

Existing structures

Provisions allowing the legal occupancy of buildings to continue without fully complying with current codes are often referred to as grandfathering or grandfather clauses. As with other International Codes, the IRC provides such relief for existing buildings. To impose regulations to bring existing buildings into current compliance would be impractical and unreasonable and would penalize owners of buildings that complied with applicable laws at the time of their construction. Of course, if, due to lack of repair or maintenance, buildings fall below the generally acceptable threshold for sanitation, health, safety and welfare of the occupants and the public, the IRC requires corrections in accordance with specific code provisions and the referenced provisions of the IPMC or the IFC.

These grandfathering provisions not only apply to the continued use and occupancy of an existing building in the absence of construction activity, they also apply to existing buildings undergoing modifications or

additions. Generally, only the modification or addition need comply with the current code. There are some exceptions to this rule. For example, there are retroactive provisions for smoke alarms and carbon monoxide alarms when work requiring a permit occurs in existing buildings. (See Chapters 9 and 10.) The installation of smoke alarms, of paramount importance in saving lives, is considered reasonable and practical during construction work on existing buildings. Additions, alterations or repairs cannot cause any portion of the existing building to become unsafe or otherwise adversely affect the performance of the building. If an addition impeded the means of egress to the outdoors, added excessive loading to existing structural members, overloaded the electrical service, or exceeded the capacity of the plumbing drain, waste and vent (DWV) system, then any of the affected elements would need to be brought into compliance with the current code.

IRC Appendix J, if specifically adopted, does offer alternatives for compliance with the code during renovation of existing buildings. These provisions, similar to those found in the IEBC, intend to encourage the continued use or reuse of legally existing buildings and structures. Under Appendix J, construction work is categorized as repair, renovation, alteration or reconstruction. As the extent of work becomes greater, resulting in a higher category, the requirements become more stringent. While maintaining an acceptable level of safety, the alternative approaches offer a number of benefits to the owner and builder, such as allowing smaller dimensions for existing windows, doors, stair headroom and ceiling heights without modification. In some cases, certain nonconforming elements in sound condition, such as stairs and railings, may remain without modification even within prescribed work areas. [\[Ref. R102.7\]](#)