



# INTEROFFICE MEMORANDUM

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**Date:** March 16, 2010

**To:** Code Services Staff

**From:** Brad Claussen, Building Official

**Subject:** Vertical Clearance in Stairs in Existing Structures

Recently there have been several questions regarding stairway head height in existing buildings. This memo is intended to give guidance and set a policy for addressing these during rental inspections.

To begin with, neither the International Property Maintenance Code nor the International Residential Code set a minimum height for existing buildings. Typically, that would indicate a reliance on whatever code was in effect at the time the building was built. In researching old building codes, the first mention of this that I find is in the 1967 National Building Code. Prior to that there was apparently no requirement for any minimum height in stairways. The Property Maintenance Code simply states that a “safe, continuous and **unobstructed**” means of egress shall be maintained.

Therefore, when inspecting these situations, I encourage a common sense approach to whether you feel an obstruction is created. In other words, unless a clear problem is evident, we should not cite these situations. Keep in mind that many of these were built and may have been approved the way they exist currently. Some of the factors to consider would be:

- Is the area above the stair noticeably low (it causes you to duck) when the stair is walked?
  - If not, it should not cause an obstruction.
- Is the ceiling sloped?
  - If so, there should be less chance that it causes an obstruction.
- Is the stair one which was an original part of the living area of the house? Or was it an originally unoccupied space which was converted later such as a basement or attic area?
  - If the stair and area above was an originally constructed part of the dwelling, it should typically be allowed to remain as long as it isn't so low as to cause you to duck.

I would like to give you a black and white number to use for these situations, but as I am sure you know, things that come up during inspection are not always cut and dried. I am confident that you will continue to evaluate situations like this with a common sense approach. If you have any questions, I encourage you to visit with me so we can all be as consistent as possible.