

TEXT OF RULE

1. Section 1219.1 of Part 1219 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended to read as follows:

Section 1219.1 Uniform Fire Prevention and Building Code.

The Uniform Fire Prevention and Building Code (the “Uniform Code”) includes Part 1220 (Residential Construction), Part 1221 (Building Construction), Part 1222 (Plumbing Systems), Part 1223 (Mechanical Systems), Part 1224 (Fuel Gas Equipment and Systems), Part 1225 (Fire Prevention), Part 1226 (Property Maintenance), [and] Part 1227 (Existing Buildings), and Part 1228 (Temporary Alternative Use of Certain Buildings) of this Title and the publications incorporated by reference into those Parts.

2. Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended by adding a new Part 1228 to read as follows:

Part 1228 Temporary Alternative Use of Certain Buildings

Section 1228.1 Introduction

The provisions set forth in this Part are part of the Uniform Fire Prevention and Building Code (the “Uniform Code”). The provisions set forth in this Part are in addition to, and not in limitation of, the provisions set forth in Parts 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, and 1227 of this Title, and the publications incorporated by reference into those Parts including the publication entitled Uniform Code Supplement.

Section 1228.2 Purpose.

This Part shall govern the use of certain buildings when such uses are for purposes that are not consistent with the existing occupancy classification of the building. Such temporary alternative uses may be conducted for limited periods of time without triggering the change of occupancy provisions of the Uniform Code. Temporary alternative use of a subject building or subject space must comply with the provisions of this Part.

Section 1228.3 Applicability.

The provisions of this Part shall apply to buildings in which a temporary alternative use is conducted without regard to the date of its construction.

Section 1228.4 Definitions.

Words and phrases used in this Part but not defined by this section shall have the meanings defined in the 2015 IFC, unless a different meaning is clearly required by the context.

For the purposes of this Part, the following words and phrases shall have the following meanings:

- (a) **2015 IBC.** The publication entitled International Building Code (publication date: May 30, 2014, third printing) published by the International Code Council, Inc.
- (b) **2015 IEBC.** The publication entitled International Existing Building Code (publication date: May 30, 2014, fifth printing) published by the International Code Council, Inc.
- (c) **2015 IFC.** The publication entitled International Fire Code (publication date: May 30, 2014, third printing) published by the International Code Council, Inc.
- (d) **Agricultural building.** A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products, excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.
- (e) **Agricultural work area.** That portion of an agricultural building consisting of all alterations, additions, and/or repairs as indicated on the construction documents. Agricultural work area excludes other portions of the building where incidental work caused by the intended work must be performed.
- (f) **Authority having jurisdiction (AHJ).** The governmental unit or agency responsible for administration and enforcement of the Uniform Code.
- (g) **Building.** Any structure used or intended for supporting or sheltering any use or occupancy. The term "building" shall not include a "temporary greenhouse".
- (h) **Code enforcement official.** The officer or other designated authority charged with the administration and enforcement of the Uniform Code, or a duly authorized representative.
- (i) **Occupancy classification.** The occupancy classification of a subject building or subject space as determined in accordance with Chapter 3 of the 2015 IBC.
- (j) **NFPA 58.** The 2014 edition of the Liquefied Petroleum Gas Code, published by the National Fire Protection Association.
- (k) **Permit.** A permit or renewed permit issued for a temporary alternative use in accordance with this Part.
- (l) **Subject building.** A building, including agricultural buildings, for which a permit is issued in accordance with this Part.
- (m) **Subject space.** The room(s) and/or space(s) in the subject building where a temporary alternative use is conducted and a permit issued in accordance with this Part. If the temporary alternative use is conducted in the entire building, the "subject space" shall include the entire building.
- (n) **Temporary alternative use.** The temporary use of a subject building or subject space for a purpose not consistent with the existing occupancy classification of such subject building or subject space.
- (o) **Temporary greenhouse.** Specialized agricultural equipment having a framework covered with demountable polyurethane materials or materials of polyurethane nature and lacking a permanent and continuous foundation, which is specifically designed, constructed and used for the culture and propagation of horticultural commodities. A "temporary greenhouse" may include, but is not limited to, the use

of heating devices, water and electrical utilities, and supporting poles embedded in non-continuous concrete.

- (p) **Uniform Code.** The Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law.
- (q) **Uniform Code Supplement.** The publication entitled Uniform Code Supplement published by the New York State Department of State.

