

**Excerpts from the International Existing Building Code  
Relevant to Lead Poisoning Prevention  
and Proposed Changes**

**104.9 Approved materials and equipment.** Materials, equipment, and devices approved by the code official shall be constructed and installed in accordance with such approval.

**104.9.1 Used materials and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the code official.

**105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for ..

Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.

**105.2.2 Repairs.** Application or notice to the code official is not required for ordinary repairs to structures and items listed in Section 105.2. Such repairs shall not include the cutting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent, or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

**CHAPTER 13  
PERFORMANCE COMPLIANCE METHODS  
SECTION 1301 GENERAL**

**1301.1 Scope.** The provisions of this chapter shall apply to the alteration, repair, addition and change of occupancy of existing structures, including historic and moved structures, as referenced in Section 101.5.3. The provisions of this chapter are intended to maintain or increase the current degree of public safety, health and general welfare in existing buildings while permitting repair, alteration, addition and change of occupancy without requiring full compliance with Chapters 4 through 12, except where compliance with other provisions of this code is specifically required in this chapter.

**1301.1.1 Compliance with other methods.** Alterations, repairs, additions and changes of occupancy to existing structures shall comply with the provisions of this chapter or with one of the methods provided in Section 101.5.

**1301.2 Applicability.** Structures existing prior to [DATE TO BE INSERTED BY THE JURISDICTION]. Note: it is recommended that this date coincide with the effective date of building codes within the jurisdiction], in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

**1301.2.1 Change in occupancy.** Where an existing building is changed to a new occupancy classification and this section is applicable, the provisions of this section for the new occupancy shall be used to determine compliance with this code. **Exception:** if occupancy classification of a pre-1978 building is changed to residential or institutional, the lead-safe work practices described in 1301.3.4.1 shall be used when disturbing, repairing, or replacing painted surfaces, unless the paint has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards.

**1301.2.2 Partial change in occupancy.** Where a portion of the building is changed to a new occupancy classification and that portion is separated from the remainder of the building with fire barrier wall assemblies having a fire-resistance rating as required by Table 508.3.3 of the *International Building Code* or Section R317 of the *International Residential Code* for the separate occupancies, or with approved compliance alternatives, the portion changed shall be made to conform to the provisions of this section. Where a portion of the building is changed to a new occupancy classification and that portion is not separated from the remainder of the building with fire separation assemblies having a fire-resistance rating as required by Table 508.3.3 of the *International Building Code* or Section R317 of the *International Residential Code* for the separate occupancies, or with approved compliance alternatives, the provisions of this section which apply to each occupancy shall apply to the entire building. Where the occupancy classification of a portion of a pre-1978 building is changed to residential or institutional, the lead-safe work practices described in 1301.3.4.1 shall be used when disturbing, repairing, or replacing painted surfaces, unless the paint has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards. Where there are conflicting provisions, those requirements which secure the greater public safety shall apply to the entire building or structure.

**1301.2.3 Additions.** Additions to existing buildings shall comply with the requirements of the *International Building Code*, *International Residential Code*, and this code for new construction. The combined height and area of the existing building and the new addition shall not exceed the height and area allowed by Chapter 5 of the *International Building Code*. Where a fire wall that complies with Section 705 of the *International Building Code* is provided between the addition and the existing building, the addition shall be considered a separate building. Where an addition will be attached to a pre-1978 building, the lead-safe work practices described in 1301.3.4.1 shall be used when disturbing, repairing, or replacing painted surfaces, unless the paint has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards.

**1301.2.4 Alterations and repairs.** An existing building or portion thereof that does not comply with the requirements of this code for new construction shall not be altered or repaired in such a manner that results in the building being less safe or sanitary than such building is currently. If, in the alteration or repair, the current level of safety or sanitation is to be reduced, the portion altered or repaired shall conform to the requirements of Chapters 2 through 12 and Chapters 14 through 33 of the *International Building Code*. Where an alteration or repair will be performed on a pre-1978 building, the lead-safe work practices described in 1301.3.4.1 shall be used when disturbing, repairing, or replacing painted surfaces, unless the paint has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards.

**1301.2.5 Accessibility requirements.** All portions of the buildings proposed for change of occupancy shall conform to the accessibility provisions of Chapter 11 of the *International Building Code*.

**1301.3 Acceptance.** For repairs, alterations, additions, and changes of occupancy to existing buildings that are evaluated in accordance with this section, compliance with this section shall be accepted by the code official.

**1301.3.1 Hazards.** Where the code official determines that an unsafe condition exists as provided for in Section 115, such unsafe condition shall be abated in accordance with Section 115.

**1301.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the *International Fire Code* and *International Property Maintenance Code*.

