



Informal Interpretation Report Number 7991



Date September 27, 2017

Edition 2014

Section 202.4

Question:

Existing 1800sf business occupancy, new tenant will be an assembly use. The new tenant requires no work to be done to the space for it to meet his needs, and has submitted a life safety plan and code analysis for a Converting Use permit. Does the fact that there is a Change of Use require the space to comply with all accessibility requirements as if it was new construction?

Answer

We need to start in the Florida Building Code - Existing Buildings. Chapter 10 provides guidance on existing buildings undergoing a change of occupancy. Section 1001.2 provides guidance on the required sections that need to be complied with. One of those sections, 1006.1 points us to the Florida Building Code - Accessibility volume. When we look into that volume, the compliance requirement for an existing building is that 20% of any alteration must go toward compliance. Since the question states no monies are needed to be spent for remodeling, there is no additional requirement in the Code.

Commentary:

This requirement may not protect the contractor or owner from non-compliance issues, however, it is all that is required by the building code.

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.