



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE INTERPRETATION NO. 06-02

CODE: 2003 International Fire Code / International Building Code

SECTION: IFC Section 903.2.2
IBC Sections 3403, 3406 and 903.2.2

QUESTIONS:

1. If an existing Group B Occupancy is being converted to a Group E Occupancy with an occupant load over 50, does it need to be sprinklered?
2. What is the definition of the term “newly constructed”?
3. Since this is a change of occupancy per IBC Section 3406, and there are alterations being made per IBC Section 3403, must the new Group E Occupancy now conform to the requirements for “newly constructed”?

ANSWERS:

1. **Yes. IBC Section 3406.1 states changes in use or occupancy are permitted without conforming to the requirements of this code as long as the proposed use is less hazardous based on life and fire risk. A Group E Occupancy is more hazardous than a Group B Occupancy so it would need to conform to the requirements for new construction, which would include sprinklers per IFC Section 903.2.2 (3).**
2. **“Newly constructed” is defined in Section 903.2.2 as an addition, alteration or remodel costing 100% of the value of the building over a one-year period. Change of occupancy is not addressed. The definition of “existing structure” in IBC Section 202 implies a new building is being built or was built according to the current building code, whereas an existing structure was erected prior to the adoption of the appropriate code.**
3. **Yes. Any change in occupancy to a more hazardous one based on life and fire risk must conform to the IBC for that occupancy See IBC Section 3406.1.**

SUPERSEDES: None

REQUESTED BY: City of Kirkland