

Things to consider when renovating Existing Buildings:

When do renovations trigger a requirement to bring a building in compliance with the Maryland Accessibility Code (MAC) and exactly how much compliance is required when this happens?

Under the MAC, barriers must be removed (with a few exceptions) regardless of any work being done. Anytime renovations are made to a facility where barriers still exist, 20% of the construction costs must be spent on barrier removal on the path of travel.

- ⇒ An accessible entrance
- ⇒ An accessible route to the altered area
- ⇒ At least one accessible restroom for each sex or one unisex restroom
- ⇒ Accessible telephones
- ⇒ Accessible drinking fountains
- ⇒ When possible, additional accessible elements such as parking, storage, and alarms

Will the current utility systems (water, sewer, and electric services) be capable of performing their intended function under the proposed use?

Depending on the current configuration and services present, you may need to update or upgrade the water, sewer, and electrical systems to meet the demand of a new use. This may require the systems to be brought to the current code requirements, as it is likely additional requirements have gone into effect since the original building or systems were provided.

Will new loads be imposed on the structure? Will there be additional equipment or weight added to the structure?

If the new use of the building will require additional loads, e.g. file cabinets, large food service equipment, or heavy material stock, be placed on existing structural systems of the building, then changes to the structural system to meet the new loading may be required. A licensed design professional will be required to provide the details for any alterations that will be required as part of the renovations.

Will the renovated area be required to meet the International Energy Conservation Code?

Yes. The renovated areas will be required to comply with the requirements for the following items as applicable:

- ⇒ Insulation/ Air sealing/ Building envelope
- ⇒ Fenestration (doors and windows)
- ⇒ Mechanical Systems (equipment and controls)
- ⇒ Electrical systems (fixtures and controls)
- ⇒ Plumbing systems (fixtures and controls)

Will a historic district or Maryland Historic Trust easement cause restriction to the building renovations?

Historic District and Landmark Designations do require that all improvements to the exterior of structures and their settings be reviewed by the City's Historic District Commission, which uses adopted guidelines to review proposed projects for compatibility with the architectural importance of the building and the impact on the district's physical character.

Historic preservation easements are an important tool that ensures that a property's historic and cultural value will be protected in perpetuity. As contractual agreements between a property owner and a qualified organization, preservation easements can safeguard historic homes, farmsteads, archeological sites, historic landscapes and other features. Typically, owners of the easement property agree to relinquish partial development rights, to maintain the property, to provide limited public access, and to obtain prior approval for any changes or alterations.

Will fire protection system requirements be different under a new use classification?

Any alterations shall be done in a manner that maintains the level of fire protection provided, this includes fire separations, exit signage, fire extinguishers, fire alarm and sprinkler systems. A change of use for the building or space may require the addition of or alterations to fire alarm or sprinkler systems to provide adequate coverage and protection for the new use based on the Maryland State Fire Code and the Building Code.

Will the building have hazardous materials?

Asbestos, paint, and cleaning or fire protection materials used during the construction of the original building may have a substantial influence on the renovation project given the laws surrounding these chemicals and their disturbance or removal.

Will the new use change the occupancy classification of the building?

Occupancy groups come with their own set of regulations and code requirements. These requirements are intended to keep everyone who may use the building safe. Changing the use may require changes to the building based on the new occupancy classification.

Change of Occupancy: A change in the purpose or level of any activity, occupation, business or operation conducted or intended to be conducted in a building or portion of a building or other structure or on a tract of land that involves a change in application of the requirements of the City Code.

The purpose of a permit is to make sure the project meets minimum safety requirements and complies with the Code of the City of Hagerstown.

When is a permit is required?

Per Section 105.1 of the Building Code of the City of Hagerstown :

Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause such work to be performed, shall first make application to the *Department* and obtain the required *permit*.

The Permit Office is open Monday through Friday from 8:00am - 4:00pm for any additional questions or concerns. Appointments are highly recommended.

Permit Applications are accepted Monday through Friday from 8:00am - 3:30pm.

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Guidelines for Renovating an Existing Building (Commercial)



These guidelines pertain to all permitted projects with the City of Hagerstown. Some properties may have characteristics which require more extensive review and additional analysis. These guidelines are for convenience purposes only and may not apply in every case.

STEP 1: Building Analysis

Once you have chosen a location for your proposed project, the building should be evaluated to see what it might have to offer for a tenant.

- What is the current zoning for the property? What uses are permitted?
- What is the structural condition of the building components: Floors, walls, roofs, stairs, or elevators?
- Are there any hazardous materials in the building? (Asbestos, Lead, Mold)
- What is the condition of the existing utilities and systems? (Electrical wiring and fixtures, Plumbing pipes and fixtures, HVAC/ heating/ventilation)
- Is there a sprinkler system or fire alarm system? Is the system functional?
- Is the building in a historic district or covered by a Maryland Historic Trust easement?
- What is the current use & occupancy classification of the building? Currently or in the recent past how was the building or space used?
- Will the number of units in a multi-family building remain the same? Does this meet zoning requirements or is it a non-conforming use?