Section 1228.5 Permit required.

No existing building or any portion thereof shall be used for any temporary alternative use unless a permit or renewed permit has been issued in accordance with this Part.

Section 1228.6 Conditions to be satisfied before a permit is issued.

A permit shall not be issued until each of the following conditions have been satisfied:

- (a) The subject building or subject space has a valid certificate of occupancy, is classified as an agricultural building, or is otherwise legally occupied;
- (b) The subject building and each subject space comply with all operational and maintenance requirements of the Uniform Code applicable to the existing occupancy classification of such subject building or subject space;
- (c) No part of the subject building is subject to any outstanding notice of violation, order to remedy, or action or proceeding based on any alleged Uniform Code violation;
- (d) The subject building and each subject space have an existing occupancy classification in one or more of the following Groups:
 - (1) Assembly Group A, excluding casinos and similar gaming areas, amusement arcades, special amusement buildings, bowling alleys, amusement park structures, bleachers, grandstands, and stadiums;
 - (2) Business Group B;
 - (3) Factory Industrial Group F-1 Moderate-Hazard, excluding uses other than those that most nearly resemble bakeries, beverage factories (over 16-percent alcohol content), food processing establishments and commercial kitchens that are more than 2,500 square feet (232 m²) in area and not associated with restaurants, cafeterias, and similar dining facilities;
 - (4) Factory Industrial Group F-2 Low-hazard, excluding uses other than those that most nearly resemble beverage factories (up to and including 16-percent alcohol content);
 - (5) Low-hazard storage, Group S-2, excluding uses other than those that most nearly resemble beverage storage (up to and including 16-percent alcohol in metal, glass or ceramic containers), food products, foods in noncombustible containers, fresh fruits and vegetables in non-plastic trays or containers, or glass bottles either empty or filled with noncombustible liquids, or;
 - (6) Utility and Miscellaneous Group U, excluding uses other than those that most nearly resemble agricultural buildings, barns, and greenhouses. In no instance will a temporary greenhouse nor any part thereof be used as a subject building.
- (e) Each proposed temporary alternative use will have an occupancy classification in one or more of the following groups:
 - (1) Assembly Group A (excluding nightclubs and special amusement buildings),
 - (2) Business Group B, or

- (3) Mercantile Group M (excluding motor fuel-dispensing facilities).
- (f) The occupant load of the subject building and all subject spaces where the temporary alternative use is being conducted shall not exceed:
 - (1) 150 persons calculated in accordance with section 1004.1 of the 2015 IFC; and
 - (2) The capacity of the means of egress system determined in accordance with subdivision (d) of section 1228.17 of this Part.
- (g) An inspection has been conducted in accordance with section 1228.9 of this Part;
- (h) Agricultural products stored in and adjacent to the subject building comply with subdivision (f) of section 1228.14 of this Part;
- (i) The fire service features described in section 1228.15 of this Part have been provided;
- (j) Rooms or areas within the subject building or outside adjacent areas that are not associated with the temporary alternative use shall be secured from entry when deemed a hazard by the code enforcement official; and
- (k) The subject building, each subject space, and each temporary alternative use must comply with all applicable requirements of this Part.

Section 1228.7 Maximum duration of permit.

The duration of a permit shall not exceed 60 days, consecutive or otherwise, within a twelve (12) month period. The cumulative duration of all permits, including renewed permits, issued for a subject building or subject space shall not exceed 60 days, consecutive or otherwise, within a twelve (12) month period. A permit may limit the hours of a calendar day during which the temporary alternative use is allowed.

Exception: The duration of a permit allowing the temporary alternative use of a subject space for mercantile purposes shall not exceed 180 days within a twelve (12) month period, provided that such subject space is less than or equal to 400 square feet (37.16 m²) and:

- (i) the conditions relevant to the original issuance of the permit remain substantially unchanged throughout the duration of the permit;
- (ii) the subject building, subject space, and temporary alternative use remain in compliance with the applicable provisions of this Part; and
- (iii) the code enforcement official inspects the subject building and subject space periodically throughout the duration of the permit and determines that conditions (i) and (ii) remain satisfied.

Section 1228.8 Application for permit.

Before commencing a temporary alternative use in a subject building or subject space, the owner of the subject building or the owner's duly authorized representative shall obtain from the authority having jurisdiction a permit for such temporary use.

