



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE INTERPRETATION NO. 01-03

CODE: 1997 Uniform Building Code (UBC),
State Regulations for Barrier-Free Facilities

SECTIONS: Chapter 11, Part III, Accessibility for Existing Buildings.
Section 1109.1 General.
Clarification on Interpretation No. 00-10.

QUESTIONS: **BACKGROUND:** From Interpretation No. 00-10:.. “...*although no building permit is required, is an existing building required to be made accessible when there is a change of occupancy?*” The answer to the question stated: “*No. It is the intent that Chapter 11, Part III apply only where there is construction involved to renovate, alter or add to an existing building for which construction contracts have been awarded prior to July 1, 1976. Existing buildings constructed after that date but which are changing occupancy with no change in construction are required to comply with the State Regulations for Barrier-Free Facilities in effect at the time of the building’s original construction permit.*”

1. We often deal with projects involving change of use from single family residential structures, Group R-3 Occupancy, to commercial office, Group B Occupancy. How do you apply Interpretation No. 00-10 (referenced above) to a home built in 1980, for example, that is undergoing a change of use to a Group B office where no construction is done requiring a building permit? Would the change of use then be required to comply with State Regulations for Barrier-Free Facilities (in effect at the time of the building’s original construction permit) for the Group R-3 single family occupancy or for the Group B office occupancy?

2. Where there is a change from a Group M retail use to a Group B office use and no construction is done requiring a building permit, would the building be required to comply with State Regulations for Barrier-Free Facilities (in effect at the time of the building’s original construction permit) for the Group M Occupancy or for the Group B Occupancy?

ANSWERS:

1. Interpretation No. 00-10 does not apply to Group R-3 Occupancies since the State Regulations for Barrier Free Facilities do not apply to Group R-3 Occupancies (per Section 1103.1.8.2 Exception 1). UBC Section 3405—Change In Use can be applied, whereby the building in this example should be made to comply with current code requirements using Chapter 11, Part III—Accessibility For Existing Buildings. The definition of “Alteration” in Section 1110 includes change in occupancy, therefore, in applying Section 1112—Alterations, the entire building should be considered “altered” and accessibility provided to the maximum extent feasible (See 1112.1.1 and 1112.1.2, Exceptions 1 & 3. In applying 1112.1.2, Exception 3, it is intended that accessibility of the path of travel be improved if needed, but required only up to 20% of the cost of the total barrier-free upgrade.)

2. In the example given, the building’s original construction permit was for Group M Occupancy. Therefore, the building should be required to comply with State Regulations for Barrier-Free Facilities for Group M Occupancies in effect at the time of the building’s original construction permit.

SUPERSEDES: None.

REQUESTED BY: City of Issaquah