

## APPENDIX J

# EXISTING BUILDINGS AND STRUCTURES

There are no margin bars shown in this chapter due to its substantial revision.

### SECTION AJ1 ADMINISTRATION

#### SECTION AJ101 PURPOSE AND INTENT

**AJ101.1 Scope.** The provisions of this appendix shall apply to the repair, alteration, change of occupancy, addition and relocation of existing buildings.

**AJ101.1.1 Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose shall comply with the provisions of this code for new construction.

**AJ101.1.2 Compliance with other codes.** Repairs, alterations, change of occupancy, existing buildings to which additions are made, historic buildings and relocated buildings complying with the provisions of the *Residential Code of New York State*, the *Building Code of New York State*, the *Plumbing Code of New York State*, the *Mechanical Code of New York State*, the *Fuel Gas Code of New York State* and the *Fire Code of New York State*, as applicable, shall be considered in compliance with the provisions of this appendix.

**AJ101.2 Intent.** The purpose of these provisions is to encourage the continued use or reuse of legally existing buildings and structures. These provisions are intended to permit work in existing buildings that is consistent with the purpose of the *Residential Code of New York State*. Compliance with these provisions shall be deemed to meet the requirements of the *Residential Code of New York State*.

#### SECTION AJ102 COMPLIANCE

**AJ102.1 Existing buildings.** The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *Fire Code of New York State* or the *Property Maintenance Code of New York State*.

**AJ102.2 Existing installations.** Provisions in this code shall not require the removal, alteration or abandonment of, or prevent the continued use and maintenance of, an existing building envelope, mechanical, service water-heating, electrical distribution or illumination system lawfully in existence at the time of the adoption of this code.

**AJ102.3 Nonconforming features.** Nothing in this appendix shall be construed to permit the continuation of existing building features which were installed in conflict with any codes or laws in effect at the time of construction or installation. Additions or alterations shall not be made to an existing building or

structure which will cause the existing building or structure to be in violation with any of the provisions of this code.

**AJ102.4 Correction of violations of other codes.** Repairs or alterations mandated by any property, housing or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

**AJ102.5 Home occupations.** It shall be prohibited to conduct a home occupation in a dwelling unit except as provided for in Section AJ102.5.1. A home occupation shall be conducted wholly within the primary structure on the premises. No provision of this section shall be construed to repeal, modify or constitute an alternative to any lawful zoning regulation which is more restrictive than this section.

##### AJ102.5.1 Conditions.

1. The home occupation shall not exceed 15 percent of the floor area of the primary structure.
2. No more than one person not residing in the dwelling unit may be employed in the home occupation.
3. Inventory and supplies shall not occupy more than 50 percent of the area permitted to be used as a home occupation.
4. The home occupation shall not involve any operation considered to be hazardous.

### SECTION AJ103 APPLICABILITY

**AJ103.1 General.** Where in any specific case, different sections of this appendix specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**AJ103.2 Other laws.** The provisions of this appendix shall not be deemed to nullify any provisions of local, state or federal law.

**AJ103.3 Referenced codes and standards.** The codes and standards referenced in this appendix shall be considered part of the requirements of this appendix to the prescribed extent of each such reference. Where differences occur between provisions of this appendix and referenced codes and standards, the provisions of this appendix shall apply.

**AJ103.4 Partial invalidity.** In the event that any part or provision of this appendix is held to be illegal or void, this shall not

have the effect of making void or illegal any of the other parts or provisions.

#### SECTION AJ104 ENERGY EFFICIENCY

**AJ104.1 Conformance.** Repairs, alterations and additions to existing buildings shall comply with Section N1101.2.1 of this code.

#### SECTION AJ105 PRELIMINARY MEETING

**AJ105.1 Preliminary meeting.** The code enforcement official is authorized to require that the prospective applicant meet to discuss plans for the proposed work or change of occupancy under these provisions prior to the issuance of a permit in order to establish the specific applicability of the provisions of this appendix.

#### SECTION AJ106 BUILDING EVALUATION

**AJ106.1 Building evaluation.** The code enforcement official is authorized to require an existing building to be investigated and evaluated by a registered design professional based upon the circumstances agreed upon at the preliminary meeting to determine the existence of any potential nonconformance with the provisions of this code. The building evaluation shall include, but not be limited to, structural, mechanical, plumbing and electrical systems. The evaluation shall be limited to those areas of the existing dwelling that are directly affected by the type of work under consideration. The building evaluation shall be certified by the design professional.

The evaluation shall utilize the following sources of information, as applicable:

1. Available documentation of the existing building.
  - 1.1. Field surveys.
  - 1.2. Tests (nondestructive and destructive).
  - 1.3. Laboratory analysis.

#### SECTION AJ2 DEFINITIONS

##### SECTION AJ201 GENERAL

**AJ201.1 General.** For purposes of this appendix, the terms used shall be defined as follows.

##### SECTION AJ202 GENERAL DEFINITIONS

**ADDITION.** An extension or increase in floor area, number of stories, or height of a building or structure.

**ALTERATION.** Any construction or renovation to an existing structure other than repair or addition. Alterations are classified as Level 1 and Level 2.

**BED AND BREAKFAST DWELLING.** Owner-occupied residence, resulting from the conversion of a one-family dwelling, used for providing overnight accommodations and a morning meal to not more than 10 transient lodgers, and containing not more than five bedrooms for such lodgers.

**CHANGE OF OCCUPANCY.** A change in the purpose or level of activity within a building that involves a change in application of the requirements of the *New York State Uniform Fire Prevention and Building Code*.

