

CHAPTER 9

CHANGE OF OCCUPANCY

SECTION 901 GENERAL

901.1 Scope. The provisions of this chapter shall apply where a change of occupancy occurs, as defined in Section 202, including:

1. Where the occupancy classification is not changed, or
2. Where there is a change in occupancy classification or the occupancy group designation changes.

901.2 Change in occupancy with no change of occupancy classification. A change in occupancy, as defined in Section 202, with no change of occupancy classification shall not be made to any structure that will subject the structure to any special provisions of the applicable *International Codes*, including the provisions of Sections 902 through 911, without the approval of the code official. A certificate of occupancy shall be issued where it has been determined that the requirements for the change in occupancy have been met.

901.2.1 Repair and alteration with no change of occupancy classification. Any repair or alteration work undertaken in connection with a change of occupancy that does not involve a change of occupancy classification shall conform to the applicable requirements for the work as classified in Chapter 4 and to the requirements of Sections 902 through 911.

Exception: As modified in Section 1105 for historic buildings.

901.3 Change of occupancy classification. Where the occupancy classification of a building changes, the provisions of Sections 902 through 912 shall apply. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group.

901.3.1 Partial change of occupancy classification. Where a portion of an existing building is changed to a new occupancy classification, Section 912 shall apply.

901.4 Certificate of occupancy required. A certificate of occupancy shall be issued where a change of occupancy occurs that results in a different occupancy classification as determined by the *International Building Code*.

SECTION 902 SPECIAL USE AND OCCUPANCY

902.1 Compliance with the building code. Where the character or use of an existing building or part of an existing building is changed to one of the following special use or occupancy categories as defined in the *International Building Code*, the building shall comply with all of the applicable requirements of the *International Building Code*:

1. Covered mall buildings.

2. Atriums.
3. Motor vehicle-related occupancies.
4. Aircraft-related occupancies.
5. Motion picture projection rooms.
6. Stages and platforms.
7. Special amusement buildings.
8. Incidental use areas.
9. Hazardous materials.

902.2 Underground buildings. An underground building in which there is a change of use shall comply with the requirements of the *International Building Code* applicable to underground structures.

SECTION 903 BUILDING ELEMENTS AND MATERIALS

903.1 General. Building elements and materials in portions of buildings undergoing a change of occupancy classification shall comply with Section 912.

SECTION 904 FIRE PROTECTION

904.1 General. Fire protection requirements of Section 912 shall apply where a building or portions thereof undergo a change of occupancy classification.

SECTION 905 MEANS OF EGRESS

905.1 General. Means of egress in portions of buildings undergoing a change of occupancy classification shall comply with Section 912.

SECTION 906 ACCESSIBILITY

906.1 General. Accessibility in portions of buildings undergoing a change of occupancy classification shall comply with Section 912.8.

SECTION 907 STRUCTURAL

907.1 Gravity loads. Buildings or portions thereof subject to a change of occupancy where such change in the nature of occupancy results in higher uniform or concentrated loads based on Tables 1607.1 and 1607.6 of the *International Building Code*

shall comply with the gravity load provisions of the *International Building Code*.

Exception: Structural elements whose stress is not increased by more than 5 percent.

907.2 Snow and wind loads. Buildings and structures subject to a change of occupancy where such change in the nature of occupancy results in higher wind or snow occupancy categories based on Table 1604.5 of the *International Building Code* shall be analyzed and shall comply with the applicable wind or snow load provisions of the *International Building Code*.

Exception: Where the new occupancy with a higher importance factor is less than or equal to 10 percent of the total building floor area. The cumulative effect of the area of occupancy changes shall be considered for the purposes of this exception.

907.3 Seismic loads. Existing buildings with a change of occupancy shall comply with the seismic provisions of Sections 907.3.1 and 907.3.2.

907.3.1 Compliance with the *International Building Code*. When a building or portion thereof is subject to a change of occupancy such that a change in the nature of the occupancy results in a higher seismic occupancy factor based on Table 1604.5 of the *International Building Code*; or where such change of occupancy results in a reclassification of a building to a higher hazard category as shown in Table 912.4; or where a change of a Group M occupancy to a Group A, E, I-1 R-1, R-2 or R-4 occupancy with two-thirds or more of the floors involved in Level 3 alteration work, the building shall conform to the seismic requirements of the *International Building Code* for the new seismic use group.

