

CHAPTER 61B --NYS CONSOLIDATED LAWS

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61B
NEW YORK STATE CONSOLIDATED LAWS
MULTIPLE RESIDENCE
[As Amended to June 2, 1992]

CHAPTER 801

AN ACT to amend the multiple residence law, generally; and to repeal section two hundred five of the general business law, relating to fire-escape ropes in hotel rooms

Became a law April 17, 1952, with the approval of the Governor.
Passed, by a majority vote, three-fifths being present

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The multiple residence law is hereby amended to read as follows:

CHAPTER SIXTY-ONE-B OF THE CONSOLIDATED LAWS

MULTIPLE RESIDENCE LAW

ARTICLE 1
INTRODUCTORY PROVISIONS; DEFINITIONS

§1. Short title. This chapter shall be known as the "multiple residence law."

§2. Legislative finding. It is hereby declared that intensive occupation of multiple dwellings having three or more families, inadequate provision for light and air, insufficient protection against and defective provisions for escape from fire, as well as the amount of improper sanitation existing in multiple dwellings throughout this state are a menace to the health, safety, morals, welfare, and reasonable comfort of its citizens; and that the establishment and maintenance of proper housing standards requiring sufficient light, air, sanitation and protection from fire hazards are essential to the public welfare. Therefore the provisions hereinafter prescribed to provide more adequate protection in the event of fire, and sufficient light, ventilation and sanitation for certain multiple residence buildings are enacted

and their necessity in the public interest is hereby declared as a matter of legislative determination.

§3. Application to certain municipalities.

1. This chapter shall apply to all cities of less than three hundred twenty-five thousand population and to all towns and villages.
2. Whenever the word "municipality" occurs in this chapter, it shall mean a city, town or village to which the chapter is applicable. The words "charter," "ordinance," "resolution," "regulation," "building code," "department of health," "department of water supply," "fire department," "department," "board," "municipal engineer," "building official," "corporation counsel," "municipal treasury," or "fire limits," shall be construed as if followed by the words "or corresponding authority of any municipality in which the dwelling or location referred to is situated."
3. Wherever in this chapter the installation or maintenance of a fire alarm system, fire detecting system, watchman's clock system, sprinkler system, fire-escape system or part thereof is required or permitted, such system or part thereof shall be constructed, installed, arranged and maintained in a manner satisfactory to the department in accordance with rules and regulations adopted by the commission pursuant to section three hundred twenty-six of this chapter.

§4. Definitions. Words and terms used in this chapter shall have the following meanings:

1. "Alteration." Any change in the structural parts or existing facilities of any building or the moving of any building from one location or position to another.
2. "Apartment," or "suite." That portion of a dwelling consisting of one or more living rooms, and occupied by the members of a family, which group of rooms is separated from all other groups within a dwelling.
3. "Basement." A story partly below the curb level but having at least one-half of its height above the curb level. A basement shall be counted as a story in determining height, except as otherwise provided in this chapter.
4. "Boarding house," "furnished room house," "rooming house," or "tourist house." A multiple dwelling, in which there are less than thirty sleeping rooms occupied primarily by transients who are lodged with or without meals, and in which there are provided such services as are incidental to its use as a temporary residence. Also a dwelling two or more stories in height, occupied by one or two families and with five or more transient boarders, roomers or lodgers residing with any one family.
5. "Cellar." An enclosed space in a dwelling having more than one-half of its height below the curb level. However, where a dwelling is set back from the curb level in such a manner that the enclosed space in the dwelling is above the curb level but at least one-half of its height is below the land immediately adjacent to the dwelling, such space shall be deemed a cellar. A cellar shall not be counted as a story.
- 5-a. "Child caring institutions." Institutions for the residential care of children operated by authorized agencies as defined by the social welfare law.
6. "Commission." The state building code commission in the executive department of the state of New York.
7. "Converted or conversion." A change from non-dwelling or private dwelling use to multiple dwelling occupancy after July first, nineteen hundred fifty-two.
8. "Court." A space, other than a yard, on the same lot as a dwelling and open to the sky. "Inner court." A court not extending to a street or yard. "Outer court." A court extending to a street or yard.
9. "Curb level." The level of the curb at the center of the front of the building, for the purpose of measuring the height of any portion of a building; except that where a building faces on more than one street, the curb level is the average of the levels of the curbs at the center of each front. Where no curb elevation has been established the mean level of the land immediately adjacent to the dwelling shall be considered the curb level, unless the municipal engineer shall establish such curb level or its equivalent.
10. "Department." The department, bureau, division, agency or person charged with the enforcement of this

chapter.

11. "Dining bay," "dining recess" or "dinette." A recess used for dining purposes off a living room, foyer or kitchen.

12. "Dormitory." Any room occupied for sleeping purposes by five or more persons. A "cubicle" is a small, partially enclosed sleeping space within a dormitory, with or without a window.

