

CHAPTER

3

History of Rehabilitation Codes



Prior to the development of the *International Existing Building Code* (IEBC), there was concern that the reuse and/or changing the use of existing buildings was discouraged by the lack of uniformity and subjectivity associated with regulating work in existing buildings. Previous codes relied extensively on the judgment of code officials, which was not predictable. Design professionals often were put in a position in which they would need to consult with the code officials to determine the extent to which the proposed work would require upgrading the building to comply with current building code requirements. In some cases, the need to upgrade existing buildings was based on the estimated cost of the new work as compared to the value of the building.

INTRODUCTION

Consider the following example that was often used to illustrate the need for codes such as the IEBC. For those unfamiliar with the term used in the example, a rowhome is similar to what is currently referred to as a townhouse or townhome. Older rowhomes were often built with a common attic space running the entire length of the building. While the example below has been modified slightly, the context is allegedly an actual discussion between two individuals regarding the purchase of an existing townhome.

Homeowner: We wanted to meet with you to discuss our plans to rehab the rowhome we plan to purchase.

Building Official: This is going to be good for the community. We have reviewed the work you propose to do and would note that the current building code requires the separation between your home and the adjacent homes to be continuous to the roof.

Homeowner: We had not planned to do any work in the attic space but I guess we can agree to do so.

Building Official: That's great and with that we will be able to issue a building permit. You do know that the wall needs to have a fire-resistance rating of at least 2 hours, correct?

Homeowner: What does that mean?

Building Official: This type of construction typically involves two layers of gypsum wallboard on both sides of the studs.

Homeowner: Again, that is not what we planned but I guess we can do that.

Building Official: Just to confirm, the construction supporting this new wall also needs to have a fire-resistance rating of 2 hours and the wall must be rated from both sides.

Homeowner: If you are saying that we need to reconstruct the wall for the entire height of the building, we can't do that. The adjacent homes are occupied and it sounds like that is not practical.

It should be noted that the homeowners walked away from the purchase.

While numerous jurisdictions had developed codes or policies to address rehabilitation projects, the origin of what is now the IEBC started with the *Code for Rehabilitation of Existing Buildings* developed in the State of New Jersey. In developing the code in New Jersey, there were three criteria:

- Timeliness (i.e., few projects handled as special cases)
- Predictability (i.e., due process—people need to know the law applicable to them and be free from arbitrary treatment)
- Reasonableness (i.e., provide a reasonable level of safety without imposing excessive additional costs)

In developing the code in New Jersey, heavy reliance was placed on three previously existing approaches:

- Article 32 of the *Massachusetts State Building Code*
- The *Uniform Code for Building Conservation*
- Chapter 34 of the *BOCA National Building Code*

In 1995, the Department of Housing and Urban Development (HUD) sponsored the National Symposium on the Status of Building Regulations for Housing Rehabilitation (www.huduser.gov/portal/Publications/pdf/workshop.pdf). The meeting included representatives from the model code organizations in the United States—NFPA, NIBS and code officials. Presentations were made by representatives from various states and cities highlighting approaches to regulating rehabilitation projects. The symposium concluded with a list of five recommendations on follow-up activity, one of which was for HUD to develop a self-contained, national model rehabilitation code for adoption by the three model building code organizations.

Subsequently, HUD published the *Nationally Applicable Recommended Rehabilitation Provisions* (NARRP) in May 1997 (www.huduser.gov/Publications/pdf/HUD-7842.pdf). The NARRP was used as one of the source documents in the development of the IEBC. Several states, including but not limited to Maryland, New York and Rhode Island, also used the NARRP in the development of state rehabilitation codes.

The purpose of the NARRP, the New Jersey code, the other state codes that followed and the IEBC is to set forth a regulatory framework that will encourage the continued use or reuse of legally existing buildings through a predictable system of requirements. The intent