**CONVERSION.** Change of occupancy or use of a building from a one-family dwelling to a bed and breakfast dwelling.

**DANGEROUS.** Any building or structure or any individual member with any of the structural conditions or defects described below shall be deemed dangerous:

1. The stress in a member or portion thereof due to all factored dead and live loads is more than one and one third the nominal strength allowed in this code for new buildings of similar structure, purpose or location.
2. Any portion, member or appurtenance thereof likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons.
3. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not anchored, attached or fastened in place so as to be capable of resisting a wind pressure of two thirds of that specified in this code for new buildings of similar structure, purpose or location without exceeding the nominal strength permitted in this code for such buildings.
4. The building, or any portion thereof, is likely to collapse partially or completely because of dilapidation, deterioration or decay; construction in violation of the *New York State Uniform Fire Prevention and Building Code*; the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation; damage due to fire, earthquake, wind or flood; or any other similar cause.
5. The exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

**EQUIPMENT OR FIXTURE.** Any plumbing, heating, electrical, ventilating, air conditioning, refrigerating and fire protection equipment, and boilers, pressure vessels and other mechanical facilities or installations that are related to building services.

**EXISTING BUILDING.** A building or structure that has been issued a certificate of occupancy or has been legally occupied.

**FLOOD HAZARD AREA.** The greater of the following two areas:

1. The area within a flood plain subject to a 1-percent or greater chance of flooding in any year.

2. The area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

**HISTORIC BUILDING.** Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

**HOME OCCUPATION.** The use of a portion of a dwelling unit for nonresidential purposes by a resident thereof.

**LOAD-BEARING ELEMENT.** Any column, girder, beam, joist, truss, rafter, wall, floor or roof sheathing that supports any vertical load in addition to its own weight or any lateral load.

**MATERIALS AND METHODS REQUIREMENTS.** Those requirements in this code that specify material standards, details of installation and connection, joints, penetrations and continuity of any element, component or system in the building. The required dimension, quantity, fire resistance, flame spread, acoustic or thermal performance, or other performance attribute is specifically excluded from materials and methods requirements.

**REHABILITATION.** Any work, as described by the categories of work defined herein, undertaken in an existing building.

**RELOCATION.** Relocated buildings include any building or structure which is relocated from its existing foundation to a new foundation.

**REPAIR.** The restoration to good or sound condition of any part of an existing building for the purpose of its maintenance.

**REPLACEMENT.** The reconstruction of a building on an existing foundation or support system.

**SUBSTANTIAL DAMAGE.** For the purpose of determining compliance with the flood provisions of this code, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT.** For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the code official and that is the minimum necessary to assure safe living conditions, or
2. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

**SUBSTANTIAL STRUCTURAL DAMAGE.** A condition where:

1. In any story, the vertical elements of the lateral-force-resisting system, in any direction and taken as a whole, have suffered damage such that the lateral load-carrying capacity has been reduced by more than 20 percent from its pre-damaged condition, or
2. The vertical load-carrying components supporting more than 30 percent of the structure's floor or roof area have suffered a reduction in vertical load-carrying capacity to below 75 percent of the required strength levels of this code.

**UNSAFE BUILDINGS OR EQUIPMENT.** Buildings or existing equipment that is insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitutes a fire hazard, or that is otherwise dangerous to human life or the public welfare or that involves illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition.

**WORK AREA.** That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this appendix.

## SECTION AJ3 CLASSIFICATION OF WORK

### SECTION AJ301 GENERAL

**AJ301.1 Scope.** The work performed on an existing building shall be classified in accordance with this section.

**AJ301.2 Work area.** The work area, as defined in Section AJ202, shall be identified on the construction documents.

### SECTION AJ302 REPAIRS

**AJ302.1 Scope.** Repairs, as defined in Section AJ202, include the patching or restoration of materials, elements, equipment, or fixtures for the purpose of maintaining such materials, elements, equipment or fixtures in good or sound condition.

**AJ302.2 Application.** Repairs shall comply with the provisions of Section AJ4.

### SECTION AJ303 ALTERATIONS - LEVEL 1

**AJ303.1 Scope.** Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment or fixtures using new materials, elements, equipment or fixtures that serve the same purpose, without reconfiguring the space.

**AJ303.2 Application.** Level 1 alterations shall comply with the provisions of Section AJ5.

#### SECTION AJ304 ALTERATIONS - LEVEL 2

**AJ304.1 Scope.** Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.

**AJ304.2 Application.** Level 2 alterations shall comply with the provisions of Section AJ5 for Level 1 alterations as well as the provisions of Section AJ6.

**EXCEPTION:** Work areas in which the alteration work is exclusively plumbing, mechanical or electrical shall not be included in the computation of total area of all work areas.

#### SECTION AJ305 CHANGE OF OCCUPANCY

**AJ305.1 Scope.** Change of occupancy provisions apply where the activity is classified as a change of occupancy as defined in Section AJ202.

**AJ305.2 Application.** Changes of occupancy shall comply with the provisions of section AJ7.

#### SECTION AJ306 ADDITIONS

**AJ306.1 Scope.** Provisions for additions shall apply where work is classified as an addition as defined in Section AJ202.

**AJ306.2 Application.** Additions to existing buildings shall comply with the provisions of Section AJ8.

#### SECTION AJ307 HISTORIC BUILDINGS

**AJ307.1 Scope.** Historic buildings provisions shall apply to buildings classified as historic as defined in Section AJ202.

**AJ307.2 Application.** Except as specifically provided for in Section AJ9, historic buildings shall comply with applicable provisions of this appendix for the type of work being performed.

#### SECTION AJ308 RELOCATED BUILDINGS

**AJ308.1 Scope.** Relocated buildings provisions shall apply to relocated buildings as defined in Section AJ202.

**AJ308.2 Application.** Relocated buildings shall comply with the provisions of Section AJ10.

#### SECTION AJ309 REPLACEMENT

**AJ309.1 Scope.** Replaced buildings provisions shall apply to replaced buildings as defined in Section AJ202.

**AJ309.2 Application.** Replaced buildings shall comply with the provisions of Section AJ11.

#### SECTION AJ4 REPAIRS

#### SECTION AJ401 GENERAL

**AJ401.1 Scope.** Repairs as described in Section AJ302 shall comply with the requirements of this section. Repairs to historic buildings shall comply with this section, except as modified in Section AJ9.

**AJ401.2 Permitted materials.** Except as otherwise required herein, work shall be done using materials permitted by the applicable code for new construction or using like materials such that no hazard to life, health or property is created.

**AJ401.3 Flood hazard areas.** In flood hazard areas, repairs that constitute substantial improvement shall require that the building comply with Section R323 of this code.

