



**Informal Interpretation Report  
Number 5636**



**Date** March 28, 2008

**Edition** 2004

**Section** 603 or other

**Question:**

An existing single family bathroom is to be remodeled by removing an existing tub and installing a roll in shower to provide accessible access. There is an existing window within this shower compartment below the 60" dimension which under new code would require safety glazing. Since this is an existing window would the glazing be required to be changed out or modified to provide an approved level of protection? There is no apparent marking on glazing to confirm existing tempered or other approved safety glazing. Clarification is being requested due to this being a potential life safety issue.

**Answer:**

While we may think the initial response to be yes, the answer is actually no. Please see the attached commentary.

On 03/28/2008 at 7:05 AM

**Commentary:**

If it is existing within the tub surround walls - there is no Code basis to require it, unless they are altering the framing in that wall area. Section 601.3 states, "All new construction elements, components, systems, and spaces shall comply with the requirements of the FBC" (with certain exceptions). If the window is in the existing tub area, then by section 501.2 it may be allowed to remain; "Conformance. An existing building or portion thereof shall not be altered such that the building becomes less safe or energy efficient than its existing condition. If in the alteration the current level of safety or sanitation is to be reduced, the portion altered shall conform to the requirements of the FBC." While it may be suggested that some sort of protection be provided, it can not be required, if it was in the existing tub

area. This depends also on when the structure was built.

If the Code at the time required it - then it needs to meet those requirements, at a minimum.

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**Notice:**

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