



Issue Date:	June 10, 2008, Revised March 2026
Reference:	2024 International Existing Building Code, Chapter 10 Section 1011
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**The Definition of “Change of Occupancy”
To Minimize the Application of New Code Requirements**

The 2024 International Existing Building Code (IEBC), Section 1011, defines *change of occupancy* as follows: “*The provisions of this section shall apply to buildings or portions thereof undergoing a change of occupancy classification. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group. The provisions of this section shall also apply where there is a change of occupancy within a building or portion thereof and there is a different fire protection system threshold requirement in Chapter 9 of the current International Building Code than exists in the current building or space. Such buildings shall also comply with Sections 1002 through 1010 of this code.*”

Interpretation:

The new code requirements for a change of occupancy pertain only to those items that are required by the new occupancy to be added or altered. Care must be taken to clarify the purpose or level of activity in the building when determining the occupancy classification. As an example, an applicant states that the area altered, which was a card shop, is to be an art gallery. The purpose and level of activity in this example may be the same. The purpose of the card shop is to sell cards, and the purpose of the art gallery is to sell art. The level of activity or number of customers is reduced by the card display stands, which could also be true for the art gallery displaying artwork on stands throughout the space. Both the shop and art gallery are mercantile occupancies.

This policy applies to Tiers 1, 2, and 3 for structures permitted prior to 2000.

Tier 1: 5,000 square foot maximum. This can include an addition to the existing building. The addition cannot exceed 50% of the square footage of the existing building and a combined total of 5,000 square feet.

Tier 2: Greater than 5,000 square feet to 25,000 square feet.

Tier 3: Greater than 25,000 square feet to 100,000 square feet and Large-Scale Commercial Retail as defined in the Zoning Ordinance “big box” (Mercantile Occupancy).