

## **Context:**

SMC Chapter 17F.070 Existing Building and Conservation Code: code requirements for the rehabilitation of existing buildings.

## **Statement:**

SMC Section 17F.070.190 should be repealed. This section requires access to two exits from each dwelling unit (apartment), and also requires secondary exits (emergency egress windows, or a second door) from each sleeping room.

## **Rationale:**

Justification for repeal comes from three different routes:

- 1. Subsection 190 is in conflict with the general purpose and goals of Section 17F.070.**
  - a. Section 17F.070.010 defines the scope of this section. To paraphrase, the goals are broken down into 4 themes:
    - i. Item A states that existing construction may remain if it was originally constructed per code, has been maintained, is not being changed to a different use, and is not dangerous.
    - ii. Item B states that building owners and occupants are obligated to maintain the property.
    - iii. Item C states that the purpose of the chapter is to set minimum maintenance standards, and to *retroactively adopt safety requirements for apartments and hotels over two stories in eight*.
    - iv. Item D states that it is the policy of the City to put existing building to use by *encouraging* the rehabilitation of usable structures (or demolish to allow for new construction).
  - b. The requirements of subsection 190 conflict with Item D:
    - i. Requiring access to two exits and providing secondary exits from each sleeping room is *much more restrictive* than for new construction, and creates very difficult design challenges. This *discourages* rehabilitation.
  
- 2. Any remodeling work is already governed by the current codes.** Remodels must comply with the International Existing Building Code (IEBC), the International Building Code (IBC) and the International Fire Code (IFC). These codes have been developed and refined to address demonstrated safety concerns, and are the recognized standards for construction safety.
  - a. The safety standards from item C are met by the Building Codes. The requirements of subsection 190 are more restrictive (unnecessarily) than the requirements for new construction.

- 3. The SMC section is an artifact from earlier codes.** The wording has been updated periodically as codes change (2003 changed to 2006, for instance) but the context in which the section was originally adopted has changed. Current code addresses safety concerns adequately.
- a. The relevant change is from the 1997 UBC to the 2003 IBC in 2004. This relaxed some requirements if a sprinkler system were installed (including the requirement for a secondary exit).
  - b. The wording of subsection 190 has not materially changed since 1979. Housekeeping updates were done (replacing “UBC” with “IBC”, for instance), but the section does not appear to have been reviewed as to whether it is still necessary.

**Example:**

A three story apartment building is remodeling. The new layout meets all current building codes, including a sprinkler system throughout. The building is mid-block, and adjoins other buildings on the long sides. Light wells provide natural lighting for the apartments.

- Subsection 190 requires access to two exits from each apartment. There are three stairs and an elevator, so each unit has access to multiple exits (as required by current codes).
- Subsection 190 requires secondary exits from each sleeping room;
  - Egress windows cannot be used, since there is no path out of the light wells to the street. Meeting this SMC requirement would require placing the bedrooms on the street side only, reducing the number of units drastically and creating large spaces on the interior of the building.
  - Providing a second door to a corridor from each bedroom is not required for new construction, and would be very problematic from a design standpoint.