Exceptions:

1. Group M occupancies being changed to Group A, E, I-1, R-1, R-2 or R-4 occupancies for buildings less than six stories in height and in Seismic Design Category A, B or C.
2. Specific detailing provisions required for a new structure are not required to be met where it can be shown that an acceptable level of performance and seismic safety is obtained for the applicable seismic use group using reduced *International Building Code* level seismic forces as specified in Section 506.1.1.3. The rehabilitation procedures shall be approved by the code official and shall consider the regularity, overstrength, redundancy and ductility of the lateral-load-resisting system within the context of the existing detailing of the system.
3. Where the area of the new occupancy with a higher hazard category is less than or equal to 10 percent of the total building floor area and the new occupancy is not classified as Seismic Use Group IV. For the purposes of this exception, where a structure is occupied for two or more occupancies not included in the same seismic use group, the structure shall be assigned the classification of the highest seismic use group corresponding to the various

occupancies. Where structures have two or more portions that are structurally separated, each portion shall be separately classified. Where a structurally separated portion of a structure provides required access to, required egress from or shares life safety components with another portion having a higher seismic use group, both portions shall be assigned the higher seismic use group. The cumulative effect of the area of occupancy changes shall be considered for the purposes of this exception.

4. Unreinforced masonry bearing wall buildings in Occupancy Category III when assigned to Seismic Design Category A or B shall be allowed to be strengthened to meet the requirements of Appendix Chapter A1 of this code [*Guidelines for the Seismic Retrofit of Existing Buildings* (GSREB)].

907.3.2 Access to Seismic Use Group IV. Where the change of occupancy is such that compliance with Section 907.3.1 is required and the seismic use group is a Category IV, the operational access to such Seismic Use Group IV existing structure shall not be through an adjacent structure.

Exception: Where the adjacent structure conforms to the requirements for Seismic Use Group IV structures.

Where operational access is less than 10 feet (3048 mm) from an interior lot line or less than 10 feet (3048 mm) from another structure, access protection from potential falling debris shall be provided by the owner of the Seismic Use Group IV structure.

**((SECTION 908
ELECTRICAL**

908.1 Special occupancies. Where the occupancy of an existing building or part of an existing building is changed to one of the following special occupancies as described in the *International Code Council Electrical Code Administrative Provisions*, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of the *International Code Council Electrical Code Administrative Provisions* whether or not a change of occupancy group is involved:

1. Hazardous locations.
2. Commercial garages, repair, and storage.
3. Aircraft hangars.
4. Gasoline dispensing and service stations.
5. Bulk storage plants.
6. Spray application, dipping, and coating processes.
7. Health care facilities.
8. Places of assembly.
9. Theaters, audience areas of motion picture and television studios, and similar locations.
10. Motion picture and television studios and similar locations.

- 11. Motion picture projectors.
- 12. Agricultural buildings.

908.2 Unsafe conditions. Where the occupancy of an existing building or part of an existing building is changed, all unsafe conditions shall be corrected without requiring that all parts of the electrical system be brought up to the current edition of the *International Code Council Electrical Code Administrative Provisions*.

908.3 Service upgrade. Where the occupancy of an existing building or part of an existing building is changed, electrical service shall be upgraded to meet the requirements of the *International Code Council Electrical Code Administrative Provisions* for the new occupancy.

908.4 Number of electrical outlets. Where the occupancy of an existing building or part of an existing building is changed, the number of electrical outlets shall comply with the *International Code Council Electrical Code Administrative Provisions* for the new occupancy.)

SECTION 909 MECHANICAL

909.1 Mechanical requirements. Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to different kitchen exhaust requirements or to increased mechanical ventilation requirements in accordance with the *International Mechanical Code*, the new occupancy shall comply with the intent of the respective *International Mechanical Code* provisions.

SECTION 910 PLUMBING

910.1 Increased demand. Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the *International Plumbing Code*, the new occupancy shall comply with the intent of the respective *International Plumbing Code* provisions.

910.2 Food-handling occupancies. If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas and shall be protected in accordance with the *International Plumbing Code*.

910.3 Interceptor required. If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the *International Plumbing Code*.

910.4 Chemical wastes. If the new occupancy will produce chemical wastes, the following shall apply:

1. If the existing piping is not compatible with the chemical waste, the waste shall be neutralized prior to entering the drainage system, or the piping shall be changed to a compatible material.
2. No chemical waste shall discharge to a public sewer system without the approval of the sewage authority.

910.5 Group I-2. If the occupancy group is changed to Group I-2, the plumbing system shall comply with the applicable requirements of the *International Plumbing Code*.

SECTION 911 OTHER REQUIREMENTS

911.1 Light and ventilation. Light and ventilation shall comply with the requirements of the *International Building Code* for the new occupancy.

SECTION 912 CHANGE OF OCCUPANCY CLASSIFICATION

912.1 General. The provisions of this section ((shall)) apply to buildings or portions thereof undergoing a change of occupancy classification. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group. Such buildings shall also comply with Sections 902 through 911. The application of requirements for the change of occupancy shall be as set forth in Sections 912.1.1 through 912.1.4. A change of occupancy, as defined in Section 202, without a corresponding change of occupancy classification shall comply with Section 901.2.