13. "Dwelling." A building or structure which is occupied in whole or in part as the home, residence or sleeping place of one or more persons.

14. "Family." One or more persons with whom there may be not more than four boarders, roomers or lodgers all living together in a common household. A boarder, roomer or lodger residing within the family household is a person who pays a consideration therefor and such residence is not an incident of employment therein.

15. "Fire alarm system." An approved system of sounding a fire alarm or alarms installed in such a manner that it can be operated manually from any story.

"Fire-detecting system." An approved system which automatically detects a fire or an abnormal rise in temperature and actuates a fire alarm.

16. "Fire-escape." A combination of outside balconies and stairs of incombustible materials, providing an unobstructed means of egress from a building.

17. "Fireproof." Made of incombustible materials with standard fire-resistive ratings not less than those required for a fireproof multiple dwelling.

18. "Fireproof multiple dwelling." One in which the walls and other structural members are of incombustible materials or assemblies meeting all of the requirements of the local building code for fireproof construction, if any, and if there be none, then of the state building construction code for fireproof construction applicable to multiple dwellings.

19. "Fire-retarded." Covered with metal lath plastered with two or more coats of cement or gypsum plaster or otherwise protected against fire with materials of standard fire-resistive ratings of at least one hour. Fireproof or fire-resistive material shall always be accepted as meeting any requirement for fire-retarding.

20. "Fire-resistive." Covered or protected with incombustible materials of standard fire-resistive ratings of at least one hour. Fireproofing or fire-retarding shall always be accepted as meeting any requirement for "fire-resistive" materials.

21. "Fire-stair." A fireproof stair, enclosed in fireproof walls, within the body of the building which it serves, to which access may be had only through self-closing fireproof doors.

22. "Fire-stopping." The closing of concealed draft openings with brick or other incombustible materials to form an effectual fire barrier between stories, and between the ceiling of the upper story and the space under the roof.

23. "Foyer." A space within an apartment or suite used as an entrance hall directly from a public hall.

24. "Frame dwellings." A non-fireproof dwelling of which any structural member of its exterior walls is of wood. A structural member shall not be deemed to include the veneer or facing of any such wall.

25. "Height." The vertical distance of a dwelling from the curb level to the level of the highest point of the roof beams, except that in the case of pitched roofs, it is the vertical distance from the curb level to the mean height level of the gable or roof above the vertical street wall. An attic not used or arranged to be used for human occupancy shall not be considered in measuring the height of a dwelling.

26. "Hotel." A dwelling in which there are thirty or more sleeping rooms in one building or structure occupied primarily by transients who are lodged with or without meals; and there are provided such services as are incidental to the use thereof as a temporary residence.

27. "Kitchen." A space, fifty-nine square feet or more in floor area, used for cooking or warming of food.

28. "Kitchenette." A space, less than fifty-nine square feet in floor area, used for cooking or warming of food.
29. "Living room." Any room in a multiple dwelling except:
- a. A public hall, public vestibule, public room or other public part of a dwelling;
 - b. A hall, corridor or passageway entirely within an apartment or suite;
 - c. A foyer, the floor area of which does not exceed ten percentum of the total floor area of the apartment or suite;
 - d. A kitchenette;
 - e. A dining bay, dining recess or dinette fifty-five square feet or less in area;
 - f. A bathroom or water-closet compartment.
30. "Local building code." The building code, if any, adopted or enacted by a city, town or village and which is in force in such city, town or village, or in such town or portion thereof outside the limits of any village or city, respectively, or the state building construction code where applicable with respect thereto.
31. "Lodging house." A dwelling, other than a hotel, in which persons are housed in a dormitory or dormitories, whether or not the space for sleeping accommodations therein is divided into cubicles, for a single night or for less than a week at one time.
32. "Lot." A parcel or plot of ground which is or may be occupied wholly or in part by a dwelling, including the spaces occupied by accessory or other structures and any open or unoccupied spaces thereon, but not including any part of an abutting public street or thoroughfare.
- a. "Corner lot." A lot of which at least two adjacent sides abut for their full length upon streets or public places not less than forty feet in width. Any other lot is an "interior lot." That portion of a corner lot in excess of one hundred feet from the widest street on which the lot abuts shall be considered an interior lot.
 - b. "Front of a lot." That boundary line which abuts on the street, or, if there be more than one street abutting, on the street designated by the owner. "Rear of a lot" is the side opposite the front.
 - c. "Depth of a lot." The distance from the front of the lot to the extreme rear line of the lot. The depth of an irregular-shaped lot is its mean depth.
 - d. "Lot running through from street to street." A lot where the front and rear lines abut for their entire lengths upon streets or open public places. When either of such lines exceeds the other in length by more than twenty per centum, that part of the lot contiguous to the excess length of the longer line shall be deemed an interior lot.
 - e. "Back to back lots." Lots or portions of lots which are on opposite sides of the same part of a rear line common to both and the opposite street lines on which the lots front are parallel with each other or make an angle with each other of not more than forty-five degrees.
33. "Multiple dwelling." A dwelling which is either rented, leased, let or hired out, to be occupied, or is occupied as the temporary or permanent residence or home of three or more families living independently of each other, including but not limited to the following: a tenement, flat house, maisonette apartment, apartment house, apartment hotel, tourist house, bachelor apartment, studio apartment, duplex apartment, kitchenette apartment, hotel, lodging house, rooming house, boarding house, boarding and nursery school, furnished room house, club, sorority house, fraternity house, college and school dormitory, convalescent, old age or nursing homes or residences. It shall also include a dwelling, two or more stories in height, and with five or more boarders, roomers or lodgers residing with any one family.
34. "Non-fireproof dwelling." A dwelling which does not meet the requirements for a fireproof dwelling.
35. "Occupied" or "used." Such terms shall be construed as if followed by the words "or arranged, designed, or intended to be occupied or used."