#### SECTION AJ402 BUILDING ELEMENTS AND MATERIALS

**AJ402.1 Hazardous materials.** Hazardous materials that are no longer permitted, such as asbestos and lead-based paint, shall not be used.

**AJ402.2 Glazing in hazardous locations.** Replacement glazing in hazardous locations shall comply with the safety glazing requirements of Section R308 as applicable.

**Exceptions:**

1. Glass block walls, louvered windows, and jalousies repaired with like materials.
2. Replacement glazing in historic buildings.

**AJ402.3 Reroofing.** Existing roof assemblies undergoing repair shall comply with the applicable requirements of Section R907 of this code

#### SECTION AJ403 FIRE AND LIFE SAFETY PROTECTION

**AJ403.1 General.** Repairs shall be done in a manner that maintains the level of fire protection provided.

**AJ403.2 Smoke alarms.** When repairs requiring a permit occur, the individual dwelling unit shall be provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired.

**Exceptions:**

1. Repairs to the exterior surfaces of dwellings are exempt from the requirements of this section.
2. Except for bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ403.2.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ403.2.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ403.3 Carbon monoxide alarms.** When repairs of fuel-fired appliances and equipment, solid-fuel burning appliances and equipment, or fireplaces and chimneys occur, the individual dwelling unit shall be provided with carbon monoxide alarms as required for new dwellings.

**Exception:** In other than bed and breakfast dwellings, carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure. Carbon monoxide alarms shall not be required to be interconnected where battery operated alarms are permitted.

#### SECTION AJ404 STRUCTURAL

**AJ404.1 General.** Repairs of structural elements shall comply with this section.

**AJ404.2 Reduction of strength.** Repairs shall not reduce the structural strength or stability of the building, structure or any individual member thereof.

**Exception:** Such reduction shall be allowed, provided the capacity is not reduced to below the levels required by this code.

**AJ404.3 Damaged buildings.** Damaged buildings shall be repaired in accordance with this section.

**AJ404.3.1 New structural frame members.** New structural frame members used in the repair of damaged buildings, including anchorage and connections, shall comply with this code.

**AJ404.3.2 Substantial structural damage.** Buildings that have sustained substantial structural damage shall comply with this section.

**AJ404.3.2.1 Engineering evaluation and analysis.** An engineering evaluation and analysis that establishes the structural adequacy of the damaged building shall be prepared by a registered design professional and submitted to the code official. The evaluation and analysis may assume that all damaged structural elements and systems have their original strength and stiffness.

**AJ404.3.2.1.1 Extent of repair.** The evaluation and analysis shall demonstrate that the building, once repaired, complies with the applicable wind and seismic provisions of this code.

**AJ404.3.3 Below substantial structural damage.** Repairs to buildings damaged to a level below the substantial structural damage level as defined in Section AJ202 shall be al-

lowed to be made with the materials, methods and strengths in existence prior to the damage unless such existing conditions are dangerous as defined in Section AJ202. New structural frame members as defined in Section AJ202 shall comply with Section AJ404.3.1.

**AJ404.3.4 Other uncovered structural elements.** Where in the course of conducting repairs other uncovered structural elements are found to be unsound or otherwise structurally deficient, such elements shall be made to conform to the requirements of Section AJ404.3.2.1.1.

**AJ404.3.5 Flood hazard areas.** In flood hazard areas, damaged buildings that sustain substantial damage shall be brought into compliance with Section R323 of this code.

#### SECTION AJ405 MECHANICAL

**AJ405.1 General.** Repairs to existing mechanical systems shall be permitted in the same manner and arrangement as in the existing system, provided that such repairs or replacement are not hazardous and are approved.

#### SECTION AJ406 PLUMBING

**AJ406.1 General.** Repairs to existing plumbing systems shall be permitted in the same manner and arrangement as in the existing system, provided that such repairs or replacement are not hazardous and are approved.

**AJ406.2 Materials.** The following plumbing materials and supplies shall not be used:

1. All-purpose solvent cement, unless listed for the specific application;
2. Flexible traps and tailpieces, unless listed for the specific application; and
3. Solder having more than 0.2-percent lead in the repair of potable water systems.

**AJ406.3 Water closet replacement.** When any water closet is replaced, the replacement water closet shall comply with Section P2903.2.

#### SECTION AJ407 ELECTRICAL

**AJ407.1 Material.** Existing electrical wiring and equipment undergoing repair shall be allowed to be repaired or replaced with like material.

**Exceptions:**

1. Replacement of electrical receptacles shall comply with the applicable requirements of Chapter 38 of this code.
2. Plug fuses of the Edison-base type shall be used for replacements only where there is no evidence of over fusing or tampering and shall comply with Section E3605 of this code.

3. For replacement of nongrounding-type receptacles with grounding-type receptacles and for branch circuits that do not have an equipment grounding conductor in the branch circuitry, the grounding conductor of a grounding-type receptacle outlet shall be permitted to be grounded to any accessible point on the grounding electrode system, or to any accessible point on the grounding electrode conductor as allowed and described in Chapter 35 of this code.
4. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances shall be permitted to be grounded to the grounded circuit conductor in accordance with Chapter 35 of this code.

## SECTION AJ5 ALTERATIONS - LEVEL 1

### SECTION AJ501 GENERAL

**AJ501.1 Scope.** Level 1 alterations as described in Section AJ303 shall comply with the requirements of this section. Level 1 alterations to historic buildings shall comply with this section, except as modified in Section AJ9.

**AJ501.2 Conformance.** An existing building or portion thereof shall not be altered such that the building becomes less safe than its existing condition.

**Exception:** Where the current level of safety or sanitation is proposed to be reduced, the portion altered shall conform to the requirements of this code.

**AJ501.3 Flood hazard areas.** In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Section R323 of this code.

### SECTION AJ502 BUILDING ELEMENTS AND MATERIALS

**AJ502.1 Interior finishes.** All newly installed interior finishes shall comply with the flame spread and smoke density requirements of Section R319 of this code.

