City of Ketchum

Building division

480 East Ave. North

Ketchum, Id. 83340

208-726-7802

Fax 208-726-7812

September 13, 2011

To: Commercial Building Owner and Real Estate Agent

Rd: Building Code Requirements for Existing Commercial Buildings and Spaces

As Building Official for the City of Ketchum, I would like this time to address the code requirements as set forth in the **2009 International Building Code (I.B.C.)** that the State of Idaho and the City of Ketchum have adopted in regards to accessibility for people with a physical disability in existing buildings. The two most common scenarios are **"a Change of Occupancy"** and an**"Alteration or Remodel" to a space or building.**

A **"Change of Occupancy"** occurs when the use of the space changes from one classification to another. Two common examples would be a residence (R3 occupancy) changing to an office (B occupancy) use or a restaurant (A1 or A2 occupancy) changing to a retail use (M occupancy). Please remember that the change in use does trigger certain life safety, structural safety, and accessibility requirements. Other issues related to the structure such as where the structure is located in relation to property lines can also be a consideration depending on the proposed use and /or any special needs associated with the property.

An "**Alteration or Remodel**" of a space can be something as small as removing or constructing an interior wall or something larger such as adding, gutting/rebuilding, or an addition creating new space.

Here are some QUESTIONS AND ANSWERS that may help

Q: Can I move into a building/tenant space prior to obtaining a Certificate of Occupancy or Certificate of compliance?

A: NO, the occupying of any building/structure and/or tenant space is prohibited until a Certificate of Occupancy/Certificate of Compliance has been received from the Ketchum Building Safety Division/Ketchum Fire Department(regardless if improvements/remodeling is being done or not)

Q: If I am a new tenant moving into an existing tenant space and I am not doing any improvements, do I need a permit?

A: The answer to this question in not a simple Yes or No. If you are an existing tenant and you are not doing any improvements with in the space, you are still required to contact the Building Safety Division and fill out the application for a Certificate of Compliance. Plan Review staff will determine if you are a "Change of Occupancy/Use" or not. If you are determined to be a Change of Occupancy/Use, you WILL be required to file for a Building Permit (Occupancy Permit) and go through the review process. If you are determined to not be a Change of Occupancy/Use, you will then be sent with your completed Certificate of Compliance form signed off by Building, Planning Divisions & Ketchum Fire Department.

Q: Is there a minimum sheet size for submittal of plans?

A: All plans will be submitted electronically by a Design Professional into DOX, the same process as required for BUILDING PERMITS. This will not be required when there is **NO** change in Occupancy/Use.

Q: Do I need a set of plans stamped by an Architect for a tenant improvement?

A: Yes exceptions to this requirement **may** be given based on the scope of work.

Q: Can I start construction prior to the permit being issued?

A: NO. No work is permitted until the appropriate permits have been issued.

Q: I am a new tenant moving into an existing tenant space. I am not a change of occupancy classification, and I am not doing any improvements. Also, I am permitted in that zoning district to operate this type of business. Are there any other restrictions that may require me to obtain a building permit, or have special requirements?

A: Possibly. For instance, you may not be a change of occupancy, but if you increasing the "HAZARD" level of a use, you may have additional requirements. Example: The previous business was a storage/office use. Your proposed business is also going to be a storage/office use. However, you will have some high-piled combustible storage, or may have some storage of hazardous chemicals. This would require special requirements, and therefore, may need to have plans submitted and a review done.

Q: If I am doing any electrical, plumbing and/or mechanical work, do I need permits?

A: Yes. Separate permits are required through the State of Idaho.

There are specific code requirements that must be met PRIOR to legally opening up a business in the City Limits. Applying for and obtaining a Ketchum Business license is just one of them. Before a business license can be issued, the building division, Ketchum Fire, and Planning and Zoning will need to perform an inspection of the building or tenant space to verify compliance with the building code and issue a Certificate of Occupancy.

The next page of this document outlines basic requirements for both of these scenarios. **Please note, if your business is a Change of Occupancy AND involves any sort of alterations or remodel, then code requirements from both categories may apply to your place of business.**

CERTIFICATE OF OCCUPANCY

I.B.C. Section 3408.1

3408.1 Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies. Subject to the approval of the *building official*, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

I.B.C. Section 3408.2

3408.2 Certificate of occupancy. A certificate of occupancy shall be issued where it has been determined that the requirements for the new occupancy classification have been met.

I.B.C. Section 3408.4.2

3411.4.2 Complete change of occupancy.
Where an entire building undergoes a change of occupancy, it shall comply with Section 3411.4.1 and shall have all of the following *accessible* features:
1. At least one *accessible* building entrance.
2. At least one *accessible* route from an *accessible* building entrance to *primary function* areas.
3. Signage complying with Section 1110.
4. Accessible parking, where parking is being provided.
5. At least one *accessible* passenger loading zone, when loading zones are provided.
6. At least one *accessible* route connecting *accessible* parking and *accessible* passenger loading zones to an *Accessible* entrance.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

I.B.C. Section 3411.7

3411.7 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*.

This is not usually a factor in newer building as they are already code compliant, however in older building there are usually deficiencies where this money can be used towards upgrades.