As part of the process of applying for such permit, the building owner or the duly authorized representative shall provide the authority having jurisdiction with the following information:

- (a) the name, address, and relevant contact information of the owner of the subject building and, if the applicant is not the owner of the subject building, the name, address, and relevant contact information of the applicant and the relationship of the applicant to the owner;

- (b) the address of the subject building (or, if the subject building has no address, the location of the subject building);
- (c) the existing occupancy classification and use of the subject building and each subject space;
- (d) each proposed temporary alternative use and proposed occupancy classification(s);
- (e) the proposed occupant load of the subject building or subject space(s) for the temporary alternative use;
- (f) the date or dates of each proposed temporary alternative use;
- (g) any other information that the authority having jurisdiction may reasonably request for the purpose of determining whether or not the subject building, each subject space, and each proposed temporary alternative use comply with the requirements of this Part.

A fire safety plan and public safety plan shall be submitted with the application for a permit when required by section 1228.10 or subdivision (a) of 1228.15 of this Part.

Section 1228.9 Inspection.

Prior to the issuance of a permit or renewed permit, the code enforcement official shall inspect the subject building and each subject space to determine if said building, space, proposed temporary alternative use, and fire safety and public safety plans (if required) comply with the requirements of this Part. Such inspection shall not reveal any defect or condition which, in the opinion of the code enforcement official, would jeopardize the health or safety of the occupants of the subject building or the general public if the temporary alternative use were permitted. The code enforcement official may require an evaluation of the subject building or any subject space by a design professional when conditions warrant.

All health and safety issues identified by the inspection shall be remedied prior to a permit being issued. All remedies performed shall comply with the applicable provisions of the Uniform Code.

The provisions of this Part shall not be deemed to be a limitation on the administration and enforcement duties and powers of the authority having jurisdiction. Inspections shall include but shall not be limited to:

- (a) the means of egress;
- (b) the separation of combustibles from ignition sources;
- (c) housekeeping;
- (d) storage;
- (e) the presence of dangerous or hazardous processes, materials, and conditions;
- (f) structural evaluation when conditions warrant, such as for agricultural buildings that may have been exempt from certain provisions of the Uniform Code;
- (g) evaluation of the existing and proposed floor loads;
- (h) exposed portions of mechanical, electrical, and plumbing systems.
- (i) portions of the subject building, subject spaces, and outside adjacent areas that must be secured from entry during the temporary alternative use;
- (j) sanitary conditions; and
- (k) the fire service features identified in section 1228.15 of this Part.

Section 1228.10 Fire safety plan and public safety plan.

A written fire safety plan shall be submitted to the code enforcement official as part of a permit application when the occupant load resulting from the temporary alternative use of the

subject building or any subject space is 50 or more people or when fire protection water supply in accordance with subdivision (c) of section 1228.15 of this Part is not provided. Occupant load calculations shall be in accordance with section 1004.1 of the 2015 IFC.

The fire safety plan shall be in accordance with section 404.2.2 of the 2015 IFC and shall include the following:

- (a) the subject building's approved address number or approved building identification;
- (b) a site and floor plan indicating the seating capacity and arrangement, and the location of all heating systems; and
- (c) the location of the emergency telephone.

A copy of the approved fire safety plan and public safety plan (when required) shall be provided to the fire watch personnel (when required) and shall be posted in a conspicuous place in each subject space for reference and review by occupants for the duration of the permit.

Section 1228.11 Content and Posting of Permit.

Each permit shall be posted in a conspicuous location in each subject space throughout the duration of the permit and shall specify:

- (a) The name of the owner of the subject building. If the permit holder is not the owner of the subject building, the name address, and relevant contact information of the permit holder;
- (b) The address or other approved building identification of the subject building;
- (c) Each temporary alternative use and associated occupancy classification;
- (d) Description and location of each subject space;
- (e) The occupant load of each subject space during the time(s) a temporary alternative use is conducted;
- (f) Whether or not a fire safety plan or public safety plan are in place;
- (g) Fire watch requirements (if any);
- (h) The date or dates each temporary alternative use is allowed to be conducted; and
- (i) Any time limitations during which the temporary alternative use is allowed to be conducted.

Section 1228.12 Renewed permits.

Permits may be renewed upon terms and conditions substantially similar to the original permit. The applicant shall provide the code enforcement official with such information and documentation that the authority having jurisdiction may reasonably request for the purposes of determining if a subject building or subject space qualifies for a renewed permit

Prior to issuing a renewed permit, the code enforcement official shall perform an inspection as described in section 1228.9 of this Part and determine that:

- (a) all circumstances and conditions relevant to the issuance of the original permit remain substantially unchanged; and
- (b) the subject building, each subject space, and each temporary alternative use continue to comply with all provisions and requirements of this Part.

