



DEVELOPMENT SERVICES

Requirements for a Change of Occupancy

When a building is designed and built, it is to standards for which it was constructed and whenever a new occupant establish themselves in the building it undergoes a *change of occupancy classification*. There are ten occupancy classifications:

- Assembly (places for gathering of people)
- Business (places for office, professional or service transactions)
- Educational (places for educational purposes up to 12th grade or day care of more than 5 children, older than 2.5 years old)
- Factory (places for fabricating, disassembling, manufacturing or packaging operations)
- Hazardous (places for storage or handling explosive, flammable or hazardous material)
- Institutional (places where people are incapable of self-preservation)
- Mercantile (places for the display and sale of merchandise)
- Residential (hotels, motels, dormitories, boarding houses, apartments, residential care facilities)
- Storage (places for storage that is not classified as hazardous)
- Utility (building and structures of an accessory character and not classified in any specific occupancy classification)

Before a *certificate of occupancy* can be issued there are several steps that have to be performed first:

1. Contact the Fayetteville Zoning Division (910-433-1062/ 1767) to find out if the building is zoned for the intended use
2. The Fayetteville Inspections Division will need the following documents:
 - An **Appendix B** as required by the North Carolina Administrative Code Section 204.3.4
To access one for download and printable copy visit:
<https://fayettevillenc.gov/government/city-departments/permitting-inspections>
 - An **occupant load calculation** in accordance with the North Carolina Building Code Section 1004, Table 1004.1.2
To view the North Carolina State Codes visit:
https://www.ncdoi.com/osfm/Engineering_and_Codes.aspx
 - A **mechanical ventilation calculation** in accordance with the North Carolina Mechanical Code Section 403.3
 - A **life safety plan** showing egress from the building spaces in accordance with the North Carolina Building Code Chapter 10

INSPECTIONS: (910) 433-1768

PLANNING & ZONING:
(910) 433-1612

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PERMITTING: (910) 433-1707

CODE ENFORCEMENT
(910) 433-1056

- A **scaled drawing** representing finished layout including bathrooms, additional bathrooms and/or upgrading to accessibility standards may be required depending on **occupant load** or existing bathroom layout. Fixture to occupant load chart can be found in the North Carolina Building Code Chapter 29
- **Additional information** may be required after the initial review such as fire prevention requirements, storm water civil drawings, and a North Carolina Department of Transportation permit

The following is an abbreviated excerpts from the North Carolina Existing Building Code in regards to a *change of occupancy classification*:

Section 1001 General

- **1001.1 Scope**

The provisions of this chapter shall apply where a *change of occupancy* occurs, as defined in Section 202, including

1. Where the occupancy use is changed: or
2. Where there is a change in occupancy classification or the occupancy group designation changes

Section 1001.3 Certificate of occupancy required

A new certificate of occupancy shall be required where a *change of occupancy* occurs

Section 1008 Electrical

- **1008.2 Unsafe conditions**

Where the occupancy of an *existing building* or part of an *existing building* is changed, all unsafe conditions shall be corrected without requiring that all parts of the electrical system comply with the North Carolina Electrical Code

- **1008.3 Service upgrade**

Where the occupancy of an *existing building* is changed such that the new load requires an increase in service, it shall be upgraded to meet the requirements of the North Carolina Electrical Code

Section 1009 Mechanical

- **1009.1 Mechanical requirements**

Where the occupancy of an *existing building or part of an existing building* is changed to a different occupancy classification with a higher ventilation requirement, it shall comply with the North Carolina Mechanical Code section 403.3.

Section 1010 Plumbing

- **1010.1 Increased demand**

Where the occupancy of an *existing building* or part of an *existing building* is changed to a different occupancy classification with a higher plumbing fixture requirement, it shall comply with the North Carolina Plumbing Code.

Section 1012 Change of Occupancy Classification

- **1012.1 General**

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 (i.e. Assembly 2 to Assembly 3) as well as a change of occupancy classification from one group to another group (i.e. Business to Mercantile) or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement per Chapter 9 of the North Carolina Building Code. For the purposes of this section, group Residential 3 shall also include detached one- and two-family dwellings and townhouses

- **1012.1.1 Compliance with Chapter 9**

Where alteration work is required by the *change of occupancy* classification, the requirements of Chapter 9 shall be applicable throughout the building for the most restrictive occupancy classification.

- **1012.1.3 Change of occupancy classification based on hazard category**

The relative degree of hazard between different occupancy classifications shall be determined in accordance with the categories specified in Tables 1012.4, 1012.5 and 1012.6.

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Table 1012.4
Means of Egress
Hazard Category

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5 (Lowest Hazard)	F-2, S-2, U

Table 1012.5
Heights and Areas
Hazard Category

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H ^a
2	A-1, A-2, A-3, A-4, I
3	E, F-1, R-1, R-2, S-1, M, R-4
4 (Lowest Hazard)	B, F-2, S-2, A-5, R-3, U

Table 1012.6
Exposure of Exterior
Walls Hazard Category

	OCCUPANCY CLASSIFICATION
1 (Highest Hazard)	H ^a
2	F-1, M, S-1
3	A, B, E, I, R
4 (Lowest Hazard)	F-2, S-2, U

- **1012.1.4 Accessibility**

All buildings undergoing a change of occupancy classification shall comply with Section 1012.9

- **1012.2 Fire protection systems**

Fire protection systems shall be provided in accordance with Sections 1012.2.1 and 1012.2.2

- **1012.2.1 Fire sprinkler systems**

Hazard categories in regard to fire sprinkler requirements shall be in accordance with Table 1012.2

Table 1012.2.1
Sprinkler Hazard Categories

RELATIVE HAZARD	USE CLASSIFICATION
1 (highest)	H, I, Nightclub
2	A-2, R-1, R-2
3	A-1, A-3
4	F-1, M, S-1
5	A-4, E
6 (lowest)	B, F-2, R-3, R-4, S-2, U

- 1012.2.1.1 Change to a higher hazard category**
When a change of use/ change of occupancy is made to a higher hazard category as shown in Table 1012.2.1, the building shall be provided with an automatic sprinkler system as required by Section 903 of the North Carolina Building Code.
- 1012.4 Means of egress for change to higher hazard category**
When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.4, the means of egress shall comply with Chapter 10 of the North Carolina Building Code
- 1012.5.1 Height and area for change to higher hazard category**
When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.5, heights and areas of buildings and structures shall comply with Chapter 5 of the North Carolina Building Code
- 1012.6.1 Exterior wall rating for change of occupancy classification to a higher hazard category**
When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.6, exterior walls shall have a fire resistance and exterior opening protective as required by the North Carolina Building Code
- 1012.7.2 Stairways**
When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.4, interior stairways shall be enclosed as required by the North Carolina Building Code
- 1012.9 Accessibility**
Existing buildings that undergo a change of group or occupancy classification shall comply with 1012.9.1 or 1012.9.2

- **1012.9.1 Partial change in occupancy**

When a portion of the building is changed to a new occupancy classification, any *alteration* shall comply with Sections 806 and 906 of the North Carolina Existing Building Code, as applicable

- **1012.9.2 Complete change of occupancy**

Where an entire building undergoes a *change of occupancy*, it shall comply with Section 1012.9.1 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 1111 of the North Carolina Building Code
4. Accessible parking, where parking is provided
5. At least one accessible passenger loading zone, where loading zones are provided
6. At least one accessible route connecting 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.