Please request a "Change of Occupancy" inspection by the Ketchum Fire Department, at 208-726-7805 the Planning and Zoning at 208-725-7801, and Building Division at 208-725-7802. Please include in your application your expected use of signage. For questions regarding Business License Applications please contact Kathleen Schwartzenberger at 208-726-3841.

If you have any questions regarding codes or City ordinances applicable to existing buildings, please don't hesitate to contact Cedric "Suds" Knehans at 208-726-7802.

Application Number: _____

CITY OF Ketchum

Certificate of Compliance Application

for Existing Commercial/Industrial Buildings and/or Tenant Spaces

480 East Ave. North, Ketchum, ID 83340
Ph- (208) 726-7802 Fax - (208) 726-7812
Cedric "suds" Knehans, Building Safety Division

OFFICE USE ONLY

Prior Use: _____ **Intended Use:** _____

Prior Occ. Class: _____ **Determined Occ. Class** _____

Change of Occupancy: Yes ☐ No ☐

Permit Required: Yes ☐ No ☐

_____ _____
Building Dept. Signature (Req'd) Date

Proposed Land Use Permitted: Yes ☐ No ☐

_____ _____
Planning Dept. Signature (Req'd) Date

OFFICE USE ONLY: Routed to: Bldg ☐ Planning ☐ Fire ☐

Additional Department (s) Comments:

_____

_____

PROJECT INFORMATION

Project Address : _____

Previous **Business Name at this location:** _____

Describe the type of use of the *previous* **business:** _____

Proposed **Business Name at this location:** _____

Describe the type of use of the *proposed* **business:** _____

PROJECT SPECIFICS (Every Blank MUST be filled in)

1. Does the proposed use involve welding? Yes ☐ No ☐
2. Does the proposed occupancy involve the use/storage of chemicals or hazardous materials Yes ☐ No ☐
3. Will there be any alterations and/or remodeling done to the existing space? Yes ☐ No ☐
   If yes, Describe the type of alterations and/or improvements _____
   _____
   If Yes, please refer to the "Tenant Improvement" Guideline Submittal Packet.
4. Are you planning on installing a paint/spray booth within/outside the building? Yes ☐ No ☐
5. If the use is a cabinet shop, is there an existing dust collection system: Yes ☐ No ☐
6. If the use is a restaurant, is the seating layout being changed? Yes ☐ No ☐
   Will there be more seating then the prior use? Yes ☐ No ☐
7. Will there be kitchen equipment added? Yes ☐ No ☐ 8. Is a Type I/Type II hood being added? Yes ☐ No ☐
8. If this is a salon, will services include doing nails? Yes ☐ No ☐
9. Is any of the following being remodeled, repaired, and/or added? Yes ☐ No ☐
10. Is this a residence being converted to commercial? Yes ☐ No ☐
    If Yes, Please refer to the "Residential Conversion to Commercial" Guideline Submittal Packet.
11. Will there be any high piled combustible storage? Yes ☐ No ☐
12. Will there be any electrical, plumbing and/or mechanical work being done? Yes ☐ No ☐

Applicant

Name:		**Contact Person Name:**		
Address:		City	State	Zip:
Phone:	Fax:	Mobile:	E-Mail:	

CITY OF KETCHUM
Certificate of Compliance Application for Existing Commercial/Industrial Buildings and/or Tenant Spaces

Declaration

I hereby certify that I have read and examined the application and have answered the above questions truthfully to the best of my knowledge. All provisions of the laws and ordinances governing this work will be complied with, whether specified or not.

I also understand that I may have additional requirements for life safety as required by the City of Ketchum Fire Department and/or the City of Ketchum Building Department.

Name (Please Print): _____

Signature: _____ **Date** _____

FIRE DEPARTMENT OFFICE USE

1. Proper Fire Extinguisher type/mounting/tags Yes ☐ No ☐
2. Fire Alarm Required? Yes ☐ No ☐ Installed? Yes ☐ No ☐ In Compliance? Yes ☐ No ☐
3. Fire Sprinklers Required? Yes ☐ No ☐ Installed? Yes ☐ No ☐ In Compliance? Yes ☐ No ☐
4. Know Box Required? Yes ☐ No ☐ Installed? Yes ☐ No ☐
5. 4" Address Numbers? Yes ☐ No ☐
6. Exit Signs in Place? Yes ☐ No ☐ Illuminated? Yes ☐ No ☐
7. Emergency Lighting Req'd? Yes ☐ No ☐ Installed? Yes ☐ No ☐ Operational? Yes ☐ No ☐
8. Proper Exit Number? Yes ☐ No ☐ Proper Width? Yes ☐ No ☐ Exit Path Obstructions? Yes ☐ No ☐
9. Exit Doors Swing Out? Yes ☐ No ☐ N/A ☐ Work Properly? Yes ☐ No ☐
10. Panic Hardware Req'd? Yes ☐ No ☐
11. UL-300 Range Hood Extinguishing System Required? Yes ☐ No ☐ Installed? Yes ☐ No ☐
    In Compliance? Yes ☐ No ☐
12. Exposed Asphalt Kraft Paper backing on insulation: Yes ☐ No ☐

ADDITIONAL FIRE DEPARTMENT COMMENTS:

_____

_____

_____

_____

_____ _____

Fire Department Signature Date

Certificate of Compliance Approved?: Yes ☐ No ☐