

## INFORMAL CODE INTERPRETATION

NC Department of Insurance  
Office of the State Fire Marshal - Engineering Division  
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### Change in Occupancy or Use

**Code:** 2012 Energy Code

**Date:** January 22, 2013

**Section:** 101.4.4

**Question:**

To what extent does the energy code require upgrades to a facility in a change of occupancy or use, per NC ECC 101.4.4?

**Answer:**

The first sentence in Section 101.4.4 states that spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. This sentence is ambiguous with respect to the intent of the Applicability descriptions in Sections 101.4.1, 101.4.2, and 101.4.3. This first sentence is interpreted to require that new work performed shall meet the requirements for new construction or as otherwise allowed under section 101.4.1, 101.4.2, 101.4.3. Envelope components, appliances, and equipment not part of the scope of work resulting from the change in occupancy need not be updated solely for energy conservation purposes. However, the designer is encouraged to identify the merit of updates for consideration to the owner which then may be elected to be implemented.

The second sentence in section 101.4.4 states that where the use in a space changes from one use in Table 505.5.2 to another use in Table 505.5.2, the installed lighting wattage shall comply with section 505.5. The interpretation of the first sentence stated above does not alter this requirement.

Section 101.4.5 indicates that any nonconditioned space that is altered to become conditioned space shall be required to be brought into full compliance with this code. The interpretation above of the first sentence of section 101.4.4 does not alter this requirement.

**Keywords:**

nonconditioned