**AJ502.2 Materials and methods.** All new work shall comply with materials and methods requirements of this code.

**AJ502.3 Replacement door and window dimensions.** Minor reductions in the clear opening dimensions of replacement doors and windows that result from the use of different materials shall be allowed.

**AJ502.3.1 Replacement windows.** Where replacement windows are to be inserted into the frame of an existing nonconforming window, the window shall not be made to comply with Section R310.

**AJ502.4 Reroofing.** Where alteration work includes recovering or replacing an existing roof covering, the provisions of this section shall apply.

**AJ502.4.1 General.** Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter R9.

**Exception:** Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2 percent slope) in Section R905 for roofs that provide positive roof drainage.

**AJ502.4.2 Recovering versus replacement.** New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has two or more applications of any type of roof covering.

#### Exceptions:

1. Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support shall not require the removal of existing roof coverings.
2. Metal panel, metal shingle, and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section AJ502.4.3.

**AJ502.4.3 Roof recovering.** Where the application of a new roof covering over wood shingle or shake roofs creates a combustible concealed space, the entire existing surface shall be covered with gypsum board, mineral fiber, or glass fiber securely fastened in place.

**AJ502.4.4 Reinstallation of materials.** Existing slate, clay or cement tile shall be permitted for reinstallation, except that damaged, cracked or broken slate or tile shall not be reinstalled. Existing vent flashing, metal edgings, drain outlets, collars and metal counterflashings shall not be reinstalled where rusted, damaged or deteriorated. Aggregate surfacing materials shall not be reinstalled.

**AJ502.4.5 Flashings.** Flashings shall be reconstructed in accordance with approved manufacturer's installation instructions. Metal flashing to which bituminous materials are to be adhered shall be primed prior to installation.

### SECTION AJ503 MEANS OF EGRESS

**AJ503.1 General.** Means of egress for buildings undergoing alteration shall comply with the requirements Section PM702 of the *Property Maintenance Code of New York State*.

## SECTION AJ504 FIRE AND LIFE-SAFETY PROTECTION

**AJ504.1 General.** Alterations shall be done in a manner that maintains the level of fire protection provided.

**AJ504.2 Smoke alarms.** When interior alterations occur in existing dwellings, the individual dwelling unit shall be provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired.

**Exception:** Except for bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ504.2.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ504.2.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ504.3 Carbon monoxide alarms.** When level 1 alterations occur, the individual dwelling unit shall be provided with carbon monoxide alarms as required for new dwellings.

**Exception:** In other than bed and breakfast dwellings, carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure. Carbon monoxide alarms shall not be required to be interconnected where battery operated alarms are permitted.

## SECTION AJ505 STRUCTURAL

**AJ505.1 General.** Where alteration work includes replacement of equipment that is supported by the building, the structural provisions of this section shall apply.

**AJ505.2 Design criteria.** Existing structural components supporting alteration work shall comply with this section.

**AJ505.2.1 Replacement of equipment.** Where replacement of equipment results in additional dead loads, structural components supporting such equipment shall comply with the load requirements of this code.

**Exception:** Buildings constructed in accordance with this code and where the additional dead load from the equipment is not increased by more than 5 percent.

**AJ505.3 Reroofing structural and construction loads.** The structural roof components shall be capable of supporting the roof covering system and the material and equipment loads that will be encountered during installation of the roof covering system.

## AJ506 MECHANICAL

**AJ506.1 General.** Alterations to any mechanical system shall conform to the requirements of Chapter 12 for a new mechanical system without requiring the existing mechanical system to comply with all of the requirements of this code.

## AJ507 PLUMBING

**AJ507.1 General.** Alterations to any plumbing system shall conform to the requirements for a new plumbing system without requiring the existing plumbing system to comply with all the requirements of this code.

**AJ507.2 Materials.** The following plumbing materials and supplies shall not be used:

1. All-purpose solvent cement, unless listed for the specific application;
2. Flexible traps and tailpieces, unless listed for the specific application; and
3. Solder having more than 0.2-percent lead in the repair of potable water systems.

**AJ507.3 Water closet replacement.** When any water closet is replaced, the replacement water closet shall comply with Section P2903.2.

## AJ508 ELECTRICAL

**AJ508.1 General.** Any alteration to an existing electrical system shall be made in conformity with the provisions of Chapter E33 through Chapter E42.

## SECTION AJ6 ALTERATIONS - LEVEL 2

### SECTION AJ601 GENERAL

**AJ601.1 Scope.** Level 2 alterations as described in Section AJ304 shall comply with the requirements of this section.

Level 2 alterations to historic buildings shall comply with this section, except as modified in Section AJ9.

The requirements of this section are limited to work areas in which Level 2 alterations are being performed, and shall apply beyond the work area where specified.

**AJ601.2 Alteration Level 1 compliance.** In addition to the requirements of this section, all work shall comply with the requirements of Section AJ5.

**AJ601.3 Compliance.** All newly constructed elements, components, systems and spaces shall comply with the requirements of this code.

#### Exceptions:

1. Space created in basements may have a ceiling that projects to within 6 feet, 8 inches of the finished floor; and

beams, girders and ducts in such space or other obstructions may project to within 6 feet, 4 inches of the finished floor. Existing finished ceiling heights in spaces in basements shall not be reduced.

2. Existing stairs not otherwise being altered shall be permitted to maintain their current clear width at, above, and below existing handrails.
3. Headroom height on existing stairs being altered shall not be reduced below the existing stairway finished headroom. Existing stairs not otherwise being altered shall be permitted to maintain the current finished headroom.
4. Landings for existing stairs not otherwise being altered shall be permitted to maintain their current width.

**AJ601.4 Nonconformities.** The work performed shall not increase the extent of noncompliance with the requirements of this code or create nonconformity with those requirements which did not previously exist.

**AJ601.5 Flood hazard areas.** In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Section R323 of this code.

#### SECTION AJ602 BUILDING ELEMENTS AND MATERIALS

**AJ602.1 Separation required.** Where the work area is in a two-family dwelling or multiple single-family dwelling (townhouse) and exceeds 50 percent of the aggregate area of the dwelling unit, all walls separating dwelling units that are not continuous from the foundation to the underside of the roof sheathing shall be constructed to provide a continuous fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. Work shall only be required to be performed on the side of the wall of the dwelling unit that is part of the work area.