36. "Owner." Owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm or corporation, directly or indirectly in control of a dwelling.
37. "Premises." Land, improvements and appurtenances or any part thereof.
38. "Private dwelling." A dwelling occupied exclusively for residence purposes by one or two families and having not more than four boarders, roomers or lodgers residing with any one family.
39. "Public hall." A hall, corridor or passageway not within any apartment or suite of private rooms. "Public vestibule." A hall not within any apartment or suite or private rooms providing access to a stair or elevator and not wider than seven feet nor longer than twice the width of the stair or elevator shaft opening upon such hall.
40. "Public part" or "public room." A space available for common usage or used exclusively for storage purposes or for mechanical equipment of the dwelling.
41. "Section." A part of a multiple dwelling other than an apartment or suite, separated as a unit from the rest of such dwelling by fireproof construction.
42. "Shaft." A space extending through one or more stories of a dwelling connecting a series of openings therein or any story or stories and the roof, and includes exterior and interior shafts whether for air, light, elevator, dumbwaiter or any other purpose.
43. "Shall." The word "shall" is always mandatory.
44. "Single-room occupancy." The occupancy by one or two persons of a single room, or two or more rooms which are joined together separated from all other rooms within an apartment in a multiple dwelling so that the occupant or occupants thereof reside separately and independently of the other occupant or occupants of the same apartment.
45. "Sprinkler system." A system of piping connected to one or more sprinkler heads with fusible struts which will be constructed to fuse at a specified temperature so as to discharge an effective spray to cover the area to be sprinkled. Such system may be either an automatic wet pipe type in which all pipes and sprinkler heads are at all times filled with water when the building is occupied, or a dry pipe system in which the pipes and sprinkler heads are filled with air, either compressed or at atmospheric pressure, and the water supply is controlled by a dry-pipe valve.
46. "Stair." A flight or flights of steps including any landings and parts of public halls through which it is necessary to pass in going from one level to another.
47. "Stair hall." A part of a public hall through which it is necessary to pass in going from the end of one flight of steps to the beginning of another but shall not include an area that is also used to provide direct ingress to and egress from an apartment or suite.
48. "Story." A space between the level of one finished floor and the level of the next higher finished floor, or, if the top story, of the space between the level of the highest finished floor and the top of the highest roof beams, or, if the first story, of the space between the level of the finished floor and the finished ceiling immediately above. For the purpose of measuring height by stories of dwellings erected on or after July first, nineteen hundred fifty-two, one additional story shall be added for each twelve feet or fraction thereof that the first story exceeds fifteen feet in height, and for each twelve feet or fraction thereof that any story above the first story exceeds twelve feet in height.
49. "Street wall." A wall of a building, at any level, nearest to a street line abutting the property.
50. "Suite." That portion of a dwelling consisting of one or more living rooms and occupied by the members of a family, which group of rooms is separated from all other groups within a dwelling.
51. "Window dimensions." The measurements between the stop-beads or, if there are no stop-beads, between the sides and the head and sill of the sash opening.
52. "Yard." An open space on the same lot with a dwelling between the extreme rear line of the lot and the extreme

rear wall of the dwelling.

ARTICLE 2

MISCELLANEOUS APPLICATION PROVISIONS

§8. General application to all dwellings. Except as otherwise specifically provided in this chapter, every multiple dwelling shall be constructed and maintained in accordance with all applicable requirements of this chapter and other applicable laws.

§9. Buildings converted or altered.

1. On or after July first, nineteen hundred fifty-two, no multiple dwelling shall be enlarged or its lot diminished so that the yard or other unoccupied areas shall be diminished in size or area below the minimum requirements of this chapter.

2. A building not a dwelling, if converted on or after July first, nineteen hundred fifty-two, to a multiple dwelling, shall thereupon become subject to all the provisions of this chapter applicable to new multiple dwellings of like class and kind. "Class" shall mean the use of a multiple dwelling for either permanent or transient occupancy or both. "Kind" shall mean the type of construction of a building, either fireproof or non-fireproof.