Section 1228.13 Revocation.

Periodic inspections shall be conducted throughout the duration of a permit. The code enforcement official may revoke a permit if:

- (a) any condition relevant to the issuance of a permit has changed, or
- (b) the subject building, any subject space, or any temporary alternative use is not in compliance with any applicable requirement of this Part.

Section 1228.14 General precautions against fire.

(a) **Open-flame decorative devices.** The use of open-flame decorative devices in the subject building and every subject space is prohibited.

(b) **Cooking operations.**

(1) **Open-flame devices.** The use of flammable solids, butane, or other similar devices that do not pose an ignition hazard shall be permitted for heating food, cooking demonstrations, or other similar purposes.

(2) **Outdoor cooking.** Outdoor cooking that produces sparks or grease vapors shall not be performed within 20 feet (6096 mm) of the subject building or any subject space.

(c) **Open burning.** Open burning shall not be performed within 50 feet (15240 mm) of the subject building or any subject space.

(d) **Smoking.** The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material in the subject building or any subject space is prohibited.

(e) **Highly combustible goods.** The display of highly combustible goods in main exit access aisles, corridors, covered and open malls, or within 5 feet (1524 mm) of entrances to exits and exterior exit doors is prohibited where a fire involving such goods would prevent or obstruct egress. Highly combustible goods shall include but shall not be limited to flammable or combustible liquids, liquefied flammable gases, oxidizing materials, pyroxylin plastics and agricultural goods.

(f) **Agricultural products.** The storage of hay, straw, seed cotton or similar agricultural products in the subject building shall be prohibited during the period of temporary alternative use. The storage of such agricultural products adjacent to the subject building shall also be prohibited unless a clear horizontal distance equal to the height of a pile is maintained between such storage and the subject building. Storage shall be limited to stacks of 100 tons (91 metric tons) each. Stacks shall be separated by a minimum of 20 feet (6096 mm) of clear space. When the subject building is an agricultural building located outside closely built areas, quantities of hay, straw, seed cotton, and other agricultural products stored in or near such structure shall be subject to the provisions and limitations of this subdivision during the period of temporary alternative use allowed by the permit. The provisions and limitations of this subdivision shall apply without regard to the occupancy classification and location of the subject building or subject space.

(g) **Fireworks, pyrotechnic displays, and sparkling devices.** Fireworks, pyrotechnic displays, and sparkling devices shall not be permitted in the subject building, any subject space, or within 20 feet of the exterior.

(h) **Fire watch personnel.**

(1) **When required.** The owner, lessee, or operator of the subject building shall provide fire watch personnel when, in the opinion of the code enforcement

official, providing such personnel is reasonably necessary to protect the occupants of the subject building or subject space during the temporary alternative use. In determining whether fire watch personnel are to be required, the code enforcement official shall consider factors including, but not limited to, the number of occupants of the subject building or subject space during the period of temporary alternative use, the type and degree of hazard associated with the temporary alternative use, and the presence or absence of permanently installed fire protection equipment.

(2) Number and qualifications. The code enforcement official shall specify the number of fire watch personnel to be provided as well as their qualifications.

(3) Duties. Fire watch personnel shall remain on duty during the period of temporary alternative use and shall keep watch for fires, obstructions to the means of egress, and other hazards. Fire watch personnel shall promptly extinguish fires, prevent and correct hazardous conditions, and assist with the evacuation of the subject building or subject space in the event of a fire or other emergency.

Section 1228.15 Fire service features.

(a) Emergency responder access. Approved access shall be provided to the subject building. Fire apparatus access roads, where provided, shall be in accordance with section 503 and Appendix D of the 2015 IFC. Where fire apparatus access roads are not provided, a public safety plan for gatherings shall be provided if deemed necessary by the fire code official. Said plan shall be in accordance with section 403.12.2 of the 2015 IFC.

(b) Premises identification. Where applicable, the subject building shall be identified in accordance with section 505 of the 2015 IFC.

(c) Fire protection water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to the subject building in accordance with section 507 of the 2015 IFC. Where the subject building or any subject space is not served by an adequate and reliable water supply system, the fire code official is authorized to approve the use of NFPA 1142.

