DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CONSTRUCTION CODES COORDINATING BOARD

NOTICE OF PROPOSED RULEMAKING

The Chairperson of the Construction Codes Coordinating Board (Chairperson), pursuant to the authority set forth in section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2008 Repl.)) and Mayor's Order 2009-22, dated February 25, 2009, as amended, hereby gives notice of the intent to adopt the following amendments to Title 12 (D.C. Construction Codes Supplement of 2008) of the District of Columbia Municipal Regulations, as well as to rename Title 12.

This proposed rulemaking would adopt the following codes published by the International Code Council (ICC), as amended by this rulemaking in a new District of Columbia Construction Codes Supplement of 2013, as the District of Columbia Construction Codes: the 2012 edition of the International Building Code; the 2012 edition of the International Residential Code; the 2012 edition of the International Fuel Gas Code; the 2012 edition of the International Mechanical Code; the 2012 edition of the International Plumbing Code; the 2012 edition of the International Property Maintenance Code; the 2012 edition of the International Fire Code; the 2012 edition of the International Energy Conservation Code; the 2012 edition of the International Existing Building Code; the 2012 edition of the International Green Construction Code; the 2012 edition of the International Swimming Pool and Spa Code; and the 2011 edition of the National Electrical Code (NFPA 70) published by the National Fire Protection Association.

This proposed rulemaking would repeal the D.C. Construction Codes Supplement of 2008, adopted December 26, 2008 (55 DCR 13094), consisting of the following: the 2006 edition of the ICC International Building Code; the 2006 edition of the ICC International Residential Code; the 2006 edition of the ICC International Fuel Gas Code; the 2006 edition of the ICC International Mechanical Code; the 2006 edition of the ICC International Plumbing Code; the 2006 edition of the ICC International Property Maintenance Code; the 2006 edition of the ICC International Fire Code; the 2006 edition of the ICC International Energy Conservation Code; the 2006 edition of the ICC International Existing Building Code; and the 2005 edition of the National Fire Protection Association (NFPA 70) National Electrical Code.

Comments on this proposed rulemaking must be submitted by 5 p.m. on Friday, January 25, 2013. The process for submitting comments is detailed on the final page of this proposed rulemaking.

The Chairperson also hereby gives notice of the intent to take final rulemaking action to adopt this amendment. Pursuant to section 10(a) of the Act, the proposed amendment will be submitted to the Council of the District of Columbia for a forty-five (45) day period of review, and final rulemaking action will not be taken until the later of thirty (30) days after the date of publication of this notice in the *D.C. Register* or Council approval of the amendment.

The *District of Columbia Existing Building Code* (2013), referred to as the "*Existing Building Code,"* consists of the 2012 edition of the *International Existing Building Code* as amended by the *District of Columbia Existing Building Code Supplement* (2013)(12 DCMR J)*).* The *International Existing Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iebc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

Title 12 (D.C. Construction Codes Supplement of 2008) of the District of Columbia Municipal Regulations is amended as follows:

The title of title 12 is renamed as the District of Columbia Construction Codes Supplement of 2013.

Subtitle 12 A (Building Code Supplement of 2008) is repealed in its entirety and replaced with a new Building Code Supplement of 2013.

Subtitle 12 B (Residential Code Supplement of 2008) is repealed in its entirety and replaced with a new Residential Code Supplement of 2013.

Subtitle 12 C (Electrical Code Supplement of 2008) is repealed in its entirety and replaced with a new Electrical Code Supplement of 2013.

Subtitle 12 D (Fuel Gas Code Supplement of 2008) is repealed in its entirety and replaced with a new Fuel Gas Code Supplement of 2013.

Subtitle 12 E (Mechanical Code Supplement of 2008) is repealed in its entirety and replaced with a new Mechanical Code Supplement of 2013.

Subtitle 12 F (Plumbing Code Supplement of 2008) is repealed in its entirety and replaced with a new Plumbing Code Supplement of 2013.

Subtitle 12 G (Property Maintenance Code Supplement of 2008) is repealed in its entirety and replaced with a new Property Maintenance Code Supplement of 2013.

Subtitle 12 H (Fire Code Supplement of 2008) is repealed in its entirety and replaced with a new Fire Code Supplement of 2013.