3. No dwelling shall be altered or converted so as to be in violation of any provision of this chapter relating to dwellings of like class and kind, and, except as provided in subdivision four, a dwelling, altered or converted to be occupied primarily for permanent-residence use, shall comply with article three; and a dwelling converted or altered to be occupied primarily for transient use shall comply with article four.

4. If any multiple dwelling three or more stories in height is altered after July first, nineteen hundred fifty-three so as to increase its height or bulk for living purposes or so as to increase the number of living rooms by more than twenty per centum, such dwelling shall be made to conform to the requirements of this chapter with respect to new dwellings of like class and kind erected after such date.

5. It shall be unlawful to convert a frame dwelling to a multiple residence, except that a frame dwelling not more than two stories and attic in height and erected before July first, nineteen hundred fifty-two, as a one-family or two-family residence may be converted to a multiple dwelling for permanent occupancy by complying with article three; and if such residence is converted to be occupied, as a rule, for transient use, it shall comply with article four.

§10. Dwellings damaged. If an old or other existing multiple dwelling be damaged by fire or other cause to the extent of two-thirds or more of its value at the time of such damage exclusive of the value of the foundation, such dwelling shall not be repaired or rebuilt except in conformity with the provisions of this chapter relative to new multiple dwellings.

§11. Old dwellings. Except as required in section nine and articles three and four, nothing in this chapter shall be construed to require any change in the construction, use, or occupancy of any old or other existing multiple dwelling occupied as such on July first, nineteen hundred fifty-two, which on such date is in compliance with the provisions of all statutes, local laws, ordinances, rules and regulations applicable thereto.

§12. Uncompleted dwellings.

1. The provisions of this chapter relating to new multiple dwellings shall not apply to any multiple dwelling for which plans were on file with the department or a permit to commence building was issued by the department before July first, nineteen hundred fifty-two, or to any dwelling the plans for conversion of which to multiple dwelling occupancy, were on file with the department or a permit authorizing the commencement of the work of such conversion was issued by the department before such date, provided, however, a certificate of occupancy as required by the provisions of section three hundred two shall be obtained therefor prior to July first, nineteen hundred fifty-seven.

2. No provisions of any part of this section shall be deemed to prohibit the amendment of any plans filed and approved before July first, nineteen hundred fifty-two, if such amendment would have been lawful before such date, or if such amendment complies with the requirements of this chapter for alterations to buildings of like kind existing before such date.

§13. Prohibited uses: The storage or keeping of any combustible gaseous material within any multiple dwelling shall be unlawful unless a written permit therefor is issued by the department and any and all local laws or regulations applicable thereto are complied with. The provisions of this section shall not prevent the keeping of such gasoline, oil or other fuel as may be contained in a tank or receptacle of a motor vehicle stored in a space provided for automobiles in a multiple dwelling, nor shall this section apply to gaseous material used for the cleaning or washing of a motor vehicle so stored. Such permit shall not be required for the keeping or storage of oil or kerosene in quantities not exceeding five gallons at any one time for domestic heating or cooking purposes, provided such oil or kerosene is in a container directly connected to the heating or cooking appliances in which it is to be used and is kept or stored in accordance with standards of safety prescribed by the department.

§14 [Repealed eff. Sept. 1, 1981]

§15. Smoke detecting devices. (Effective Jan. 1, 1986)

1. This section shall apply to all multiple dwellings, whenever constructed, provided however, that for the purposes of this section the term "multiple dwelling" shall also include any dwelling accommodation used as a temporary or permanent residence located in any building owned as a condominium or cooperative.

2.(a) The owner of every multiple dwelling to which the provisions of this section apply shall equip each apartment or other separate living unit in such multiple dwelling with approved and operational smoke detecting devices in conformity with the state fire prevention and building code; provided, however, that any multiple dwelling not subject to the provisions of such code may, in the alternative, be equipped with battery-operated smoke detecting devices of a type accepted by the division of housing and community renewal.

(b) In hotels, tourist houses, lodging houses, rooming houses, boarding houses, boarding and nursery schools, furnished room houses, club houses, sorority and fraternity houses, college and school dormitories, convalescent, old age and nursing homes, any dwelling which is two or more stories in height, with five or more boarders, roomers or lodgers residing with any one family, and any multiple dwelling used for single room occupancy, at least one smoke detecting device shall be located within each room used for sleeping purposes. In any other multiple dwelling or portion thereof, there shall be at least one smoke detecting device located within each apartment or separate living unit, in an area so that it is clearly audible in each bedroom or other room used for sleeping purposes, with intervening doors closed; provided, however, that no smoke detecting device be located more than ten feet from the entrance to any bedroom or other room used for sleeping purposes.