(d) Carbon Monoxide Detection. The subject spaces of an agricultural building, Storage Group S building, or Utility and Miscellaneous Group U building, which would have otherwise been exempt from the carbon monoxide detection requirements of the Uniform Code, shall be required to comply with the provisions for existing commercial buildings of section 915.3 of the 2015 IFC.

(e) Smoke alarms. Smoke alarms shall be required in all subject spaces where a fire alarm system is not present or where the subject building is an agricultural building. Smoke alarms shall be in accordance with sections 907.2.11.3, 907.2.11.4, and 907.2.11.6 of the 2015 IFC. Single- and multiple-station smoke alarms shall comply with UL 217 and shall be installed in accordance with sections 907.2.11.1 through 907.2.11.6 and NFPA 72. Smoke alarms that are solely battery operated shall be allowed to be installed in:

(1) Existing buildings not undergoing construction;

(2) Existing buildings that are not served by a commercial power source; and

(3) Areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is

an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.

(f) Portable fire extinguishers. Portable fire extinguishers shall be provided in each subject space during the period of temporary alternative use where an automatic sprinkler system is not provided. The requirements for portable fire extinguishers shall be as specified in section 906 of the 2015 IFC.

(g) Emergency telephone service. A readily accessible emergency telephone shall be provided in an approved location. The subject building's approved address number or approved building identification and the telephone number of the fire department shall be posted adjacent to the telephone.

Section 1228.16 Equipment.

(a) General. Equipment required by this Part or by any other provision of the Uniform Code shall be listed and labeled for the application which it is intended.

(b) Cooking equipment.

(1) Installation and use. Each cooking appliance in the subject space that may be used during the period of temporary alternative use shall be installed and used in accordance with the manufacturer's instructions, the appliance's listing and labeling terms, and any other applicable provision of the Uniform Code.

(2) Portable fire extinguishers for commercial cooking equipment. Portable fire extinguishers shall be within a 30-foot (9144 mm) travel distance of commercial-type cooking equipment in each subject space. Cooking equipment involving vegetable oil, animal oil, or fats shall be protected by Class K rated portable extinguishers.

(3) Type I hoods required in subject spaces. A type I hood shall be installed above all permanently installed commercial cooking appliances and domestic cooking appliances that produce grease vapor.

(4) Cooking appliances. Portable cooking appliances that produce grease vapors are prohibited in subject spaces.

(c) Temporary heating equipment.

(1) Portable unvented heaters. The use of portable, unvented fuel-fired heating equipment shall be prohibited in subject spaces.

(2) Portable, electric space heaters. Portable, electric space heaters used in any subject space shall comply with section 605.10.1 through section 605.10.4 of the 2015 IFC.

(d) Liquefied petroleum-gases. The storage, handling and use of liquefied petroleum gas (LP-gas) and LP-gas equipment and appliances in any subject space shall comply with Chapter 61 of the 2015 IFC.

(1) Portable LP-gas containers in buildings. Portable LP-gas containers shall not be permitted in the subject building or any subject space.

Exceptions:

(i) Portable LP-gas containers. Portable LP-gas containers shall be allowed to supply approved, self-contained torch assemblies or similar appliances. Such containers shall not exceed a water capacity of 2.5 pounds (1 kg).

(ii) Use for food preparation. When approved, listed LP-gas commercial food service appliances shall be allowed for the preparation of food in restaurants and attended commercial food-catering operations in accordance with the 2015 IFGC, the 2015 IMC, and NFPA 58.

(e) Portable generator separation and isolation. Portable generators and other internal combustion power sources shall be separated from the subject building by a minimum of 20 feet (6096 mm). A fence, enclosure, or other approved method shall be used to isolate the portable generator from the occupants and the public.

Section 1228.17 Means of egress.

The means of egress in the subject building and each subject space shall be maintained in accordance with section 1031 of the 2015 IFC and shall conform to the following requirements.