Subtitle 12 I (Energy Conservation Code Supplement of 2008) is repealed in its entirety and replaced with a new Energy Conservation Code Supplement of 2013.

Subtitle 12 J (Existing Building Supplement of 2008) is repealed in its entirety and replaced with a new Existing Building Code Supplement of 2013.

Subtitle 12 K (Fees) is redesignated as Subtitle M (Fees).

A new Subtitle 12 K (Green Construction Code Supplement of 2013) is added.

A new Subtitle 12 L (Swimming Pool and Spa Code Supplement of 2013) is added.

The *District of Columbia Existing Building Code* (2013), referred to as the "*Existing Building Code,"* consists of the 2012 edition of the *International Existing Building Code* as amended by the *District of Columbia Existing Building Code Supplement* (2013)(12 DCMR J)*).* The *International Existing Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iebc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

For purposes of clarity, the following table lists each chapter of the ICC and NFPA 70 codes amended by the District of Columbia Construction Codes Supplement of 2013:

SUBTITLE A – BUILDING CODE SUPPLEMENT

Chapter 1	Administration and Enforcement
Chapter 2	Definitions
Chapter 3	Use Group and Classification
Chapter 4	Special Detailed Requirements Based on Use and Occupancy
Chapter 5	General Building Heights and Areas
Chapter 7	Fire-Resistance-Related Construction
Chapter 9	Fire Protection Systems
Chapter 10	Means of Egress
Chapter 12	Interior Environment
Chapter 14	Exterior Walls
Chapter 15	Roof Assemblies and Rooftop Structures
Chapter 16	Structural Design
Chapter 18	Soils and Foundations
Chapter 26	Plastic
Chapter 30	Elevators and Conveying Systems
Chapter 31	Special Construction
Chapter 32	Encroachments into the Public Right-of-Way
Chapter 33	Safeguards During Construction
Chapter 34	Existing Structures
Chapter 35	Referenced Standards
Appendix E	Supplementary Accessibility Requirements

SUBTITLE B – RESIDENTIAL CODE SUPPLEMENT

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 3	Building Planning
Chapter 9	Roof Assemblies
Chapter 11	Energy Efficiency
Chapter 12	Mechanical Administration
Chapter 15	Exhaust Systems
Chapter 16	Duct Systems
Chapter 24	Fuel Gas
Chapter 25	Plumbing Administration
Chapter 29	Water Supply and Distribution
Chapter 30	Sanitary Drainage
Chapter 44	Referenced Standards
Appendix H	Patio Covers
Appendix J	Existing Buildings and Structures

The *District of Columbia Existing Building Code* (2013), referred to as the "*Existing Building Code,"* consists of the 2012 edition of the *International Existing Building Code* as amended by the *District of Columbia Existing Building Code Supplement* (2013)(12 DCMR J)*).* The *International Existing Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iebc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

SUBTITLE C – ELECTRICAL CODE SUPPLEMENT

SUBTITLE D – FUEL GAS CODE SUPPLEMENT

SUBTITLE E – MECHANICAL CODE SUPPLEMENT

SUBTITLE F – PLUMBING CODE SUPPLEMENT

SUBTITLE G – PROPERTY MAINTENANCE CODE SUPPLEMENT

SUBTITLE H – FIRE CODE SUPPLEMENT

SUBTITLE I – ENERGY CONSERVATION CODE SUPPLEMENT

SUBTITLE J – EXISTING BUILDING CODE SUPPLEMENT

SUBTITLE K – GREEN CONSTRUCTION CODE

SUBTITLE L – SWIMMING POOL AND SPA CODE SUPPLEMENT

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR J EXISTING BUILDING CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Existing Building Code* (IEBC), as amended by this Supplement.

IEBC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

Strike Chapter 1 of the International Existing Building Code in its entirety and insert new Section 101 to the Existing Building Code in its place to read as follows:

101 GENERAL

101.1 Administration and enforcement of the *Existing Building Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

CHAPTER 2 DEFINITIONS

202 General Definitions

202 GENERAL DEFINITIONS

Strike the following definitions in the International Existing Building Code and insert the new definitions to the Existing Building Code in their place to read as follows:

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

EXISTING BUILDING. Any building or structure that was erected and occupied or issued a certificate of occupancy at least one year before a construction permit application for that building or structure was made to DCRA.