(c) Each smoke detecting device shall include a test device to permit the occupant to readily determine if it is operational.

(d) In addition to complying with the provisions of this section, the type, location, number, and manner of installation of smoke detecting devices shall be in accordance with standards prescribed by the state fire prevention and building code council.

3.(a) With respect to multiple dwellings which are occupied for permanent residential purposes only, other than any portion of any such dwelling used for single room occupancy, and notwithstanding the provisions of sections forty and one hundred seventy-four or any other provision of this chapter, or of any other law or requirement, state or local, the duties of the owner and tenant with respect to smoke detecting devices installed pursuant to this section shall be as provided in subdivisions four and five of this section.

(b) With respect to multiple dwelling units as specified in paragraph (b) of subdivision two of this section, or any portion of any multiple dwelling used for single room occupancy, the provisions of subdivision five of this section shall not apply, and smoke detecting devices installed as required by this section shall be subject to the provisions of section forty or one hundred seventy-four of this chapter.

(c) The owner of every multiple dwelling shall keep such records as the state fire prevention and building code council shall prescribe relating to the installation and maintenance of smoke detecting devices in the building and make such records available to any local code enforcement official on request.

4. In addition to initially providing and installing the smoke detecting devices, the owner shall:

(a) replace within thirty days after the receipt of written notice any such device which becomes inoperable within one year of the installation of such device due to a defect in the manufacture of such device and through no fault of the occupant of the apartment or other unit;

(b) upon the occurrence of a vacancy, replace or properly equip any such device which has been removed or rendered inoperable, so as to provide operational smoke detecting devices for any new tenant; and

(c) notify tenants in writing, individually or through posting of a notice in a common area of the building, of the respective duties of owners and tenants under this section.

5. Except as provided in paragraph (b) of subdivision three of this section, the tenant shall keep and maintain any smoke detecting device installed pursuant to this section in good repair and replace any such device which becomes inoperable during his occupancy.

6. An owner need not furnish or install a smoke detecting device where one has already been installed, provided that (a) the type of such device and the manner of its installation comply with the provisions of this section and the standards prescribed by the state fire prevention and building code council, (b) the existing device is tested and found to be operational, and (c) the existence of such device in lieu of an owner-furnished device is noted on the records kept by the owner pursuant to paragraph (c) of subdivision three of this section.

ARTICLE 3 OLD MULTIPLE DWELLINGS

§25. Application of article three. The provisions of this article shall apply to all multiple dwellings existing on July first, nineteen hundred fifty-two, and shall also apply to dwellings converted to multiple dwelling occupancy on or after July first, nineteen hundred fifty-two, provided, however, that this article shall not apply to hotels and similar dwellings in any city, town or village with respect to which the provisions of article four are applicable. The provisions of this article shall apply in addition to and not in substitution for the provisions of article two. Provisions of this article shall be complied with on or before July first, nineteen hundred fifty-four.

§25. Application of article three.

Art. 3, Title 1 - Fire Protection

Art. 3, Title 2 - Sanitation

ARTICLE 3 OLD MULTIPLE DWELLINGS

§25. Application of article three. The provisions of this article shall apply to all multiple dwellings existing on July first, nineteen hundred fifty-two, and shall also apply to dwellings converted to multiple dwelling occupancy on or after July first, nineteen hundred fifty-two, provided, however, that this article shall not apply to hotels and similar dwellings in any city, town or village with respect to which the provisions of article four are applicable. The provisions of this article shall apply in addition to and not in substitution for the provisions of article two. Provisions of this article shall be complied with on or before July first, nineteen hundred fifty-four.

TITLE 1 - FIRE PROTECTION

§26. Egress from dwellings. In every such dwelling three stories or more in height there shall be from each story at least two independent means of egress accessible to each apartment or suite. The first means shall open into a public hall connected with a stair affording safe access to a street, or to a yard, court or passageway affording

continuous, safe and unobstructed access to a street. The second means shall be directly to a fire-escape or to an enclosed stair without passing through the first means, except that where the first means includes an interior stair which is closed off at each floor level by fire-retarded construction with a fireproof self-closing door therein, the second means may be another such interior stair or a fire-escape directly accessible on the same story from a public hall therein whether or not such public hall is also a part of the first means provided such fire-escape is not a wire, chain, cable, vertical ladder or rope fire-escape. In lieu of a second means of egress a sprinkler system may be installed in the public halls and stairs.

Except as required by the provisions of article four of this chapter, the second means of egress shall not be required in a multiple dwelling of fireproof construction, six stories or less in height, erected before July first, nineteen hundred fifty-two, if the egress arrangements thereof complied with requirements of law applicable at the time the dwelling was erected.

