

PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date code addressing repair, alteration, addition or change of occupancy in existing buildings. The *International Existing Building Code*[®], in this 2006 edition, is designed to meet this need through model code regulations that safeguard the public health and safety in all communities, large and small.

This comprehensive existing building code establishes minimum regulations for existing buildings using prescriptive and performance-related provisions. It is founded on broad-based principles intended to encourage the use and reuse of existing buildings while requiring reasonable upgrades and improvements. This 2006 edition is fully compatible with all the *International Codes*[®] (I-Codes[®]) published by the International Code Council (ICC)[®], including the *International Building Code*[®], *ICC Electrical Code*[®], *International Energy Conservation Code*[®], *International Fire Code*[®], *International Fuel Gas Code*[®], *International Mechanical Code*[®], *ICC Performance Code*[®] for Buildings and Facilities[®], *International Plumbing Code*[®], *International Private Sewage Disposal Code*[®], *International Property Maintenance Code*[®], *International Residential Code*[®], *International Wildland-Urban Interface Code*[™] and *International Zoning Code*[®].

The *International Existing Building Code* provisions provide many benefits, including the model code development process, which offers an international forum for building professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

The first edition of the *International Existing Building Code* (2003) was the culmination of an effort initiated in 2000 by a development committee appointed by the ICC and consisting of representatives of the three statutory members of the International Code Council at that time, including: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The intent was to draft a comprehensive set of regulations for existing buildings consistent with and inclusive of the scope of the existing model codes. Technical content of the latest model codes promulgated by BOCA, ICBO and SBCCI, as well as other rehabilitation codes was utilized as the basis for the development, followed by a public forum in 2001 and the publication of the 2001 Final Draft. This 2006 edition presents the code as originally issued with changes approved through the ICC code development process through 2005. A new edition such as this is promulgated every three years.

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

Adoption

The *International Existing Building Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction's laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page v addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

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

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

While the development procedure of the *International Existing Building Code* assures the highest degree of care, ICC, its members, and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with these provisions, because ICC does not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Letter Designations in Front of Section Numbers

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

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

- [B] = International Building Code Development Committee;
- [F] = International Fire Code Development Committee;
- [P] = International Plumbing Code Development Committee.
- [FG] = International Fuel Gas Code Development Committee;
- [EC] = International Energy Conservation Code Development Committee;
- [M] = International Mechanical Code Development Committee; and
- [ICC EC] = ICC Electrical Code Development Committee

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2003 edition. Deletion indicators in the form of an arrow (➡) are provided in the margin where a section, paragraph, exception or table has been deleted or an item in a list of items or a table has been deleted.

ORDINANCE

The *International Codes* are designed and promulgated to be adopted by reference by ordinance. Jurisdictions wishing to adopt the 2006 *International Existing Building Code* as an enforceable performance-based regulation governing structures and premises should ensure that certain factual information is included in the adopting ordinance at the time adoption is being considered by the appropriate governmental body. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

SAMPLE ORDINANCE FOR ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE ORDINANCE NO. _____

An ordinance of the [JURISDICTION] adopting the 2006 edition of the *International Existing Building Code*, regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the [JURISDICTION]; providing for the issuance of permits and collection of fees therefor, repealing Ordinance No. _____ of the [JURISDICTION] and all other ordinances and parts of the ordinances in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as the *International Existing Building Code*, 2006 edition, including Appendix Chapters [FILL IN THE APPENDIX CHAPTERS BEING ADOPTED] (see *International Existing Building Code* Section 101.7, 2006 edition), as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the [JURISDICTION], in the State of [STATE NAME] for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulatory provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1 Insert: [NAME OF JURISDICTION]

Section 1301.2 Insert: [DATE IN LOCATION]

Section 3. That Ordinance No. _____ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE ORDINANCE OR ORDINANCES IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of ordinances in conflict therewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Existing Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

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CHAPTER 1

ADMINISTRATION

SECTION 101 GENERAL

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

101.2 Scope. The provisions of the *International Existing Building Code* shall apply to the repair, alteration, change of occupancy, addition and relocation of existing buildings.

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

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

101.4.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *International Building Code* or *International Residential Code*, as applicable, for new construction or with any current permit for such occupancy.

101.4.2 Buildings previously occupied. The general occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or the *International Property Maintenance Code*, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

101.5 Compliance methods. The repair, alteration, change of occupancy, addition or relocation of all existing buildings shall comply with one of the methods listed in Sections 101.5.1 through 101.5.3 as selected by the applicant. Application of a method shall be the sole basis for assessing the compliance of work performed under a single permit unless otherwise approved by the code official. Sections 101.5.1 through 101.5.3 shall not be applied in combination with each other.

Exception: Alterations complying with the laws in existence at the time the building or the affected portion of the building was built shall be considered in compliance with the provisions of this code unless the building has sustained substantial structural damage as defined in Section 506.2, or the building is undergoing more than a limited structural alteration as defined in Section 807.5.3. New structural members added as part of the repair or alteration shall comply with the *International Building Code*. Repairs and alterations of existing buildings in flood hazard areas shall comply with Sections 501.4 and 601.3, respectively.

101.5.1 Prescriptive compliance method. Repairs, alterations, additions and changes of occupancy complying with Chapter 3 of this code in buildings complying with the *International Fire Code* shall be considered in compliance with the provisions of this code.

101.5.2 Work area compliance method. Repairs, alterations, additions, changes in occupancy and relocated buildings complying with the applicable requirements of Chapters 4 through 12 of this code shall be considered in compliance with the provisions of this code.

101.5.3 Performance compliance method. Repairs, alterations, additions, changes in occupancy and relocated buildings complying with Chapter 3 of this code shall be considered in compliance with the provisions of this code.

101.6 Safeguards during construction. All construction work covered in this code, including any related demolition, shall comply with the requirements of Chapter 14.

101.7 Appendices. The code official is authorized to require rehabilitation and retrofit of buildings, structures or individual structural members in accordance with the appendices of this code if such appendices have been individually adopted.

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

SECTION 102 APPLICABILITY

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

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

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

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the