Insert the following new definition to Section 202 of the Existing Building Code to read as follows:

FIRE RESISTANCE RATING. The period of time a building element, component or assembly maintains the ability to confine a fire, continues to perform a given structural function, or both, as determined by the tests, or the methods based on tests, prescribed in fire resistance ratings of building assemblies and structural elements shall be determined in accordance with Section 703 of the *Building Code,* 12 DCMR A. The fire resistance rating of existing building assemblies which have not been rated in accordance with Section 703 of the *Building Code* shall be determined in accordance with the procedures set forth in *Guidelines on Fire Ratings of Archaic Materials and Assemblies*, published in the *Existing Building Code* as Resource A.

CHAPTER 4 PRESCRIPTIVE COMPLIANCE METHOD

403 ALTERATIONS

Strike Section 403.3.1 of the International Existing Building Code in its entirety and insert new Section 403.3.1 to the Existing Building Code in its place to read as follows:

403.3.1 Design live load. Where the *alteration* does not result in increased design live load, existing gravity load-carrying structural elements shall be permitted to be evaluated and designed for live loads approved prior to the *alteration.* If the approved live load is less than that required by Section 1607 of the *Building Code,* 12 DCMR A, the area designed for the nonconforming live load shall be posted with placards of approved design indicating the approved live load. Where the *alteration* does result in increased design live load, the live load required by Section 1607 of the *Building Code* shall be used.

Exception: In buildings erected before July 1, 1925, the *code official* is authorized to allow a maximum reduction of 30 percent of the specified minimum live loads in Table 1607.1 of the *Building Code*, with a minimum live load for other than residential buildings of 40 psf (1.92 kN/m2), provided official live load placards are posted showing this reduced live load.

410 ACCESSIBILITY FOR EXISTING BUILDINGS

Strike Section 410.7 of the International Existing Building Code in its entirety and insert Section 410.7 to the Existing Building Code in its place to read as follows:

410.7 Alterations affecting an area containing a primary function. Where an *alteration* affects the accessibility to, or contains an area of, *primary function*, the route to the *primary function* area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities or drinking fountains serving the area of *primary function*.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of *primary function*.

2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets, signs, mechanical systems, electrical systems,

installation or *alteration* of fire protection systems and abatement of hazardous materials.

3. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.

4. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

5. Power-operated doors at the main building entrance are not required except where that entrance is part of the work area.

CHAPTER 6 REPAIRS

606 Structural

606 STRUCTURAL

Insert new Section 606.3 to the Existing Building Code to read as follows:

606.3 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 if structural integrity is not reduced below the current *Building Code* levels as determined by the *code official.*

CHAPTER 7 ALTERATIONS-LEVEL 1

704 Means of Egress
705 Accessibility

704 MEANS OF EGRESS

Insert new Sections 704.2 and 704.3 to the Existing Building Code to read as follows:

704.2 Use of Exit and Exit Access Enclosures. Exits and exit access corridors shall comply with Section 1018.5 of the *Building Code*, 12 DCMR A.

Exception:

Existing exit access corridors that serve areas undergoing Level 1 alterations shall be allowed to be used as air return plenums where the following four conditions are verified:

1. The existing HVAC system already uses the corridor as a return plenum.

2. The HVAC system remains as existing, except for rearrangement of terminal branches, relocation of supply diffusers or replacement in kind of equipment.

3. The transfers from the altered space, to the corridor, shall be equipped with an approved smoke damper arranged to close upon detection of smoke on either side of the transfer.

4. The corridor is not an exit discharge.

704.3 Allowance for Fire Resistance Upgrading: When improving the fire resistance rating of the enclosure of stairways, exit access corridors or exit passageways complying with Section 1005 of the *Building Code,* 12 DCMR A, a tolerance of up to 1-1/2 inches (38 mm) shall be allowed in the minimum width of those elements of egress. When improving the fire resistance rating of a wall assembly on one side of stairways, exit access corridors or exit passageways, a tolerance of up to 3/4 inches (19 mm) shall be allowed in the minimum width of those elements of egress.

705 ACCESSIBILITY

Strike Section 705.2 of the International Existing Building Code in its entirety and insert new Section 705.2 to the Existing Building Code in its place to read as follows:

705.2 Alterations affecting an area containing a primary function. Where an *alteration* affects the accessibility to, or contains an area of, *primary function*, the route to the *primary*

function area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities or drinking fountains serving the area of *primary function*.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of *primary function*.