§27. Fire-escapes. Wire, chain, cable, combustible, vertical ladder or rope fire-escapes shall not be accepted as a required or alternative means of egress and, unless such fire-escapes are supplemental to the means of egress required by section twenty-six, they shall be removed and replaced by a system of fire-escapes constructed and arranged as provided in section one hundred thirty-three. All fire-escapes erected on or after July first, nineteen hundred fifty-three, to serve as a second means of egress shall be in conformity with the provisions of section one hundred thirty-three. It shall be unlawful to remove any fire-escape without permission from the department. Such system shall be installed, arranged and maintained in a manner satisfactory to the department and in accordance with rules adopted by the commission.

§28. Stairs and entrance halls. In every such dwelling three stories or more in height the wood wainscoting and other combustible materials on the wall and ceiling surfaces in all halls shall be removed and replaced with incombustible or other fire-resistive materials. In lieu of such removal, a sprinkler system may be installed in such halls or such wainscoting and the combustible surfaces may be treated or covered in a manner satisfactory to the department with a surface fire-retardant approved by the department. In such a dwelling, however, any entrance door and every door opening into any entrance hall, stair hall, or other public hall connected therewith, shall be self-closing. Every interior sash, or opening other than a door, in the walls or partitions of such halls and every window therein not opening to the outer air shall be sealed with fire-resistive materials.

§29. Dumbwaiter shafts. In every such dwelling three stories or more in height the doors of all dumbwaiter shafts shall be made self-closing and be covered on the shaft side with fire-resistive material.

§30. Cellar ceilings. In every such dwelling three stories or more in height the ceiling of the cellar, or of the lowest story if there be no cellar, shall be fire-retarded, or be equipped with a sprinkler system, unless such ceiling has already been plastered to the satisfaction of the department.

§31. Inside cellar stairs. Every stair leading from a cellar to the floor above in all old multiple dwellings shall be enclosed with fire-retarded partitions and shall be equipped with a fire-retarded self-closing door located as the department may approve.

§32. Artificial lighting. The owner shall provide a light or lights in every public hall, stair and fire-stair on every floor so that every such space shall be lighted adequately. (Effective March 10, 1955)

TITLE 2 - SANITATION

§40. Repairs and cleanliness. All old multiple dwellings shall be maintained in conformity with the provisions of section one hundred seventy-four.

§41. Water supply. Every such dwelling shall be provided with an adequate supply of water obtained from the public water system or from a source approved by the public health officer having jurisdiction.

§42. Water closet and bath accommodations. Every water closet or bathroom installed in such dwellings on or after July first, nineteen hundred fifty-two, and in dwellings converted on or after such date, shall be in conformity with the provisions of section one hundred seventy-one.

§43. Plumbing and drainage. Every such dwelling shall be provided with facilities for the disposal of sewage, waterborne waste, and excreta, and such facilities shall be connected with the public sewers, if available and practicable; otherwise, such waste matter shall be disposed of in a manner approved by the public health officer having jurisdiction.

ARTICLE 4 HOTELS AND SIMILAR DWELLINGS

§50. Application of article four.

1. As used in this article, the term "transient dwellings" shall mean and include hotels, lodging houses, boarding and nursery schools, sorority houses, fraternity houses, college and school dormitories, convalescent, old age and nursing homes, and dwellings used for single room occupancy. The term "transient occupancy" shall mean the occupancy of a room for sleeping purposes by the same person or persons for a period of ninety days or less.

2. Except as provided in sections sixty-three and sixty-four with respect to one and two story transient dwellings only, this article shall apply to all transient dwellings three or more stories in height and in existence on July first, nineteen hundred fifty-two, provided, however, that the provisions of article two and sections fifty-three, fifty-six and sixty-one of this article shall apply to new transient dwellings.

3. As to such existing transient dwellings, the provisions of sections fifty-six, sixty-one and sixty-two of this article shall be complied with on or before July first, nineteen hundred fifty-four, and all other sections of this article shall be complied with on or before July first, nineteen hundred fifty-five.

TITLE 1 - FIRE PROTECTION

§52. Public halls and stairs. The walls and ceiling of every entrance hall, stair hall or other public hall, every hall or passage not within an apartment or suite of rooms, every dumbwaiter, elevator, and, every other shaft, including stairs, connecting more than two successive stories, shall be sealed off from every other portion of the dwelling with fire-retarded materials, or, in lieu thereof, except in the case of elevator shafts, shall be equipped with an automatic sprinkler system. Except as provided in subdivision five of section fifty-five, nothing contained in this article shall be deemed to exempt an interior required means of egress from the enclosure requirements or the equipment provided for in this section. A fire-detecting system shall not be acceptable for any of the requirements of this section.

§53. Storage compartments. There shall be one or more completely enclosed compartments for the storage of mattresses, furniture, paints, floor wax, linens, brooms, mops and other such inflammable or combustible paraphernalia incidental to the occupancy and maintenance of the dwelling, and such paraphernalia shall be stored in no other portion of such dwelling. Such compartments shall be completely protected by an automatic sprinkler system or a fire-detecting system. Closets which do not exceed one hundred square feet in floor area may be used for the temporary storage of such paraphernalia, except mattresses, furniture, paints and insecticides containing inflammable materials and are excluded from the requirements of this section. Where such storage compartments are located at least thirty feet distant from such dwelling, no sprinklers or fire-detecting system shall be required.

