



Informal Interpretation Report Number 5971



Date December 13, 2008

Edition 2004

Section 1009.3

Question:

Is it the intent of section 1009.3 to be applicable for stairs that form part of the mean of egress only? Is there any regulation for tread and riser dimensions for a stair that the design professional indicates are not required for means of egress.

Answer

Section 1003.1-General Means of Egress, and the definition of Means of Egress, clearly indicate that this chapter applies to ANY elements within the building that can be used as a means of egress. The definition of Stairs in chapter 2 sends you to chapter 10. It is apparent therefore that the code asserts ALL stairs will be addressed as per chapter 10 requirements.

Commentary:

The code does not specifically address stairs NOT intended for Means of Egress. Nowhere in the code do we find a statement to the effect of this section does not apply to stairs which are NOT deemed by the designer to be THE DESIGNATED MEANS OF EGRESS. If we can't apply chapter-10 to ALL stairs, then what standard we would apply for stairs? Additionally, Section 1009.14 requires that ALL stairs be compliant with accessibility requirements for new construction. All stairs, ramps, corridors and the like provide a means of egress and although they may not be a required means of egress, all elements must comply with the code. To allow otherwise flies in the face of the intent of the code. That does not change the fact that the charging statements apply to the required means of egress or approved means of egress. Apparently, the designer in

this case is not requesting approval for other than the minimum required means of egress. While we may not like it or agree, our charge is to enforce the code, not our preferences. We have long thought someone should submit a change to the code requiring all pathways that could be used as a means of egress to meet the code. Regarding the person tripping on non-compliant stairs, that is where the building owner and designer should be made aware of the potential liability. Such notice should also be made part of any final approval.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.