2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets, signs, mechanical systems, electrical systems, installation or *alteration* of fire protection systems and abatement of hazardous materials.

3. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.

4. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

5. Power-operated doors at the main building entrance are not required except where that entrance is part of the work area.

CHAPTER 8 ALTERATIONS-LEVEL 2

801 GENERAL

Strike Section 801.1 of the International Existing Building Code in its entirety and insert new Section 801.1 to the Existing Building Code in its place to read as follows:

801.1 Scope. Level 2 *alterations* as described in Section 504 shall comply with the requirements of this chapter.

Exceptions:

1. Buildings in which the reconfiguration is exclusively the result of compliance with the accessibility requirements of Section 705.2 shall be permitted to comply with Chapter 7.

2. Sections 803.2.1, 805.3 and 805.4 shall not be mandatory for Level 2 alteration work areas of less than 500 square feet (46.5 m²) provided:

   2.1. There is no increase in hazard; and

   2.2. The alterations do not adversely affect the existing means of egress or any required fire resistance rating.

Strike Section 801.3 of the International Existing Building Code in its entirety and insert new Section 801.3 to the Existing Building Code in its place to read as follows:

801.3 Compliance. All new construction elements, components, systems and spaces shall comply with the requirements of the *Building Code*, 12 DCMR A.

Exceptions:

1. Windows may be added without requiring compliance with the light and ventilation requirements of the *Building Code*.

2. Newly installed electrical equipment shall comply with the requirements of Section 808.

3. The length of dead-end corridors in newly constructed spaces shall only be required to comply with the provisions of Section 805.6.

4. The minimum ceiling height of the newly created habitable and occupiable spaces and corridors shall be 7 feet (2134 mm). A lower clearance than that set forth in Exceptions to Subsection 1208.2 of the *Building Code* is permitted in special cases where the *code official* determines that a lower clearance will pose no undue health or safety hazard to the occupants.

804 FIRE PROTECTION

Strike Section 804.3 of the International Existing Building Code in its entirety and insert new Section 804.3 to the Existing Building Code in its place to read as follows:

804.3 Standpipes. Where the *work area* includes exits or corridors shared by more than one tenant and is located more than 50 feet (15 240 mm) above or below the lowest level of fire department access, a standpipe system shall be provided. Standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. Standpipe systems shall be installed in accordance with the *Building Code*, 12 DCMR A.

Exceptions:

1. Installation of a manual, wet standpipe system is permitted to achieve compliance with this section.

2. The interconnection of multiple standpipe risers shall not be required.

805 MEANS OF EGRESS

Strike Section 805.3.1.1 of the International Existing Building Code in its entirety and insert new Section 805.3.1.1 to the Existing Building Code in its place to read as follows:

805.3.1.1 Single-exit buildings. Only one exit is required from buildings and spaces of the following occupancies:

1. In Group A, B, E, F, M, U and S occupancies, a single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 49 and the exit access travel distance does not exceed 75 feet (22 860 mm).

   Exception: In Group A, B, E, F, M, U and S the exit access travel distance may be increased to 100 feet (30 480 mm) when the area

served by the single exit and all egress components of the single exit are protected with automatic sprinklers.

2. Group B, F-2 and S-2 occupancies not more than two stories in height that are not greater than 3,500 square feet per floor (326 m²), when the exit access travel distance does not exceed 75 feet (22 860 mm). The minimum fire-resistance rating of the exit enclosure and of the opening protection shall be 1-hour.

   Exception: In Group B occupancies not more than three stories in height provided the exit access travel distance does not exceed 100 feet (30 480 mm) and the building is equipped with an approved automatic fire suppression system and automatic fire alarm system with smoke detectors located in all corridors, lobbies and common areas.

3. Open parking structures where vehicles are mechanically parked.

4. In community residences for individuals with developmental disabilities, the maximum occupant load excluding staff is 12.

5. Groups R-1 and R-2 not more than two stories in height, when there are not more than four dwelling units per floor and the exit access travel distance does not exceed 50 feet (15 240 mm). The minimum fire-resistance rating of the exit enclosure and of the opening protection shall be 1-hour.