- (a) Exit discharge locations.** The maximum travel distance from any point within the subject building or subject space to an exit discharge shall not exceed 75 feet (22 860 mm).
- (b) Alternative egress doors.** Overhead doors (garage type), sliding doors, and similar alternatives to side-hinged swinging doors shall be permitted within the means of egress system of a subject building or subject space, provided that they remain fully open and are secured to prevent them from being closed during the temporary alternative use.
- (c) Locks and latches.** Egress doors shall be readily operable from the egress side without the use of a key or special knowledge or effort, except as permitted by section 1010.1.9.3 of the 2015 IFC.
- (d) Capacity of means of egress.** The occupant load of the subject building or portion thereof shall not exceed the capacity of the means of egress from said building or portion thereof. Occupant load shall be calculated as provided in section 1004.1 of the 2015 IFC. Capacity of the means of egress shall be calculated as provided in sections 1005.1 and 1006.3.1 of the 2015 IFC.
- (e) Posting of occupant load.** Every subject space that is an assembly occupancy shall have the occupant load of the subject space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved, legible, permanent design and shall be maintained by the owner or authorized agent.
- (f) Overcrowding.** Overcrowding or admittance of any person beyond the approved capacity of the subject building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition that constitutes a life safety hazard, may stop an event until such condition or obstruction is corrected. The building owner or authorized agent shall be responsible to ensure buildings, or portions thereof, are not overcrowded.
- (g) Elevators, escalators and moving walks.** Elevators, escalators and moving walks shall not be used as a component of a required means of egress.

Exceptions:

- (i) Elevators used as an accessible means of egress where allowed by section 1009.4 of the 2015 IFC.**

(ii) Previously approved elevators, escalators and moving walks in existing buildings.

(h) Exit signs. Exit signs shall comply with the following requirements:

(1) Where required. Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. The path of egress travel to exits and within exits shall be marked by readily visible exit signs to clearly indicate the direction of egress travel in cases where the exit or the path of egress travel is not immediately visible to the occupants. Intervening means of egress doors within exits shall be marked by exit signs. Exit sign placement shall be such that no point in an exit access corridor or exit passageway is more than 100 feet (30 480 mm) or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign.

Exceptions:

(i) Exit signs are not required in rooms or areas that require only one exit or exit access.

(ii) Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the fire code official.

(iii) In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting is provided to identify each vomitory or opening within the seating area in an emergency.

(2) Graphics. Every exit sign and directional exit sign shall meet the requirements of section 1013.6.1 of the 2015 IFC.

(3) Stairway exit signs. A tactile sign stating "EXIT" and complying with ICC/ANSI A117.1 shall be provided adjacent to each door to an egress stairway.

(4) Exit sign illumination. Exit signs shall be internally or externally illuminated. The face of an exit sign illuminated from an external source shall have an intensity of not less than 5 foot-candles (54 lux). Internally illuminated signs shall provide equivalent luminance and be listed for the purpose.

Exceptions:

(i) Approved self-luminous exit signs that provide evenly illuminated letters shall have a minimum luminance of 0.06 foot-lamberts (0.21cd/m²).

(ii) Tactile signs required by section 1013.4 of the 2015 IFC need not be provided with illumination.

(5) Power source. Exit signs shall be illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with section 604 of the 2015 IFC.

Exception: Approved exit sign illumination means that provide continuous illumination independent of external power sources for a

duration of not less than 90 minutes, in case of primary power loss, are not required to be connected to an emergency electrical system.

- (i) **Means of egress illumination.** Illumination shall be provided in the means of egress in accordance with paragraph (1) of this subdivision. Under emergency power, means of egress illumination shall comply with paragraph (2) of this subdivision.

(1) **Illumination required.** The means of egress serving a room or space shall be illuminated at all times that the room or space is occupied.

Exception: Aisle accessways in proposed Group A occupancies.

(i) **Illumination level under normal power.** The means of egress illumination level shall be not less than 1 footcandle (11 lux) at the walking surface.

Exception: For auditoriums, theaters, concert or opera halls and similar assembly occupancies, the illumination at the walking surface is permitted to be reduced during performances by one of the following methods provided that the required illumination is automatically restored upon activation of the fire alarm system of the premises:

(a) Externally illuminated walking surfaces shall be permitted to be illuminated to not less than 0.2 footcandle (2.15 lux),

(b) Steps, landings and the sides of ramps shall be permitted to be marked with self-luminous materials in accordance with sections 1025.2.1, 1025.2.2 and 1025.2.4 of the 2015 IFC by systems listed in accordance with UL 1994.

(2) **Emergency power for illumination.** The power supply for means of egress illumination shall comply with sections 1008.3 through 1008.3.5 of the 2015 IFC.

(i) **Maintenance.** The emergency power system shall be maintained in accordance with section 604 of the 2015 IFC.

- (j) **Means of egress arrangement.** Components of the required means of egress shall be unobstructed at all times.