912.1.1 Compliance with Chapter 8. The requirements of Chapter 8 shall be applicable throughout the building for the new occupancy classification based on the separation conditions set forth in Sections 912.1.1.1 and 912.1.1.2. All existing buildings with a change of occupancy classification shall comply with the seismic provisions of Section 907.3.

912.1.1.1 Change of occupancy classification without separation. Where a portion of an existing building is changed to a new occupancy classification and that portion is not separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *International Building Code* for the separate occupancy, the entire building shall comply with all of the requirements of Chapter 8 applied throughout the building for the most restrictive occupancy classification in the building and with the requirements of this chapter.

912.1.1.2 Change of occupancy classification with separation. Where a portion of an existing building that is changed to a new occupancy classification and that portion is separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *International Building Code* for the separate occupancy, that portion shall comply with all the requirements of Chapter 8 for the new occupancy classification and with the requirements of this chapter.

912.1.2 Fire protection and interior finish. The provisions of Sections 912.2 and 912.3 for fire protection and interior finish, respectively, shall apply to all buildings undergoing a change of occupancy classification.

912.1.3 Change of occupancy classification based on hazard category. The relative degree of hazard between different occupancy classifications shall be determined in accordance with the category specified in Tables 912.4, 912.5 and 912.6. Such a determination shall be the basis for the application of Sections 912.4 through 912.7.

912.1.4 Accessibility. All buildings undergoing a change of occupancy classification shall comply with Section 912.8.

912.2 Fire protection systems. Fire protection systems shall be provided in accordance with Sections 912.2.1 and 912.2.2.

912.2.1 Fire sprinkler system. Where a change in occupancy classification occurs that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, such system shall be provided throughout the area where the change of occupancy occurs.

912.2.2 Fire alarm and detection system. Where a change in occupancy classification occurs that requires a fire alarm and detection system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, such system shall be provided throughout the area where the change of occupancy occurs. Existing alarm notification appliances shall be automatically activated throughout the building. Where the building is not equipped with a fire alarm system, alarm notification appliances shall be provided throughout the area where the change of occupancy occurs and shall be automatically activated.

912.3 Interior finish. In areas of the building undergoing the change of occupancy classification, the interior finish of walls and ceilings shall comply with the requirements of the *International Building Code* for the new occupancy classification.

912.4 Means of egress, general. Hazard categories in regard to life safety and means of egress shall be in accordance with Table 912.4.

**TABLE 912.4
MEANS OF EGRESS HAZARD CATEGORIES**

| RELATIVE HAZARD | OCCUPANCY CLASSIFICATIONS |
|--------------------|-----------------------------|
| 1 (Highest Hazard) | H |
| 2 | I-2, I-3, I-4 |
| 3 | A, E, I-1, M, R-1, R-2, R-4 |
| 4 | B, F-1, R-3, S-1 |
| 5 (Lowest Hazard) | F-2, S-2, U |

912.4.1 Means of egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table 912.4, the means of egress shall comply with the requirements of Chapter 10 of the *International Building Code*.

Exceptions:

1. Stairways shall be enclosed in compliance with the applicable provisions of Section 803.1.
2. Existing stairways including handrails and guards complying with the requirements of Chapter 8 shall be permitted for continued use subject to approval of the code official.
3. Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not

be required to comply with the maximum riser height and minimum tread depth requirements.

4. Existing corridor walls constructed of wood lath and plaster in good condition or 1/2-inch-thick (12.7 mm) gypsum wallboard shall be permitted.
5. Existing corridor doorways, transoms, and other corridor openings shall comply with the requirements in Sections 705.5.1, 705.5.2, and 705.5.3.
6. Existing dead-end corridors shall comply with the requirements in Section 705.6.
7. An existing operable window with clear opening area no less than 4 square feet (0.38 m²) and with minimum opening height and width of 22 inches (559 mm) and 20 inches (508 mm), respectively, shall be accepted as an emergency escape and rescue opening.

912.4.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy classification is made to an equal or lesser hazard category (higher number) as shown in Table 912.4, existing elements of the means of egress shall comply with the requirements of Section 805 for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the *International Building Code*.

Exception: Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.

912.4.3 Egress capacity. Egress capacity shall meet or exceed the occupant load as specified in the *International Building Code* for the new occupancy.

912.4.4 Handrails. Existing stairways shall comply with the handrail requirements of Section 705.9 in the area of the change of occupancy classification.

912.4.5 Guards. Existing guards shall comply with the requirements in Section 705.10 in the area of the change of occupancy classification.