**Exception:** Where alterations or repairs do not result in the removal of wall or ceiling finishes exposing the structure, walls are not required to be continuous through concealed floor spaces.

**AJ602.2 Wall and ceiling finish.** Where the work area exceeds 50 percent of the aggregate area of the dwelling, the interior finish of walls and ceilings in any work area shall comply with the requirements of Section R315. All existing interior finish materials that do not comply with those requirements shall be removed or shall be treated with an approved fire retardant coating in accordance with the manufacturer's instructions to secure compliance with the requirements of this section.

**AJ602.3 Guards.** In work areas, guards designed and installed in accordance with Section R312 shall be provided on every open portion of a floor, stair, landing, porch, deck, porch or deck enclosed with insect screening, or balcony that is more than 30 inches above the floor or grade below, or where the existing guards are judged to be in danger of collapsing.

#### SECTION AJ603 MEANS OF EGRESS

**AJ603.1 Scope.** The means of egress in work areas where alterations are being performed shall comply with the requirements of this section.

**AJ603.2 Exit doors.** Exit doors in any work area shall comply with Section R311.4.

**AJ603.3 Handrails.** Every stairway having four or more risers from a work area floor shall be provided with handrails designed and installed in accordance with Section R311.5.6.

#### SECTION AJ604 FIRE AND LIFE-SAFETY PROTECTION

**AJ604.1 Smoke alarms.** When interior alterations occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired.

**Exception:** In other than bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ604.1.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ604.1.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ604.2 Carbon monoxide alarms.** When level 2 alterations occur, the individual dwelling unit shall be provided with carbon monoxide alarms as required for new dwellings.

**Exception:** In other than bed and breakfast dwellings, carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure. Carbon monoxide alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ604.3 Automatic sprinkler systems.** A third story above grade may be created in an existing attic without requiring the installation of a sprinkler system throughout the entire dwelling, provided all of the following conditions are met:

1. The building was legally occupied before January 1, 1984.
2. The finished space and its means of egress to the exterior are equipped with a limited area sprinkler system installed in accordance with NFPA 13D.
3. The finished space is provided with:
  - 3.1 A second exit stair meeting the requirements of Section R311.5, or

- 3.2 An emergency escape and rescue opening, meeting the requirements of Section R310, located directly above a roof or other structural appurtenance from which access to grade does not exceed a vertical distance of 14 feet.
4. The entire dwelling is equipped with smoke alarms in compliance with Section R313 and monitored by an approved supervising station in accordance with NFPA 72.

### SECTION AJ605 STRUCTURAL

**AJ605.1 General.** The minimum design criteria for existing portions of the structure shall be the loads applicable at the time the building was constructed, provided that no dangerous condition is created. Structural elements which are uncovered during the course of the alteration and which are found to be unsound or dangerous shall be made to comply with the applicable requirements of this code.

**AJ605.2 Increased loads.** Where alteration work includes installation of additional equipment that is structurally supported by the building or reconfiguration of space such that portions of the building become subjected to higher dead or live loads, all structural members affected by such increase shall meet the load requirements of this code.

**Exception:** Structural elements whose stress is not increased by more than 5 percent.

**AJ605.3 Reduction of strength.** Alterations shall not reduce the structural strength or stability of the building, structure or any individual member thereof.

**Exception:** Such reduction shall be allowed as long as the strength and the stability of the building are not reduced to below the levels required by this code.

**AJ605.4 New structural members.** New structural members in alterations, including connections and anchorage, shall comply with this code.

### SECTION AJ606 MECHANICAL

**AJ606.1 General.** Alterations to any mechanical system shall conform to the requirements of Chapter 12 for a new mechanical system without requiring the existing mechanical system to comply with all the requirements of this code. Alterations shall not cause an existing mechanical system to become unsafe, hazardous or overloaded.

**AJ606.2 Reconfigured spaces.** Mechanically ventilated reconfigured spaces shall comply with Section M1506 as applicable.

### SECTION AJ607 PLUMBING

**AJ607.1 General.** Alterations to any plumbing system shall conform to the requirements for a new plumbing system without requiring the existing plumbing system to comply with all

the requirements of this code. Alterations shall not cause an existing system to become unsafe, insanitary or overloaded.

**AJ607.2 Increased demand.** Where any alteration subjects any portion of an existing plumbing system to increased loads, such portion shall be made to comply with Chapters 25 through 32.

### SECTION AJ608 ELECTRICAL

**AJ608.1 General.** Any alteration to an existing electrical system relating to work done in any work area shall be made in conformity with the provisions of Chapters 33 through 42.

**AJ608.2 Increased loads.** Where alterations subject portions of existing electrical systems to increased loads, such portions shall be made to comply with Chapter 33 through Chapter 42.

**AJ608.3 Electrical service.** Service to dwelling units shall be a minimum of 100 ampere, three-wire capacity, and service equipment shall be dead front having no live parts exposed whereby accidental contact could be made. Type "S" fuses shall be installed when fused equipment is used.

**Exception:** Existing service of 60 ampere, three-wire capacity, and feeders of 30 ampere or larger two-or three-wire capacity shall be accepted if adequate for the electrical load being served.

**AJ608.3.1 Clearance.** Clearance for electrical service equipment shall be provided in accordance with Section E3305.

**AJ608.4 Ground-fault and arc-fault circuit-interrupter protection.** Ground-fault and arc-fault circuit-interrupter protection shall be provided on newly installed receptacle outlets as required by Section E3802.

**AJ608.5 Additional electrical requirements.** When the work area includes any of the following areas within a dwelling unit, the requirements of Sections AJ608.5.1 through AJ608.5.3 shall apply.

**AJ608.5.1 Enclosed areas.** All enclosed areas other than closets, kitchens, basements, garages, hallways, laundry areas and bathrooms shall have a minimum of two duplex receptacle outlets, or one duplex receptacle outlet and one ceiling or wall type lighting outlet.