§54. Kitchens and pantries. All kitchens and pantries serving restaurants or dining rooms in a non-fireproof transient dwelling shall be equipped with an automatic sprinkler system or a fire-detecting system. Where such kitchens and pantries are located at least thirty feet distant from such dwelling, no sprinkler or fire-detecting system shall be required.

§55. Egress.

1. In every transient dwelling to which this article is applicable there shall be from each story at least two independent means of egress accessible to each room, apartment or suite, except as otherwise provided in section sixty-three with respect to two story transient dwellings.

2. The first means of egress shall be an enclosed stair extending directly to a street, or to a yard, court or passageway affording continuous, safe and unobstructed access to a street, or by an enclosed stair leading to the entrance story, which story shall have direct access to a street. That area of the dwelling immediately above the street level and commonly known as the main floor, where the occupants are registered and the usual business of the dwelling is conducted, shall be considered a part of the entrance story; and a required stair terminating at such main floor or its mezzanine shall be deemed to terminate at the entrance story. An elevator or an unenclosed escalator shall not be acceptable as a required means of egress.

3. The second means of egress shall be by an additional enclosed stair, conforming to the provisions of subdivision two of this section, a fire-stair or an outside fire-escape. In a non-fireproof dwelling when it is necessary to pass through a stair enclosure which may or may not be a required means of egress to reach a required means of egress, such stair enclosure and that part of the public hall or corridor leading thereto from a room, apartment or suite, shall be fire-retarded as provided in section fifty-two or protected by a sprinkler system; in a fireproof dwelling only that part of the hall or corridor leading to such stair enclosure need be so protected.

4. Where it is impractical in such existing transient dwellings to provide a second means of egress, the department may order, in lieu of the second means of egress, additional alteration to the first means of egress and to shafts, stairs and other vertical openings as the department may deem necessary to safeguard the occupants of the dwelling, may require the public halls providing access to the first means of egress to be equipped on each story with an automatic sprinkler system, and, in non-fireproof dwellings, may also require automatic sprinkler heads in the stair which serves as the only means of egress.

5. Nothing in this section shall be deemed to require the enclosure of a stair which is ornamental provided such stair does not connect more than two stories.

6. A stair, fire-stair or fire-escape supplementary to the egress requirements of subdivisions two, three and four of this section need not lead to the entrance story or to a street, or to a yard or a court which leads to a street, provided the means of egress therefrom is approved by the department.

7. A fire-detecting system shall not be acceptable for any of the requirements of this section.

8. In lieu of enclosing stairways as required by subdivisions two and three of this section, an automatic sprinkler system may be provided on such stairs.

9. All fire-escapes erected on or after July first, nineteen hundred fifty-three, in compliance with this section, shall be arranged, constructed and maintained in accordance with the provisions of section one hundred thirty-three. Such system shall be installed, arranged and maintained in a manner satisfactory to the department and in accordance with rules adopted by the commission. It shall be unlawful to remove any fire-escape without permission from the department.

§56. Exit and directional signs. Every means of egress shall be indicated by a sign reading "EXIT" in red letters at least eight inches high on a white background, or vice versa, illuminated at all times during the day and night by a red light of at least twenty-five watts or equivalent illumination. Such light shall be maintained in a keyless socket. On all stories where doors, openings or passageways giving access to any means of egress are not visible from all portions of such stories, directional signs shall be maintained in conspicuous locations, indicating in red on a white background, or vice versa, the direction of travel to the nearest means of egress. At least one sign shall be visible from the doorway of each room or suite of rooms. Existing signs and illumination may be accepted if, in the opinion of the department, such existing signs and illumination serve the intent and purpose of this section. Supplementary stairs, fire-stairs or fire-escapes which do not lead to the entrance story or to a street or to a yard or court, leading to a street, shall be clearly marked "NOT AN EXIT" in black letters at least four inches high on a yellow background, and at the termination of each such stair, fire-stair or fire-escape, there shall be a directional sign indicating the nearest means of egress leading to a street. All signs shall be constructed, located and illuminated in a manner satisfactory to the department.

§56-a. Posting of means of egress in hotels and motels. On each floor of every hotel or motel having two or more stories where the rooms or suites are connected by an interior hallway there shall be posted by each stairway, elevator or other means of egress a printed scale floor plan of the particular story, which shall show all means of egress, clearly labeling those to be used in case of fire. Such signs shall be posted in other conspicuous areas throughout the building. Said floor plan shall be no smaller than eight inches by ten inches and shall be posted in such a manner that it cannot be readily removed. (Effective Oct. 1981)

§57. Vertical and horizontal openings. In order to prevent the vertical and horizontal spread of fire, smoke and gases, it shall, in addition to other applicable provisions of this article, be necessary to comply with the requirements of this section.