*****Consultation with a design professional is highly recommended for the building analysis.**

STEP 2: Use & Occupancy

The proposed use of the building will need to be considered for both determining the Building/ Fire Code Requirements and any possible Zoning Requirements for the structure.

Once the proposed use & occupancy classification is determined based on the project that is planned, this proposed use can be compared to the existing use to determine any code related changes that may be required for the protection of the life, health and safety of the occupants.

Also, the proposed use will determine if the project will comply with the Land Management Code. Any and all zoning restrictions or special use circumstances can be determined for the project site or building.

STEP 3: Level of Alteration

The Maryland Building Rehabilitation Code (MBRC) encourages private investment in existing buildings and communities through a new construction code that streamlines and harmonizes the code requirements for rehabilitation work. The MBRC has adopted by regulation the International Existing Building Code (IEBC).

The IEBC will be used in identifying the specific alteration levels and the requirements for each based on the project scope. Defining the specific Level of Alteration requires identifying how much of a space shall be altered or changed to meet the proposed use that is determined for the project. Essentially, how much work will be required for the project to change the current use of the building to the proposed use.

The intent of the IEBC is to provide flexibility to permit use of alternative approaches to achieve compliance with the minimum requirements to safeguard the public health, safety, and welfare of occupants insofar as they are affected by the alterations to the building for a specific use.

STEP 4: Codes and Requirements

The proposed use and level of alteration will determine the specific codes and requirements that will be necessary for the building alterations.

Each level of alteration will be required to meet minimum requirements for the general safety and welfare of the occupants.

The use and occupancy of a building will determine the minimum requirements for: accessible facilities, utility systems, fire separations, fire alarm and sprinkler systems, ventilation, toilet facilities, and floor area per occupant.

A change in the use will involve a change in the application of the code requirements.

Use and Occupancy Classification

The classification of buildings, structures, or part thereof is based on the purpose or purposes for which they are used or occupied. Each specific group represents a different characteristic and level of fire hazard and life safety properties that requires special code provisions to lessen the associated risks to the occupants.

- Assembly
 - A-1 Performing arts or motion pictures
 - A-2 Food and/or drink consumption
 - A-3 worship, recreation, or amusement, other assembly uses
 - A-4 Indoor sporting events and activities
 - A-5 Outdoor sporting events and activities
- Business
 - B Office, Professional or Service Type Transactions
- Educational
 - E Use by 6 or more persons through 12th grade
- Factory or Industrial: Groups
 - F-1 Factory Industrial moderate hazard
 - F-2 Factory Industrial low hazard
- High Hazard
 - H-1 Detonation hazards
 - H-2 Deflagration hazards
 - H-3 Combustion materials storage
 - H-4 Health hazards
 - H-5 Semi-conductive fabrication facilities
- Institutional
 - I-1 Housing >5 persons on 24 hr basis; supervised environment
 - I-2 Medical, surgical, or custodial care 24 hr basis for >5 persons
 - I-3 Housing >5 persons; restraint or security
 - I-4 Custodial Care for less than 24 hr
- Mercantile
 - M Display or sale of goods, wares, or merchandise
- Residential
 - R-1 Primarily transient occupants (<30 days)
 - R-2 More than 2 dwelling units, primarily permanent occupants
 - R-3 Single residential occupancies (>3 stories)
 - R-4 Therapeutic residences (5<occupants<16)
- Storage
 - S-1 Moderate hazard storage
 - S-2 Low hazard storage
- Utility and Miscellaneous:
 - U Accessory and Miscellaneous structures

A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied.

Level of Alteration

Level I:

Modifications that include:

- the removal and replacement or the covering of existing materials, elements, *equipment* or *fixtures* using new materials, elements, *equipment* or *fixtures* that serve the same purpose.

Level II:

Modifications that include:

- the removal and replacement or the covering of existing materials, elements, *equipment* or *fixtures* using new materials, elements, *equipment* or *fixtures* that serve the same purpose.
- the addition or elimination of any door or window,
- the reconfiguration or extension of any system, or the installation of any additional equipment, and
- shall apply where the *work area* is equal to or less than 50 percent of the building area

Level III:

Modifications that include:

- the removal and replacement or the covering of existing materials, elements, *equipment* or *fixtures* using new materials, elements, *equipment* or *fixtures* that serve the same purpose.
- the addition or elimination of any door or window,
- the reconfiguration or extension of any system, or the installation of any additional equipment, and
- Alterations where the work area exceeds 50% of the building area.

Alteration: Any construction or renovation to an existing structure other than a repair or addition.

Addition: An extension or increase in floor area or height of building.

Repair: The reconstruction or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.