**1301.3.3 Compliance with flood hazard provisions.** In flood hazard areas, buildings that are evaluated in accordance with this section shall comply with Section 1612 of the *International Building Code* if the work covered by this section constitutes substantial improvement.

**1301.3.4 Lead-safe work practices:** For repairs, alterations, additions, and changes of occupancy in or on pre-1978 building, lead-safe work practices shall be used when disturbing, repairing, or replacing painted surfaces, unless the paint has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards.

**1301.3.4.1 Lead safe work practices.** The following methods shall not be used when removing, repairing, or disturbing surfaces that contain lead-based paint: open flame burning or torching; machine sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control; abrasive blasting or sandblasting without HEPA local exhaust control; heat guns operating above 1100 degrees Fahrenheit or charring the paint; dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1.0 ft. of electrical outlets, or when treating defective paint spots totaling no more than 2 sq. ft. in any one interior room or space or more than 20 sq. ft. on an exterior surface; and paint stripping using a solvent that contains methylene chloride without powered mechanical ventilation. Occupants and their belongings shall be protected from exposure to paint debris and dust. Doors, windows, ducts and floors in the work area shall be covered with plastic sheeting or other impermeable material to prevent the spread of lead contaminated dust and debris outside the work area. After paint-disturbing activities have been completed, the plastic sheeting or other impermeable material shall be wet-cleaned or wiped and then removed. Then the walls, windowsills, and floors in the work area shall be vacuum-cleaned and washed with a wet mop or cloth to ensure that no debris or dust is left behind.

**1301.4 Investigation and evaluation.** For proposed work covered by this chapter, the building owner shall cause the existing building to be investigated and evaluated in accordance with the provisions of Sections 1301.4 through 1301.9.

**1301.4.1 Structural analysis.** The owner shall have a structural analysis of the existing building made to determine adequacy of structural systems for the proposed alteration, addition, or change of occupancy. The existing building shall be capable of supporting the minimum load requirements of Chapter 16 of the *International Building Code*.

**1301.4.2 Submittal.** The results of the investigation and evaluation as required in Section 1301.4, along with proposed compliance alternatives, shall be submitted to the code official.

**1301.4.3 Determination of compliance.** The code official shall determine whether the existing building, with the proposed addition, alteration, or change of occupancy, complies with the provisions of this section in accordance with the evaluation process in Sections 1301.5 through 1301.9.

**1301.5 Evaluation.** The evaluation shall be comprised of four categories: fire safety, means of egress, general safety, and lead safety, as described in Sections 1301.5.1 through 1301.5.4.

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**1301.5.1 Fire safety.** Included within the fire safety category are the structural fire resistance, automatic fire detection, fire alarm, and fire-suppression system features of the facility.

**1301.5.2 Means of egress.** Included within the means of egress category are the configuration, characteristics, and support features for means of egress in the facility.

**1301.5.3 General safety.** Included within the general safety category are the fire safety parameters and the means-of-egress parameters.

**1301.5.4. Lead safety.** Included in the lead safety category are peeling, chipping, flaking, chalking, or abraded paint in pre-1978 structures, unless the paint has been determined to be lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards r.

## CHAPTER 14 CONSTRUCTION SAFEGUARDS SECTION 1401 GENERAL

**[B] 1401.1 Scope.** The provisions of this chapter shall govern safety during construction that is under the jurisdiction of this code and the protection of adjacent public and private properties.

**[B] 1401.6 Protection of pedestrians.** Pedestrians shall be protected during construction and demolition activities as required by Sections 1401.6.1 through 1401.6.7 and Table 1401.6. Signs shall be provided to direct pedestrian traffic.

**[B] 1401.6.1 Walkways.** A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the authority having jurisdiction authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface. Walkways shall be accessible in accordance with Chapter 11 of the *International Building Code* and shall be designed to support all imposed loads and in no case shall the design live load be less than 150 psf (7.2 kN/m<sup>2</sup>).

**[B] 1401.6.2 Directional barricades.** Pedestrian traffic shall be protected by a directional barricade where the walkway extends into the street. The directional barricade shall be of sufficient size and construction to direct vehicular traffic away from the pedestrian path.

**[B] 1401.6.3 Construction railings.** Construction railings shall be at least 42 inches (1067 mm) in height and shall be sufficient to direct pedestrians around construction areas.

**[B] 1401.6.4 Barriers.** Barriers shall be a minimum of 8 feet (2438 mm) in height and shall be placed on the side of the walkway nearest the construction. Barriers shall extend the entire

length of the construction site. Openings in such barriers shall be protected by doors which are normally kept closed.