**AJ608.5.2 Kitchen and laundry areas.** Kitchen areas shall have a minimum of two duplex receptacle outlets. Laundry areas shall have a minimum of one duplex receptacle outlet located near the laundry equipment and installed on an independent circuit.

**AJ608.5.3 Bathrooms, hallways, stairways, attached and detached garages.** At least one lighting outlet shall be provided in every bathroom, hallway, stairway, attached garage and detached garage with electric power to illuminate outdoor entrances and exits, and in utility rooms and basements where these spaces are used for storage or contain equipment requiring service.

## SECTION AJ7 CHANGE OF OCCUPANCY

### SECTION AJ701 GENERAL

**AJ701.1 Scope.** Where the character or use of an existing building is changed, as described in Section AJ305, to a one- or two-family dwelling or multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress, or where an owner-occupied one-family dwelling is converted for use as a Bed and Breakfast Dwelling, the building shall comply with this section. Alterations performed in connection with a change of occupancy shall comply with Section AJ5 or AJ6 as applicable. Changes of occupancy to historic buildings shall comply with this section, except as modified in Section AJ9. Owner-occupied one-family dwellings converted for use as a Bed and Breakfast Dwellings shall also comply with Section AJ704.

### SECTION AJ702 COMPLIANCE

**AJ702.1 General.** The building shall comply with the provisions of this code.

**Exception:** Compliance with the provisions of this code is not required where the change of occupancy is from a two-family dwelling to a one-family dwelling; smoke alarms and carbon monoxide alarms shall be provided as required in Section AJ703.

**AJ702.2 Existing emergency escape and rescue openings.** Emergency escape and rescue openings need not meet the requirements of this code where such openings were lawfully in existence at the time of the adoption of this code.

**AJ702.3 Existing stairs.** Existing stairs are permitted to remain, provided all of the following conditions are met:

1. The product obtained by multiplying the height of the riser by the width of the tread shall be not less than 70 nor more than 80. Riser height shall not exceed 9 inches.
2. Stairs shall have minimum headroom of 6 feet 6 inches, except that stairs for occasional use to basements and attics are permitted to have a minimum headroom of 6 feet 4 inches.
3. Variations in riser height in a run of stairs shall not exceed  $\frac{3}{8}$  inch.
4. Width shall be not less than 30 inches.

**AJ702.4 Existing ceiling heights.** Existing ceiling heights shall be permitted to remain if they equal or exceed the following:

1. Habitable space shall have a ceiling height of not less than 6 feet 8 inches, measured from the finished floor to the lowest projection from the ceiling.
2. Space, other than habitable, shall have a ceiling height of not less than 6 feet 6 inches, measured from the finished floor to the lowest projection from the ceiling.

**AJ702.5 Existing foundations.** Existing foundations are permitted to remain where the change in use will increase the soil bearing pressure by no more than 5 percent.

**AJ702.6 Seismic load provisions.** Specific seismic load detailing provisions required for a new structures are not required to be met where it can be shown that an acceptable level of performance and seismic safety is obtained for the applicable seismic design category.

### SECTION AJ703 FIRE AND LIFE-SAFETY PROTECTION

**AJ703.1 Smoke alarms.** Smoke alarms, located as required for new dwellings, shall be provided; the smoke alarms shall be interconnected and hard wired.

**Exception:** In other than bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ703.1.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ703.1.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ703.2 Carbon monoxide alarms.** Where the character or use of an existing building is changed, carbon monoxide alarms shall be provided as required for new dwellings.

**Exception:** In other than bed and breakfast dwellings, carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure. Carbon monoxide alarms shall not be required to be interconnected where battery operated alarms are permitted.

### SECTION AJ704 BED AND BREAKFAST DWELLINGS

**AJ704.1 Scope.** Owner-occupied one-family dwellings converted for use as bed and breakfast dwellings as defined in Section AJ202 shall comply with this section.

**AJ704.2 Occupancy.** A residence converted to a bed and breakfast dwelling shall have no more than five sleeping rooms for accommodating up to 10 transient lodgers.

**AJ704.3 Special conditions.** A one-family dwelling is permitted to be converted for use as a bed and breakfast dwelling under the following conditions:

1. No sleeping rooms for transient use shall be located above the second story.
2. A fire-safety notice shall be affixed to the occupied side of the entrance door of each bedroom for transient use indicating:

1. Means of egress;
2. Location of means for transmitting fire alarms, if any; and
3. Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.

**AJ704.4 Means of egress.** Means of egress shall include at least one of the following alternatives:

1. A limited area sprinkler system installed in conformance with NFPA 13D protecting all interior stairs serving as a means of egress;
2. An exterior stair conforming to the requirements of Sections R314.1 and Section R314.2 of this code, providing a second means of egress from all above grade stories or levels; or
3. An opening for emergency use conforming to the requirements of Section R310 of this code within each bedroom for transient use, such opening to have a sill not more than 14 feet above level grade directly below and, as permanent equipment, a portable escape ladder that attaches securely to such sill. Such ladder shall be constructed with rigid rungs designed to stand off from the building wall, shall be capable of sustaining a minimum load of 1,000 pounds, and shall extend to and provide unobstructed egress to open space at grade.

### SECTION AJ8 ADDITIONS

#### SECTION AJ801 GENERAL

**AJ801.1 Scope.** Additions as described in Section AJ306 shall comply with the requirements of this section.

**AJ801.2 Compliance.** Additions shall comply with the provisions of this code. Except where required by this section, unaltered portions of the existing building shall not be required to comply with this code.

**AJ801.3 Creation or extension of nonconformity.** An addition shall not create or extend any nonconformity in the existing building to which the addition is being made with regard to height, structural strength, fire safety, means of egress, or the capacity of mechanical, plumbing or electrical systems.

**AJ801.4 Other work.** Any repair or alteration work within an existing building to which an addition is being made shall comply with the applicable requirements for the work as classified in Section AJ3.

#### SECTION AJ802 FIRE AND LIFE-SAFETY PROTECTION

**AJ802.1 Smoke alarms.** When additions requiring a permit occur, the individual dwelling unit shall be provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired.

