

Building BLOCKS

The Right Way to Check into Rehab

After several years in which new restaurant construction significantly outpaced renovation work, we are once again seeing a surge in renovation and conversion projects. Whether you're looking to modernize or upgrade an existing restaurant or to expand by taking over and rebranding a closed restaurant, in today's economic climate these value-based opportunities make good financial sense.

But clearly the approach to tackling these types of projects is quite different than that of new construction. And with renovation work on the rise for the first time in quite a while, we are finding that everyone—architects, contractors, owners, and even local jurisdictions—needs a little refresher to get back up to speed on code requirements for rehabs.

Cracking the Code: New Construction Vs. Rehab: Generally speaking, while the code for new construction can be stringent, the process of applying it is straightforward and linear. On the other hand, rehabilitation codes follow a complicated

"if-then" series of instructions that determine project requirements.

Using Maryland's rehabilitation code as an example, your project is first classified as one or more of the following: modification, repair, renovation or reconstruction. These categories have different levels of restrictions and some are much more favorable than others. Once you determine how each portion of work on your project is classified, you follow a menu-driven process that directs you as to what parts of the code apply depending on exactly what you're doing. To cause further confusion, all four of the categories listed above can and usually do apply to a single renovation project. Often, things that would appear to be common-sense requirements are not necessary per the code.

Real-World Rehab: Putting this into a real-life situation, let's say you are renovating your restaurant dining room and restrooms. As part of this work, your team has advised you that new electrical circuits need to be pulled to the electric panel and you need an additional fire

alarm device which will require running a wire to the annunciator panel. The work being performed in the dining and restroom areas is classified as renovation (very restrictive); however, pulling the electrical and fire alarm wires through the kitchen area would be classified as repair (less restrictive).

What we are seeing in the real world is that the field inspectors are inspecting all of the work under the more restrictive classifications. In this example, the inspector could require that just the fire alarm panel be brought up to current code or could demand the entire restaurant be brought up to the latest code.

Cleaning Up Your Act: So what is the solution to this somewhat subjective code interpretation? As usual in construction, the when and how matters just as much as the what. If you wait until problems arise, your only resolution will be to negotiate with the jurisdiction. Generally, this means you will meet in the middle; it also means it's going to come at a certain cost, not to mention lost time.

The best and most cost-effective way to avoid this type of situation is to be proactive and eliminate problems from happening in the first place. This can be accomplished by having a classification plan included in the drawings

when they are submitted for permit. The plan should clearly show what work is being done in which areas and what classification the architect used in his or her design for each portion of the work. This classification plan should be reviewed and agreed on with the plan reviewer at the intake meeting during which the drawings are submitted for permit, and in most circumstances it would be advisable to review this with the field inspectors very early in the project.

A Fresh Start: Although it can be tempting to point fingers, no one is the bad guy in this situation. While the code is black and white, the process is very complex. Developing a strategy from the very start is your best chance for a painless rehab experience. By involving everyone on the project team in this important issue and assigning someone to take the lead as the liaison with your local jurisdiction, you can come out of rehab none the worse for wear.



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