912.5 Heights and areas. Hazard categories in regard to height and area shall be in accordance with Table 912.5.

**TABLE 912.5
HEIGHTS AND AREAS HAZARD CATEGORIES**

| RELATIVE HAZARD | OCCUPANCY CLASSIFICATIONS |
|--------------------|--------------------------------------|
| 1 (Highest Hazard) | H |
| 2 | A-1, A-2, A-3, A-4, I, R-1, R-2, R-4 |
| 3 | E, F-1, S-1, M |
| 4 (Lowest Hazard) | B, F-2, S-2, A-5, R-3, U |

912.5.1 Height and area for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category as shown in Table 912.5, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of the *International Building Code* for the new occupancy classification.

912.5.2 Height and area for change to equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 912.5, the height and area of the existing building shall be deemed acceptable.

912.5.3 Fire barriers. When a change of occupancy classification is made to a higher hazard category as shown in Table 912.5, fire barriers in separated mixed-use buildings shall comply with the fire resistance requirements of the *International Building Code*.

Exception: Where the fire barriers are required to have a 1-hour fire-resistance rating, existing wood lath and plaster in good condition or existing $\frac{1}{2}$ -inch-thick (12.7 mm) gypsum wallboard shall be permitted.

912.6 Exterior wall fire-resistance ratings. Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 912.6.

**TABLE 912.6
EXPOSURE OF EXTERIOR WALLS HAZARD CATEGORIES**

| RELATIVE HAZARD | OCCUPANCY CLASSIFICATION |
|--------------------|--------------------------|
| 1 (Highest Hazard) | H |
| 2 | F-1, M, S-1 |
| 3 | A, B, E, I, R |
| 4 (Lowest Hazard) | F-2, S-2, U |

912.6.1 Exterior wall rating for change of occupancy classification to a higher hazard category. When a change of occupancy classification is made to a higher hazard category as shown in Table 912.6, exterior walls shall have fire resistance and exterior opening protectives as required by the *International Building Code*. This provision shall not apply to walls at right angles to the property line.

Exception: A 2-hour fire-resistance rating shall be allowed where the building does not exceed three stories in height and is classified as one of the following groups: A-2 and A-3 with an occupant load of less than 300, B, F, M, or S.

912.6.2 Exterior wall rating for change of occupancy classification to an equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 912.6, existing exterior walls, including openings, shall be accepted.

912.6.3 Opening protectives. Openings in exterior walls shall be protected as required by the *International Building Code*. Where openings in the exterior walls are required to be protected because of their distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

Exceptions:

1. Where the *International Building Code* permits openings in excess of 50 percent.
2. Protected openings shall not be required in buildings of Group R occupancy that do not exceed three

stories in height and that are located not less than 3 feet (914 mm) from the property line.

3. Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.
4. Exterior opening protectives are not required when the change of occupancy group is to an equal or lower hazard classification in accordance with Table 912.6

912.7 Enclosure of vertical shafts. Enclosure of vertical shafts shall be in accordance with Sections 912.7.1 through 912.7.4.

912.7.1 Minimum requirements. Vertical shafts shall be designed to meet the *International Building Code* requirements for atriums or the requirements of this section.

912.7.2 Stairways. When a change of occupancy classification is made to a higher hazard category as shown in Table 912.4, interior stairways shall be enclosed as required by the *International Building Code*.

Exceptions:

1. In other than Group I occupancies, an enclosure shall not be required for openings serving only one adjacent floor and that are not connected with corridors or stairways serving other floors.
2. Unenclosed existing stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by 1-hour fire-resistance-rated construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and the occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system shall be permitted to be supplied from the domestic water-supply systems, provided the system is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler requirements.
3. Existing penetrations of stairway enclosures shall be accepted if they are protected in accordance with the *International Building Code*.

912.7.3 Other vertical shafts. Interior vertical shafts other than stairways, including but not limited to elevator hoistways and service and utility shafts, shall be enclosed as required by the *International Building Code* when there is a change of use to a higher hazard category as specified in Table 912.4.

Exceptions:

1. Existing 1-hour interior shaft enclosures shall be accepted where a higher rating is required.
2. Vertical openings, other than stairways, in buildings of other than Group I occupancy and connecting less than six stories shall not be required to

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be enclosed if the entire building is provided with an approved automatic sprinkler system.

912.7.4 Openings. All openings into existing vertical shaft enclosures shall be protected by fire assemblies having a fire-protection rating of not less than 1 hour and shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices shall be permitted in all shafts except stairways if the fusible link rating does not exceed 135°F (57°C).

912.8 Accessibility. Existing buildings or portions thereof that undergo a change of group or occupancy classification shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with Section 1110 of the *International Building Code*.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, where 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. Changes of group or occupancy that incorporate any alterations or additions shall comply with this section and Sections 605.1 and 1005.1 as applicable.

Exception: Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing buildings and facilities.

