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FORMAL INTERPRETATION 99-03

DOCUMENT: 2007 / 2002 / 1997 Kentucky Building Code (KBC)

SUBJECT: State and local jurisdiction
Sections 104.1 and 104.2 – 2007 & 2002 KBC
Sections 105.1 and 105.2 – 1997 KBC

QUESTION: In regard to Sections 104.1 and 104.2 of the 2007/ 2002 Kentucky Building Code (105.1 and 105.2 – 1997 KBC), is jurisdiction based on the area (square footage) of the proposed project?

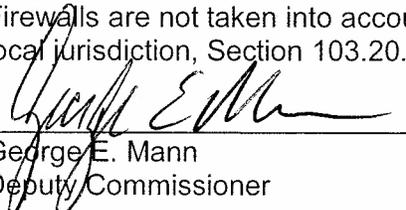
ANSWER: No.

COMMENTARY: To determine local or state plan review and inspection jurisdiction, the occupant load for the entire building would determine jurisdiction. In other words, an office building having an area of 11,000 square foot would have a calculated occupant load of 110 people.

If an addition to a structure increases the occupant load for the total structure to the point where the total occupant load would cause the structure to fall under state jurisdiction, then the addition would fall under state jurisdiction regardless of the size of the addition or whether or not a firewall separates the addition from the existing structure.

Whenever a change of occupancy occurs in an existing building, the occupant load for the new use would determine jurisdiction.

Firewalls are not taken into account when determining whether or not a project is under state or local jurisdiction, Section 103.20.


George E. Mann
Deputy Commissioner

May 31, 2009
Date

Originated January 1999
Revised May 2009