

**CITY OF SAN ANTONIO**  
**Planning and Development Services Department**  
**MEMORANDUM**

**TO:** PDS Associates  
**FROM:** Roderick Sanchez, AICP, CBO - Building Official  
**DATE:** August 18, 2010  
**FILE:** Code Interpretation Manual

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**INTERPRETATION NUMBER:** CI2010-014

**TITLE:** Code Requirements for Drinking Fountains and Mop Sinks

**CODE EDITION:** 2009 *International Plumbing Code* (IPC)  
2009 *International Existing Building Code* (IEBC)

**SECTION:** Table 403.1 IPC

**PURPOSE:** To clarify when drinking fountains and service sinks are required to be installed in an existing building or tenant space where these fixtures do not currently exist.

**QUESTION:** In the 2009 *International Plumbing Code*, Table 403.1 states that for all occupancies other than R-2 and R-3, a drinking fountain and a service sink are required plumbing fixtures. If a new owner or tenant proposes to occupy an existing building or building space, with or without a remodel permit and no new Certificate of Occupancy (COO) is required, does the new owner need to install drinking fountains and a service sink to meet the requirements of the 2009 IPC?

**ANSWER:** No, the 2009 *International Existing Building Code* (IEBC) section 101.4.2. states that "The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or the *International Property Maintenance Code*, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public." Since there is no requirement for a new COO, the new owner may occupy the building under the old COO and the building is considered legal under the codes for which it was originally built.

New plumbing work that may be proposed in the building or tenant space through a remodel permit, or through a plumbing trade permit, shall comply with the requirements of the 2009 IPC without requiring the rest of the building plumbing system to be brought up to the current IPC requirements, provided this new work does not cause an existing system to become unsafe, insanitary, overloaded or create a hazard to life, health or property.

**QUESTION:**

If a new owner or tenant proposes to occupy an existing building or building space and there is a change of use or a new Certificate of Occupancy (COO) requirement, does the new owner then need to install drinking fountains and a service sink to meet the requirements of the 2009 IPC?

**ANSWER:**

In most cases no. The 2009 *International Existing Building Code* (IEBC) section 910 states that, "Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the 2009 *International Plumbing Code*, the new occupancy shall comply with the intent of the respective *International Plumbing Code* provisions." Section 307.9 of the IEBC states, "The code official shall certify that the structure meets the intent of the provisions of law governing building construction for the new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare." The intent of the IEBC is to require increased plumbing fixtures when a change in occupancy leads to an increase in the occupant load and/or proposed additions to the existing plumbing system leads to an increase in the load on the existing plumbing systems of the building. With a change in occupancy, the plumbing requirements for the existing occupancy under the 2009 IPC are compared to the requirements of the new occupancy under the 2009 IPC. If the new occupancy results in greater or different requirements than the old occupancy under the 2009 IPC, then the owner is required to provide increased plumbing fixtures for the increased number of occupants and may need to revise the existing plumbing system to meet the increased plumbing load.

The existing plumbing system is still considered code compliant under the code for which it was built, and any changes or additions to the plumbing system will only be necessitated by increased plumbing demands as a result of the new occupancy requirements over the old occupancy requirements. Only when the increase in occupant load clearly requires an additional drinking fountain compared to the old occupancy is the fixture required (example: if both the old and new occupancies require one drinking fountain under Table 403.1 of the 2009 IPC, there is no increased

demand and therefore no requirement for a drinking fountain to be installed - the existing system is still considered code compliant under the code for which it was built). Excluding any Health Department requirements, there would never be a requirement for a new service sink for an existing building since all the occupancy types require only one service sink in the 2009 IPC. A change in occupancy would not result in an increased service sink requirement. It is not the intent of the IEBC to retrofit all existing buildings with drinking fountains and service sinks.



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