   Exception: Group R-2 buildings may be not more than three stories in height where the building is equipped with an automatic fire suppression system and automatic fire alarm system.

6. In multilevel dwelling units in buildings of occupancy Group R-1 or R-2, an exit shall not be required from every level of the dwelling unit provided that one of the following conditions is met:

   6.1. The travel distance within the dwelling unit does not exceed 75 feet (22 860 mm); or

   6.2. The building is not more than three stories in height and all third-floor space is part of one or more dwelling units located in part on the second floor; and no habitable room within any such dwelling unit shall have a travel distance that exceeds 50 feet (15 240 mm) from the outside of the

habitable room entrance door to the inside of the entrance door to the dwelling unit.

7. In Group R-2, H-4, H-5 and I occupancies and in rooming houses and child care centers, a single exit is permitted in a one-story building with a maximum occupant load of 10 and the exit access travel distance does not exceed 75 feet (22 860 mm).

8. In buildings of Group R-2 occupancy that are equipped throughout with an automatic fire sprinkler system, a single exit shall be permitted from a basement or story below grade if every dwelling unit on that floor is equipped with an approved window providing a clear opening of at least 5 square feet (0.47 m²) in area, a minimum net clear opening of 24 inches (610 mm) in height and 20 inches (508 mm) in width and a sill height of not more than 44 inches (1118 mm) above the finished floor.

9. In buildings of Group R-2 occupancy of any height with not more than four dwelling units per floor, with a smokeproof enclosure or outside stair as an exit and with such exit located within 20 feet (6096 mm) of travel to the entrance doors to all dwelling units served thereby.

10. In buildings of Group R-3 occupancy equipped throughout with an automatic fire sprinkler system, only one exit shall be required from basements or stories below grade.

11. In Group E occupancies that satisfy all of the following conditions:

    11.1. Not more than two stories above the level of exit discharge.

    11.2. The floor area of the story does not exceed 3,000 square feet (279 m²).

    11.3. Total occupant load served by the single exit does not exceed 49 persons per floor.

    11.4. Automatic sprinkler protection throughout the building, and a building fire alarm system.

12. In Group A-3, A-4, B, E, M and R occupancies located not more than one story below grade that satisfy all the following conditions:

    12.1. The floor area of the story does not exceed 2,500 square feet (233 m²).

12.2. The area served by the single exit and all egress components of the single exit are equipped with an approved automatic fire suppression system.

12.3. The building is equipped with an automatic fire alarm system.

13. In Group A occupancies located not more than one story above the level of exit discharge where all of the following conditions are satisfied:

13.1. The floor area of the Group A occupancy does not exceed 2,000 square feet (186 m²).

Exception: Where the entire building is protected by an automatic sprinkler system, the floor area shall not exceed 3,000 square feet (279 m²).

13.2. The occupant load of the assembly area served by the single exit does not exceed 2/3 of the capacity of the single exit.

13.3. The area served by the single exit and all egress components of the single exit are protected with an automatic sprinkler system.

13.4. All portions of the level of discharge with access to the single exit egress path shall be protected by an automatic sprinkler system or shall be separated from the egress path in by an enclosure with a fire resistance rating of not less than 1-hour.

13.5. The building is provided with an automatic fire alarm system in accordance with the *Building Code* and NFPA 72.

14. In below-grade parking garages of Group S-2, provided:

14.1. The parking levels are protected with automatic sprinklers and a fire alarm system;

14.2. The travel distance to the exit does not exceed 400 feet (121 920 mm); and

14.3. A car ramp is available for exit in addition to the single exit.

15. Group R-2 occupancies in buildings of any height that are provided with an approved, automatic fire suppression system, a single exit from a dwelling unit (i.e., apartment) is permitted, provided both of the following conditions are met:

15.1. Travel distance within the dwelling unit to the exit access corridor does not exceed 125 feet (38 100 mm); and

15.2. Travel distance from corridor door to an exit does not exceed 200 feet (60 960 mm).

Strike Section 805.4.1.1 of the International Existing Building Code in its entirety and insert new Section 805.4.1.1 to the Existing Building Code in its place to read as follows:

805.4.1.1 Occupant load and travel distance. In any *work area,* all rooms and spaces having an occupant load greater than 50 or in which the travel distance to an exit exceeds 75 feet (22 860 mm) shall have a minimum of two egress doorways.

