

CODE SOLUTION

BUILDING

When Does Alteration Become New Construction?

Issue:

The partial demolition and reconstruction of portions of existing structures is often seen as an alteration. However, at some point the level of demolition and reconstruction may leave little of an existing structure remaining. The International Building and Residential Codes do not define “new construction.” At what point must the requirements for new construction be applied?

Solution:

When regulating (non-conforming) existing structures, the Philadelphia Zoning Code states:

“. . . a repair shall be defined as any one of the following: (a) interior work which does not result in increased gross floor area; (b) the replacement of up to two-thirds of the structural framing members when work involves the replacement of any portion of the exterior wall; or (c) the replacement of portions of nonconforming structures in their original footprint or height.”

All work exceeding the threshold of a repair must comply with the requirements of the Code for complete reconstruction.

It is important to apply consistent application of our codes, particularly where such codes intersect. Therefore, the Department applies the same criteria as the Zoning Code in determining when alteration becomes new construction.

The new construction provisions of the building codes apply when there is replacement of more than two-thirds of the structural framing when the work also involves the replacement of any portion of the exterior walls.



Code Sections:

14-305(6) Non-Conforming Structures
A-202.6 Policies and procedures

Issued by:

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Date:

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Disclaimer:

This interpretation, policy or code application is intended to provide guidance to staff for consistency of review and is subject to change without notice. Application of this interpretation, policy or code application to specific projects may vary. There may be other ways to comply with the Code. If so, you are not required to use this method. You may want to investigate other options, or consult with a professional identifying an equally code compliant solution.