
FIRE PREVENTION AND BUILDING SAFETY COMMISSION
Department of Homeland Security

Written Interpretation of the State Building Commissioner

Interpretation #: CEB-2021-10-2014 IBC-3412.1

Building or Fire Safety Law Interpreted

[675 IAC 13-2.6](#) **2014 Indiana Building Code (IBC), Section 3412.1 Compliance.** The provisions of this section are intended to maintain or increase the current degree of public safety, health and general welfare in existing buildings while permitting a change of use or change of occupancy without requiring full compliance with the rules of the Commission for new construction, except where compliance with such rules of the Commission is specifically required in this section.

Issue

Whether a change of occupancy project that achieves a passing score in the 2014 IBC Chapter 34 evaluation process is required to comply with rules of the Commission for new construction.

Interpretation of the State Building Commissioner

A change of occupancy project that achieves a passing score in the 2014 IBC Chapter 34 evaluation process is required to comply with only those rules of the Commission for new construction that are specifically identified within Chapter 34 (including references in Chapter 34 to Commission rules described elsewhere). Such projects are exempted from compliance with all other rules of the Commission for new construction.

Rationale

In the circumstances at the basis for this interpretation request, the local official is requiring a change of occupancy project that has successfully passed the Chapter 34 evaluation process to comply with Section 503 "Fire Apparatus Access Roads" from the 2014 Indiana Fire Code (IFC).

The IBC Chapter 34 evaluation process is based on the premise that a higher degree of risk to building occupants is an acceptable trade-off for the economic benefit of reusing that portion of the existing building stock on which full compliance with the requirements for new construction is either impossible or impractical. Rather than leave these structures unused or abandoned, a system was devised to require compliance with only a small set of regulations, if the structure provides certain minimum life safety features.

Toward this end, the authors of the code determined a minimum threshold of life safety protection that must be maintained for the occupants of these structures and fashioned a process through which this minimum level of protection is ensured. They have achieved this through two means: a system of numerically scoring various life safety features of the existing building (to be tallied against minimum passing thresholds); and by specifically naming within the chapter which of the Commission's rules for new construction still apply to projects successfully utilizing the evaluation process. An existing structure that meets the minimum Chapter 34 scoring threshold is required to comply with only those rules of the Commission for new construction that are specifically identified within Chapter 34. Note that this exemption applies only to rules for new construction – rules applicable to existing structures remain in effect.

Since the Indiana Fire Code is identified by [675 IAC 12-1.1-5](#) as among the "rules of the Commission," its requirements for new construction are exempted on projects successfully completing the IBC Chapter 34 evaluation process, unless said requirements are specifically enumerated in IBC Chapter 34. In this specific case, the fire apparatus access road requirement of IFC Section 503 states it applies to buildings "hereafter constructed," meaning new construction. As such, it would only apply to the project if the requirement were specifically named within the body of IBC Chapter 34, which it is not.

Posted: 04/21/2021 by Legislative Services Agency
An [html](#) version of this document.