of occupancy, unless technically infeasible. Where compliance with the requirements for accessible routes, ramps, entrances or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the building official, the alternative requirements of Sections 3407.9.1 through 3407.9.5 for that element shall be permitted.

3407.9.1 Site arrival points. At least one accessible route from a site arrival point to an accessible entrance shall be provided.

3407.9.2 Multilevel buildings and facilities. An accessible route from an accessible entrance to public spaces on the level of the accessible entrance shall be provided.

3407.9.3 Entrances. At least one main entrance shall be accessible.

Exceptions:

1. If a main entrance cannot be made accessible, an accessible nonpublic entrance that is unlocked while the building is occupied shall be provided; or
2. If a main entrance cannot be made accessible, a locked accessible entrance with a notification system or remote monitoring shall be provided.

Signs complying with Section 1110 shall be provided at the primary entrance and the accessible entrance.

3407.9.4 Toilet and bathing facilities. Where toilet rooms are provided, at least one accessible toilet room complying with Section 1109.2.1 shall be provided.

3407.9.5 Displays. Displays and written information shall be located where they can be seen by a seated person. Exhibits and signs displayed horizontally shall be 44 inches (1120 mm) maximum above the floor.