Exceptions:

1. Storage rooms having a maximum occupant load of 10.

2. Where the *work area* is served by a single exit in accordance with Section 805.3.1.1.

3. In Group B occupancies, only one egress doorway is required when conditions 3.1, 3.2, and 3.3 are met, and either condition 3.4 or 3.5, as applicable, is also met.

3.1. The space is confined, restricted or isolated by the demising partitions of the existing adjacent spaces such that two egress doorways complying with the remoteness requirements of the *Building Code* cannot be provided;

3.2. The common path of travel within the space is not more than 100 feet (30 480 mm);

3.3. The occupant load of the space does not exceed 49;

3.4. In non-sprinklered, non-high-rise buildings, automatic smoke

detection is provided both in the spaces served by the single egress doorway and throughout the means of egress to the building exits; or

3.5. In high-rise buildings, both the spaces served by the single egress doorway and the means of egress to the building exit are provided with automatic sprinklers.

Strike Section 805.6 of the International Existing Building Code in its entirety and insert new Section 805.6 to the Existing Building Code in its place to read as follows:

805.6 Dead-end corridors. Dead-end corridors in any work area shall not exceed 35 feet (10 670 mm).

Exceptions:

1. Where dead-end corridors of greater length are permitted by the *Building Code*, 12 DCMR A.

2. In other than Group A and H occupancies, the maximum length of an existing dead-end corridor shall be 50 feet (15 240 mm) in buildings equipped throughout with an automatic fire alarm system installed in accordance with the *Building Code*.

3. In other than Group A and H occupancies, the maximum length of an existing dead-end corridor shall be 75 feet (22 860 mm) where the floor containing the dead-end corridor is equipped with automatic sprinkler protection in accordance with the *Building Code*.

4. In other than Group A and H occupancies, the maximum length of an existing dead-end corridor shall be 100 feet (30 480 mm) in buildings equipped throughout with an automatic sprinkler system installed in accordance with the *Building Code*.

5. In other than Group A and H occupancies, the maximum length of an extended dead-end corridor shall not exceed 50 feet (15 240 mm) on floors equipped with an automatic sprinkler system installed in accordance with the *Building Code*.

CHAPTER 9 ALTERATIONS-LEVEL 3

902 Special Use and Occupancy
903 Building Elements and Materials
904 Fire Protection
908 Energy Conservation

902 SPECIAL USE AND OCCUPANCY

Strike Section 902.1 of the International Existing Building Code I its entirety and insert new Section 902.1 to the Existing Building Code in its place to read as follows:

902.1 High-rise buildings. Any building having occupied floors more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access shall comply with the requirements of Sections 902.1.1 and 902.1.2.

> **Exception:** Existing high-rise buildings that are stripped of all systems and interior walls in all areas other than those used as public garage, leaving no more than the structure, shaft walls and the exterior envelope assemblies, shall be rebuilt in full compliance with Section 403 of the *Building Code*, 12 DCMR A.

Maintain Sections 902.1.1 and 902.1.2 of the International Existing Building Code.

903 BUILDING ELEMENTS AND MATERIALS

Insert new section 903.4 in the Existing Building Code to read as follows:

903.4 Air-borne sound. Walls, partitions and floor/ceiling assemblies separating *dwelling units* from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50 (45 if field tested) for air-borne noise when tested in accordance with ASTM E 90. Walls, partitions and floor/ceiling assemblies separating Group A-2 occupancies from *dwelling units* shall have a sound transmission class (STC) of not less than 55 and shall be field tested to achieve a rating of not less than 50 for air-borne noise. Penetrations or openings in construction assemblies for piping; electrical devices; recessed cabinets; bathtubs; soffits; or heating, ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings. This requirement shall not apply to *dwelling unit* entrance doors; however, such doors shall be tight fitting to the frame and sill.

> **Exception:** Group A-2 occupancies that do not utilize amplified music as part of their use shall be exempt from these provisions.

904 FIRE PROTECTION

Strike Section 904.1.1 of the International Existing Building Code in its entirety and insert new Section 904.1.1 to the Existing Building Code in its place to read as follows:

904.1.1 High-rise buildings. In high-rise buildings, work areas shall be provided with automatic sprinkler protection in accordance with Section 903 of the *Building Code*, 12 DCMR A.