Exceptions:

1. Exterior additions to dwellings, such as decks, are exempt from the requirements of this section.
2. In other than bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ802.1.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in existing areas of buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ802.1.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ802.3 Carbon monoxide alarms.** Where additions requiring a permit occur, carbon monoxide alarms shall be provided as required for new dwellings.

#### Exceptions:

1. Exterior additions to dwellings, such as decks, are exempt from the requirements of this section.
2. In other than bed and breakfast dwellings, carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure. Carbon monoxide alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ802.4 Automatic sprinkler systems.** Whenever a vertical addition is made to a building to create a third story above grade, or when the floor area of a legally existing third story is increased more than 10 percent, the building shall be equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D.

#### SECTION AJ803 STRUCTURAL

**AJ803.1 Additional loads.** Existing structural elements supporting any additional loads as a result of additions shall comply with this code.

**Exception:** Structural elements whose stress is not increased by more than 5 percent.

**AJ803.2 Flood hazard areas.** Additions and foundations in flood hazard areas shall comply with the following requirements:

1. For horizontal additions that are structurally interconnected to the existing building:
  - 1.1. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section R323 of this code.
  - 2.2. If the addition constitutes substantial improvement, the existing building and the addition shall comply with Section R323.

2. For horizontal additions that are not structurally interconnected to the existing building:
  1. The addition shall comply with Section R323.
  2. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section R323.
  3. For vertical additions and all other proposed work that, when combined, constitute substantial improvement, the existing building shall comply with Section R323.
  4. For a new, replacement, raised, or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with Section R323.

#### SECTION AJ804 MECHANICAL

**AJ804.1 General.** Additions to any mechanical system shall conform to the requirements of Chapter 12 for a new mechanical system without requiring the existing mechanical system to comply with all of the requirements of this code. The existing mechanical system shall be evaluated for adequacy by qualified industry personnel or a registered design professional. Additions shall not cause an existing system to become unsafe, hazardous or overloaded.

#### SECTION AJ805 PLUMBING

**AJ805.1 General.** Additions to any plumbing system shall conform to the requirements for a new plumbing system without requiring the existing plumbing system to comply with all the requirements of this code. Additions shall not cause an existing system to become unsafe, insanitary or overloaded.

**AJ805.2 Sanitary disposal system.** Where an addition results in an increase in the number of bedrooms, the capacity of the existing sanitary disposal system shall be determined and any required expansion or replacement shall comply with this code.

#### SECTION AJ806 ELECTRICAL

**AJ806.1 General.** Any addition to an existing electrical system shall be made in conformity with the provisions of Chapters 33 through 42. Where additions subject portions of existing systems to loads exceeding those permitted herein, such portions shall be made to comply with Chapters 33 through 42.

#### SECTION AJ9 HISTORIC BUILDINGS

##### SECTION AJ901 GENERAL

**AJ901.1 Scope.** It is the intent of this section to provide means for the preservation of historic buildings. Historical buildings as described in Section AJ307 shall comply with the provisions of this section relating to their repair, alteration, change of occupancy or relocation.

**AJ901.2 Report.** A historic building undergoing repair, alteration or change of occupancy shall be investigated and evaluated. If it is intended that the building meet the requirements of this section, a written report shall be prepared and filed with the code enforcement official by a registered design professional when such a report is necessary in the opinion of the code official. Such report shall identify each required safety feature that is in compliance with this section and where compliance with other sections of these provisions would be damaging to the contributing historic features. The report shall describe each feature that is not in compliance with these provisions and shall demonstrate how the intent of these provisions is complied with in providing an equivalent level of safety.

**AJ901.3 Flood hazard areas.** In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with Section R323.

**Exception:** If a historic building will continue to be a historic building after the proposed work is completed, then the proposed work is not considered a substantial improvement.

**AJ901.4 Dangerous buildings.** When a historic building is determined to be dangerous, no work shall be required except as necessary to correct identified unsafe conditions.

##### SECTION AJ902 FIRE AND-LIFE SAFETY PROTECTION

**AJ902.1 Scope.** Historic buildings undergoing repairs, alterations, changes of occupancy or that are relocated shall comply with this section.

**AJ902.2 Smoke alarms.** Smoke alarms, located as required for new dwellings, shall be provided; the smoke alarms shall be interconnected and hard wired.

**Exception:** In other than bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ902.2.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ902.2.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ902.3 Carbon monoxide alarms.** Carbon monoxide alarms shall be provided as required for new dwellings.

**Exception:** In other than bed and breakfast dwellings, carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure. Carbon monoxide alarms shall not be required to be interconnected where battery operated alarms are permitted. At least one carbon monoxide alarm shall be provided in each dwelling unit in compliance with Section R313.4.

### SECTION AJ903 BUILDING ELEMENTS AND MATERIALS

**AJ903.1 Means of egress.** Existing door openings and corridor and stairway widths less than those specified elsewhere in this code may be approved, provided that there is sufficient width and height for a person to pass through the opening or traverse the corridor or stairway.

**AJ903.2 Interior finishes.** The existing finishes of walls and ceilings shall be accepted when it is demonstrated that they are the historic finishes.

**AJ903.3 Fire-resistant assemblies.** Where fire-resistance-rated construction is required by this code, it need not be provided where the existing wall and ceiling finish is wood or metal lath and plaster.

**AJ903.4 Stairway railings.** Stairways shall be accepted without complying with the handrail and guard requirements. Existing handrails and guards at all stairs shall be permitted to remain, provided they are not structurally dangerous.

**AJ903.5 Guard openings.** The spacing between existing intermediate railings or openings in existing ornamental patterns shall be accepted. Missing elements or members of a guard may be replaced in a manner that will preserve the historic appearance of the building or structure.

### SECTION AJ904 STRUCTURAL

**AJ904.1 General.** Historic buildings shall comply with the applicable structural provisions for the work as classified in Section AJ3.

**Exception:** The code official shall be authorized to accept existing floors and approve operational controls that limit the live load on any such floor.

**AJ904.2 Unsafe structural elements.** Where the code official determines that a component or a portion of a building or structure is dangerous as defined in this code and is in need of repair, strengthening or replacement by provisions of this code, only that specific component or portion shall be required to be repaired, strengthened or replaced.