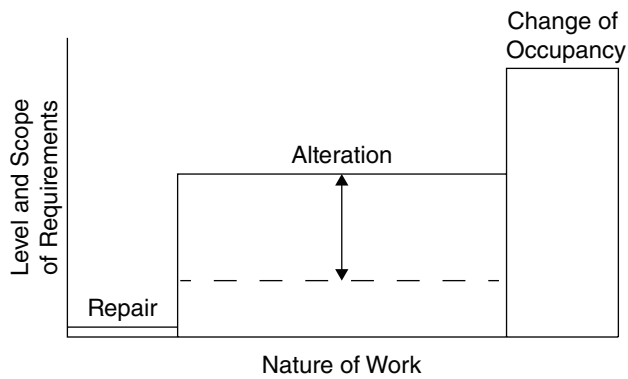


Figure 1
Current Building Codes

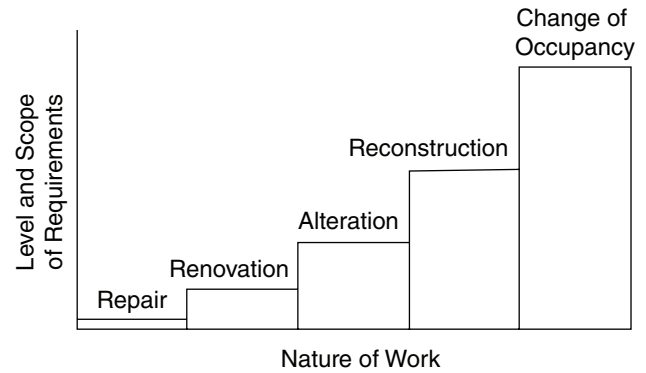


Figure 2
NARRP Proposed Approach

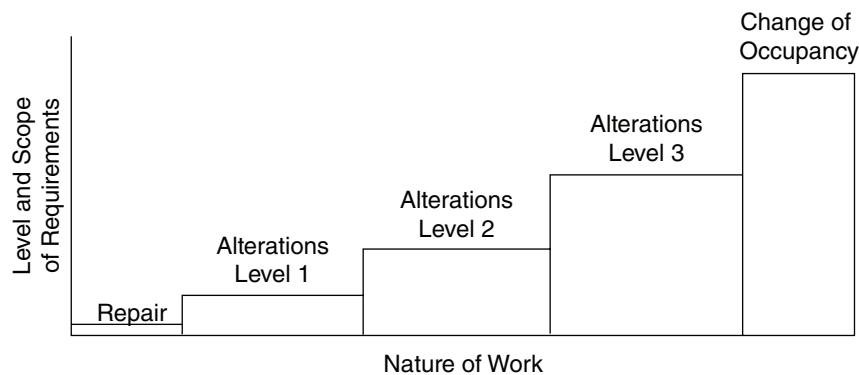


Figure 3
IEBC Approach

Figure 3-1 Early existing building code organization.

of these documents is to clarify the requirements that apply when different types of work are performed. As the scope of work an owner intends to do increases, the additional improvements required to accompany that work increase. The primary means by which this was accomplished was to expand the previously used term “alteration” into multiple categories of work. The NARRP used the terms “renovation,” “alteration” and “reconstruction,” while the IEBC defines the categories of work as “Alterations—Level 1,” “Alterations—Level 2” and “Alterations—Level 3” (Figure 3-1). While there are slight differences in how these categories of work are defined, as compared to the NARRP, the concept remains the same.

PART

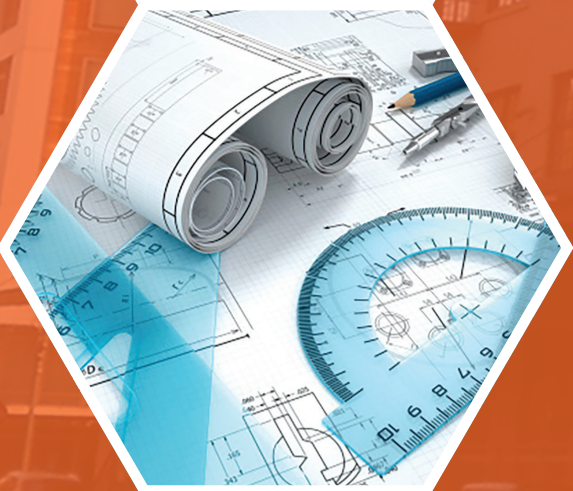
II

General



Chapter 4: Compliance Alternatives

Chapter 5: Classification of Work Essentials



CHAPTER

4



Compliance Alternatives

Before providing an overview of the three compliance methods in the *International Existing Building Code* (IEBC), there are some general considerations as to when the IEBC is to be used and how it is applied. The IEBC is to be used only for buildings, or portions thereof, that have been previously occupied or used for their intended purpose. The reason for this is to avoid using the code for spaces that have not yet been occupied and should therefore be constructed in accordance with the *International Building Code* (IBC). Depending on the compliance option chosen, the requirements of the IEBC may be less restrictive than would be required by the IBC for new construction. [\[Ref. 101.4\]](#)