904.1.1.1 Where Level 3 work areas occur on 75 percent or more of the building floors, excluding mechanical, parking and non-occupiable levels, automatic sprinkler protection shall be provided throughout the entire building in accordance with Section 903 of the *Building Code*.

904.1.1.2 Where an automatic sprinkler system with sprinkler control valves and water flow devices is provided for each floor throughout the building in accordance with Section 903 of the *Building Code*, modifications to the minimum type of construction and fire resistance rating requirements of the *Construction Codes* are permitted as described in Section 403.2 of the *Building Code*.

904.1.1.3 Additional requirements for alterations to 100% percent of floors. Where Level 3 alteration work areas occur on all floors, excluding mechanical, parking and non-occupiable levels, the building shall comply with the following additional requirements:

1. **Emergency voice/alarm communication systems.** Provide an emergency voice/alarm communication system in accordance with Section 403.4.4 of the *Building Code*.

2. **Emergency responder radio coverage.** Provide a two-way fire department communications system in accordance with Section 403.4.5 of the *Building Code*.

3. **Fire command center.** Provide a fire command center in accordance with Section 403.4.6 of the *Building Code*.

   Exception: Where the following features do not exist in the building or cannot be readily provided as part of a Level 3 alteration, they are not required to be added for compliance with Section 911.1 of the *Building Code*: annunciator unit visually indicating the location of the elevators and whether they are operational; status indicators and controls for air-handling systems and emergency and standby power status indicators.

4. **Standby power and emergency power systems.** Provide standby power and emergency power systems in accordance with Sections 403.4.8 and 403.4.9 of the *Building Code*.

Strike Section 904.1.2 of the International Existing Building Code in its entirety and insert new Section 904.1.2 to the Existing Building Code in its place to read as follows:

904.1.2 Rubbish and linen chutes. Rubbish and linen chutes located in the work area shall be provided with automatic sprinkler system protection where protection of the rubbish and linen chute would be required under the provisions of the *Building Code* for new construction.

CHAPTER 10 CHANGE OF OCCUPANCY

1012 CHANGE OF OCCUPANCY CLASSIFICATION

Insert new Section 1012.1.5 in the Existing Building Code to read as follows:

1012.1.5 Air-borne sound. All buildings undergoing a change of occupancy classification shall comply with Section 903.4.

Strike Section 1012.4.2 of the International Existing Building Code in its entirety and insert new Section 1012.4.2 to the Existing Building Code in its place to read as follows:

1012.4.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy classification is made to an equal or lesser hazard category (higher number) as shown in Table 1012.4, existing elements of the means of egress shall comply with the requirements of Section 905 for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the *Building Code*, 12 DCMR A.

Exceptions:

1. Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.

2. When the following conditions are met, a single open stair shall be permitted to serve as the exit:

    1. Change of use Group from R-3 to B;

    2. The building is three stories above grade or less;

    3. Occupant load served is fewer than 50 persons;

    4. Egress capacity is met; and

    5. The existing egress features are maintained or improved.

CHAPTER 15 CONSTRUCTION SAFEGUARDS

1501 General

Strike Chapter 15 of the International Existing Building Code in its entirety and insert new Section 1501 to the Existing Building Code in its place to read as follows:

1501 GENERAL

1501.1 The provisions of Chapter 33 of the *Building Code*, 12 DCMR A, shall govern safety during construction that is under the jurisdiction of this code and the protection of adjacent public and private properties.

All persons desiring to comment on these proposed regulations should submit comments in writing to Helder Gil, Legislative Affairs Specialist, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, SW, Room 5164, Washington, D.C. 20024, or via e-mail at ConstructionCodes@dc.gov, not later than 5 p.m. on Friday, January 25, 2013.

Comments should clearly specify which Subtitle, Chapter, and Section of the proposed District of Columbia Construction Codes they are related to.

Persons with questions concerning this Notice of Proposed Rulemaking should call (202) 442-4400. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar ($1.00) will be charged for each copy of the proposed rulemaking requested.

Free copies of these proposed regulations are available on the DCRA website at http://dcra.dc.gov by going to the "About DCRA" tab, clicking on "News Room", and then clicking on "Rulemaking". Additionally, the DCRA website will list links to each of the ICC and NFPA 70 codes.