### SECTION AJ905 REPAIRS

**AJ905.1 General.** Repairs to any portion of a historic building or structure shall be permitted with original or like materials and original methods of construction, subject to the provisions of this section.

**AJ905.2 Section AJ4 compliance.** Historic buildings undergoing repairs shall comply with all of the applicable requirements of Section AJ4.

**Exception:** Replacement of existing or missing features using original materials shall be permitted. Partial replacement for repairs that match the original in configuration, height and size shall be permitted. Such replacements shall not be required to meet the materials and methods requirements of Section AJ401.2.

### SECTION AJ906 ALTERATIONS

**AJ906.1 Level 1 alterations.** Historic buildings undergoing Level 1 alterations as described in Section AJ303 shall comply with the applicable provisions of Section AJ5, except as specifically permitted in Section AJ9.

**AJ906.2 Level 2 alterations.** Historic buildings undergoing Level 2 alterations as described in Section AJ303 shall comply with the applicable provisions of Section AJ6, except as specifically permitted in Section AJ9.

### SECTION AJ907 CHANGE OF OCCUPANCY

**AJ907.1 General.** Historic buildings undergoing a change of occupancy shall comply with the applicable provisions of Section AJ7, except as specifically permitted in this section.

**AJ907.2 Location on property.** Historic structures undergoing a change of use may use alternative methods to comply with the requirements of Section R302. Such alternatives shall comply with Section AJ901.2.

**AJ907.3 Dwelling unit separation.** Required dwelling unit separations may be omitted when the building is equipped throughout with an approved automatic sprinkler system.

**AJ907.4 Light, ventilation and heating.** When it is determined by the code official that compliance with the light, ventilation and heating requirements of Section R303 will lead to loss of historic character or historic materials in the building, the existing level of light, ventilation and heating shall be considered acceptable.

### SECTION AJ908 RELOCATED BUILDINGS

**AJ908.1 General.** Relocated historic buildings shall continue to be considered historic buildings for the purposes of this code.

**AJ908.2 Compliance.** Historic buildings shall comply with the applicable provisions for the work as classified in Section AJ3, except as specifically permitted in Section AJ9.

**AJ908.3 Location on the lot.** Relocated historic buildings and structures shall be sited so that exterior walls and openings comply with Section R302 of this code.

**AJ908.4 Foundation.** Foundations of relocated historic buildings and structures shall comply with this code.

## SECTION AJ10 RELOCATED OR MOVED BUILDINGS

### SECTION AJ1001 GENERAL

**AJ1001.1 Scope.** Relocated or moved buildings as described in Section AJ308 shall comply with this section. Relocated or moved historic buildings shall comply with Section AJ9.

**AJ1001.2 Compliance.** The building shall comply with the provisions of the *Fire Code of New York State* and the *Property Maintenance Code of New York State* as applicable. Any repair, alteration, or change of occupancy undertaken within the moved structure shall comply with the requirements of this appendix applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of this code as applicable.

**AJ1001.3 Location on the lot.** The building shall be located on the lot in accordance with the requirements of Section R302.

**AJ1001.4 Flood hazard areas.** If relocated or moved into a flood hazard area, buildings shall comply with Section R323.

### SECTION AJ1002 BUILDING ELEMENTS AND MATERIALS

**AJ1002.1 Foundation.** The foundation system of relocated buildings shall comply with this code as applicable.

**AJ1002.1.1 Connection to the foundation.** The connection of the relocated building to the foundation shall comply with this code as applicable.

### SECTION AJ1003 FIRE AND LIFE SAFETY PROTECTION

**AJ1003.1 Scope.** Relocated or moved buildings shall comply with this section.

**AJ1003.2 Smoke alarms.** Smoke alarms, located as required for new dwellings, shall be provided; the smoke alarms shall be interconnected and hard wired.

**Exception:** In other than bed and breakfast dwellings, smoke alarms in existing areas shall not be required to be interconnected and hard wired where interior wall or ceiling finishes are not removed to expose the structure.

**AJ1003.2.1 Power source.** Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system, or in buildings where existing interior wall or ceiling finishes are not removed to expose the structure.

**AJ1003.2.2 Interconnection.** Smoke alarms shall not be required to be interconnected where battery operated alarms are permitted.

**AJ1003.3 Carbon monoxide alarms.** At least one carbon monoxide alarm shall be provided in each dwelling unit in compliance with Section R313.4.

## SECTION AJ1004 STRUCTURAL

**AJ1004.1 Required inspection and repairs.** The code official shall be authorized to inspect, or to require approved professionals to inspect at the expense of the owner, the various structural parts of a relocated building to verify that structural components and connections have not sustained structural damage. Any repairs required by the code official as a result of such inspection shall be made prior to the final approval.

**AJ1004.2 Wind loads.** Buildings shall comply with the wind provisions of this code as applicable.

#### Exceptions:

1. Detached one- and two-family dwellings where wind loads at the new location are not higher than those at the previous location.
2. Structural elements whose stress is not increased by more than 5 percent.

**AJ1004.3 Seismic loads.** Buildings shall comply with the seismic provisions of this code at the new location as applicable.

#### Exceptions:

1. Where the seismic loads at the new location are not higher than those at the previous location.
2. Structural elements whose stress is not increased by more than 5 percent.

**AJ1004.4 Snow loads.** Buildings shall comply with the snow loads provisions of this code as applicable where snow loads at the new location are higher than those at the previous location.

**Exception:** Structural elements whose stress is not increased by more than 5 percent.

## SECTION AJ11 REPLACEMENT

### SECTION AJ1101 GENERAL

**AJ1101.1 Scope.** Buildings that are replaced as described in Section AJ309 shall comply with the requirements of this section.

**AJ1101.2 Compliance.** Buildings that are replaced shall comply with the provisions of this code.

**AJ1101.3 Sanitary disposal system.** Where a building replacement results in an increase in the number of bedrooms, the capacity of the existing sanitary disposal system shall be determined and any required expansion or replacement shall comply with this code.