- (k) **Aisles.** The minimum width of aisles and aisle accessways serving as a portion of the exit access in the means of egress system shall comply with one of the following:

(1) Forty-two inches (1067 mm) for level or ramped aisles having seating on both sides.

Exceptions:

(i) Thirty-six inches (914 mm) where the aisle serves less than 50 seats.

(ii) Thirty inches (762 mm) where the aisle does not serve more than 14 seats.

(2) Thirty-six inches (914 mm) for level or ramped aisles having seating on only one side.

Exception: For other than ramped aisles that serve as part of an accessible route, 30 inches (762 mm) where the ramped aisle does not serve more than 14 seats.

(3) In Group B and M occupancies, the minimum clear aisle width shall be determined by Section 1005.1 of the 2015 IFC for the occupant load served, but

shall not be less than that required for corridors by Section 1020.2 of the 2015 IFC.

Exception: Nonpublic aisles serving less than 50 people and not required to be accessible by Chapter 11 of the 2015 IBC need not exceed 28 inches (711 mm) in width.

- (l) **Aisle accessway width.** The minimum width of aisle accessways serving non-fixed tables shall comply with Section 1029.12.1.1 of the 2015 IFC. The minimum width of aisle accessways serving non-fixed chairs shall comply with 1029.12.2 through 1029.12.2.2 of the 2015 IFC.
- (m) **Aisle accessway length.** The length of travel along the aisle accessway serving non-fixed tables shall comply with Section 1029.12.1.2 of the 2015 IFC.
- (n) **Handrails.** Handrails shall be provided in accordance with the following requirements:
 - (1) **Ramp handrails.** Ramps with a rise greater than 6 inches (152 mm) shall have handrails on both sides complying with section 1014 of the 2015 IFC.
 - (2) **Stairway handrails.** Stairways shall have handrails on at least one side. Handrails shall be located so that all portions of the stairway width required for egress capacity are within 44 inches (1118 mm) of a handrail.

Exception: Aisle stairs provided with a center handrail are not required to have additional handrails.
 - (3) **Height.** Handrail height, measured above stair tread nosing, shall be uniform, not less than 30 inches (762 mm) and not more than 42 inches (1067 mm).
- (o) **Stairway discharge identification.** An interior exit stairway or ramp that continues below its level of exit discharge shall be arranged and marked to make the direction of egress to a public way readily identifiable.

Exception: Stairways that continue one-half story beyond their levels of exit discharge need not be provided with barriers where the exit discharge is obvious.
- (p) **Exit Discharge.** The exit discharge from an agricultural building shall comply with section 1028 of the 2015 IFC.

Section 1228.18 Plumbing facilities and fixture requirements.

Plumbing facilities and fixtures in the subject building shall be in accordance with the requirements of the Uniform Code and this section. Where a temporary alternative use is not specifically described in Table 403.1 of the 2015 IPC, such use shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved, as determined by the code enforcement official. Where this section or other referenced section of the Uniform Code specifies different requirements, this section shall be applicable.

- (a) **Toilet facilities.** Portable restrooms that include water closets with lavatories (or hand sanitizers in lieu of lavatories) shall be permitted as toilet facilities and may be provided to satisfy the requirements of this section. When portable restrooms are provided, at least one shall be accessible.
- (b) **Location of toilet facilities.** Travel distance to toilet facilities shall not exceed 500 feet and shall be located on an accessible route. Toilet facilities may be located in adjacent buildings that are under the same ownership or control as the subject building or subject space.

(c) Required toilet facilities for temporary alternative uses in Group A occupancies.

(1) For occupant loads of less than 50, at least one toilet facility shall be provided.

(2) For occupant loads between 50 and 150, at least two toilet facilities shall be provided.

(d) Private sewage disposal systems. Where a subject building is served by a private sewage disposal system, said system shall have the capacity to serve the temporary alternative use or portable restrooms provided in accordance with this section.

Section 1228.19 Agricultural buildings.

Without limiting the generality of section 1228.3 of this Part and notwithstanding any other provision of the Uniform Code that may make certain provisions of the Uniform Code inapplicable to agricultural buildings, all provisions of this Part and all other provisions of the Uniform Code referenced by this Part shall apply to all buildings, including agricultural buildings, in which any temporary alternative use is to be conducted.

(a) Accessibility. Accessibility shall be provided in accordance with section 1012.8.2 of the 2015 International Existing Building Code (IEBC).