**[B] 1401.6.4.1 Barrier design.** Barriers shall be designed to resist loads required in Chapter 16 of the *International Building Code* unless constructed as follows: 1. Barriers shall be provided with 2 × 4 top and bottom plates. 2. The barrier material shall be a minimum of 3/4 inch (19.1 mm) inch boards or 1/4 inch (6.4 mm) wood structural use panels

**[B] 1401.6.5 Covered walkways.**

**[B] 1401.6.6 Repair, maintenance and removal.** Pedestrian protection required by Section 1401.6 shall be maintained in place and kept in good order for the entire length of time pedestrians may be endangered. The owner or the owner's agent, upon the completion of the construction activity, shall immediately remove walkways, debris and other obstructions and leave such public property in as good a condition as it was before such work was commenced.

**[B] 1401.6.7 Adjacent to excavations.** Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier not less than 6 feet (1829 mm) high. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when required by the code official. Barriers shall be of adequate strength to resist wind pressure as specified in Chapter 16 of the *International Building Code*.

**1401.6.8. Lead-safe work practices. For repairs, alterations, additions, and changes of occupancy in or on pre-1978 building, unless the paint has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards, lead-safe work practices described in 1301.3.4.1 shall be used when disturbing, repairing, or replacing painted surfaces.**

#### **[B] SECTION 1402 PROTECTION OF ADJOINING PROPERTY**

**1402.1 Protection required.** Adjoining public and private property shall be protected from damage during construction and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water run-off and erosion **and dispersal of lead-based paint hazards** during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.

## Background on the IEBC and Additional Excerpts of Interest

**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 legal 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**

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**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**

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**compliance method.** Repairs, alterations, additions, changes in occupancy and relocated buildings complying with Chapter 13 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. **CHAPTER FOUR**  
**CLASSIFICATION OF WORK**

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### **SECTION 401 GENERAL**

**401.1 Scope.** The provisions of this chapter shall be used in conjunction with Chapters 5 through 12 and shall apply to the alteration, repair, addition and change of occupancy of existing structures, including historic and moved structures, as referenced in Section 101.5.2. The work performed on an existing building shall be classified in accordance with this chapter.

**401.1.1 Compliance with other alternatives.** Alterations, repairs, additions and changes of occupancy to existing structures shall comply with the provisions of Chapters 4 through 12 or with one of the alternatives provided in Section 101.5.

**401.2 Work area.** The work area, as defined in Chapter 2, shall be identified on the construction documents.

**401.3 Occupancy and use.** When determining the appropriate application of the referenced sections of this code, the occupancy and use of a building shall be determined in accordance with Chapter 3 of the *International Building Code*.

### **SECTION 402 REPAIRS**

**402.1 Scope.** Repairs, as defined in Chapter 2, include the patching or restoration or replacement of damaged materials, elements, equipment or fixtures for the purpose of maintaining such components in good or sound condition with respect to existing loads or performance requirements.

**402.2 Application.** Repairs shall comply with the provisions of Chapter 5.

**402.3 Related work.** Work on non-damaged components that is necessary for the required repair of damaged components shall be considered part of the repair and shall not be subject to the provisions of Chapter 6, 7, 9 or 10.

### **SECTION 403 ALTERATION—LEVEL 1**

**403.1 Scope.** Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose.

**403.2 Application.** Level 1 alterations shall comply with the provisions of Chapter 6.

### **SECTION 404 ALTERATION—LEVEL 2**

**404.1 Scope.** Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.

**404.2 Application.** Level 2 alterations shall comply with the provisions of Chapter 6 for Level 1 alterations as well as the provisions of Chapter 7.

### **SECTION 405 ALTERATION—LEVEL 3**

**405.1 Scope.** Level 3 alterations apply where the work area exceeds 50 percent of the aggregate area of the building.

**405.2 Application.** Level 3 alterations shall comply with the provisions of Chapters 6 and 7 for Level 1 and 2 alterations, respectively, as well as the provisions of Chapter 8.

### **SECTION 406 CHANGE OF OCCUPANCY**

**406.1 Scope.** Change of occupancy provisions apply where the activity is classified as a change of occupancy as defined in Chapter 2.

**406.2 Application.** Changes of occupancy shall comply with the provisions of Chapter 9.

#### **SECTION 407 ADDITIONS**

**407.1 Scope.** Provisions for additions shall apply where work is classified as an addition as defined in Chapter 2.

**407.2 Application.** Additions to existing buildings shall comply with the provisions of Chapter 10.

#### **SECTION 408 HISTORIC BUILDINGS**

**408.1 Scope.** Historic buildings provisions shall apply to buildings classified as historic as defined in Chapter 2.

**408.2 Application.** Except as specifically provided for in Chapter 11, historic buildings shall comply with applicable provisions of this code for the type of work being performed.

#### **SECTION 409 RELOCATED BUILDINGS**

**409.1 Scope.** Relocated buildings provisions shall apply to relocated or moved buildings.

**409.2 Application.** Relocated buildings shall comply with the provisions of Chapter 12.