1. All doors opening from shafts, stair halls or stairs and the door assemblies shall be fire-retarded with the doors self-closing and without transoms or any other opening. Except in the case of elevator shafts, such shafts, stair halls or stairs may be protected by an automatic sprinkler system in lieu of fire retarding.
2. All other doors opening upon entrance halls or other public halls or corridors in every part of the dwelling shall be self-closing, except where such dwelling is equipped throughout with an approved type automatic sprinkler or fire-detecting system. It shall be unlawful to attach to or maintain on or about any door required to be self-closing any device which prevents the self-closing of such door.
3. Every existing interior glazed sash, window or opening, other than a door, or a fireproof sash, window or opening glazed with wire glass, in any partition forming required enclosures around stairs or shafts shall be removed and the openings closed up and fire-retarded.

§58. Cellar ceiling. The ceiling of the cellar shall be fire-retarded or be equipped with a sprinkler system, or the entire cellar shall be equipped with a fire-detecting system. Any room within the dwelling in which a boiler or furnace is used for generating heat or hot water to service the dwelling shall be enclosed with fire-retarded partitions and every door opening therefrom and its assembly shall be fireproof with the door self-closing. The ceiling of such room shall also be fire-retarded or be equipped with a sprinkler system, or the room shall be equipped with a fire-detecting system.

§59. Ventilation for shafts.

1. There shall be provided in the roof directly over each stair, fire-stair, dumbwaiter, elevator or similar shaft which extends to or within one story of a roof, a ventilating metal skylight of the cross-sectional area of such shaft. Such skylight need not, however, exceed twenty square feet in area. Where an existing skylight is smaller than the dimensions or area prescribed in this subdivision, no structural change shall be required, but a ventilating metal skylight fitting the existing opening in the roof shall be sufficient. Every skylight shall be glazed with plain glass in the roof of such skylight and shall be equipped with metal screens over and under the skylight. In lieu of a skylight a window of the same area at the top story shall be accepted.
2. Whenever there is a flooring of solid construction at the top of any enclosed stair, fire-stair, elevator or similar shaft, openings shall be left near the top of such shaft for ventilation. Such openings shall provide at least two hundred eighty-eight square inches of unobstructed ventilation and shall communicate directly with the outer air, or be otherwise ventilated in accordance with the provisions of the local building code.
3. It shall be unlawful to discharge into any such shaft any inflammable or volatile gases, liquids or other thing or matter which would endanger life.

§60. Bulkheads and scuttles.

1. There shall be a fire-resistive bulkhead in the roof over, or connecting directly by means of a public hall with the highest portion of every stair extending to the highest story below the main roof. Stairs leading to such bulkheads shall be fire-retarded as required for other public stairs and shall have at the top fireproof doors and assemblies with the doors self-closing. All stairs to required bulkheads shall be provided with a guide or handrail. A scuttle so constructed as to be readily opened may be substituted for a bulkhead in dwellings not exceeding three stories

and a basement in height. Such scuttle shall be at least twenty-one inches in width and twenty-eight inches in length, covered on the outside with metal and provided with a stationary iron or steel ladder leading thereto.

2. When a dwelling has a pitched or sloping roof with a pitch or slope of more than fifteen degrees, no bulkhead or scuttle, or stair or ladder leading thereto shall be required.

3. A bulkhead door or scuttle shall never be locked with a key, but may be fastened on the inside with movable rustproof bolts or hooks. All key locks shall be removed.

4. Bulkheads and stairs leading thereto existing on July first, nineteen hundred fifty-two, shall be permitted provided the stairs have such angle of ascent and treads of such dimensions as may be approved by the department.

§61. Fire alarm system; watchman.

1. Except as provided in subdivision three, in every transient dwelling containing thirty or more sleeping rooms for transient occupancy, there shall be an interior fire alarm system.

2. Except as provided in subdivision three, in every fireproof transient dwelling containing fifty or more sleeping rooms for transient occupants, and in every non-fireproof transient dwelling containing thirty or more such rooms, when thirty-five per centum or more of such rooms are occupied, there shall be, in addition to the interior fire alarm system, one or more watchmen or clerks, employed by the owner, whose duty it shall be to visit every portion of the dwelling at frequent regular intervals between the hours of eleven p.m. and seven a.m. for the purpose of detecting fire or other sources of danger and giving immediate and timely warning thereof to all the occupants. There shall be provided a watchman's clock system or other device to record the movement of such watchman.

3. Where throughout such dwelling a fire-detecting system, or an approved type automatic sprinkler system is provided which actuates a fire alarm by the flow of water through such system so as to give warning to all the occupants of the dwelling, and is installed in a manner satisfactory to the department in conformity with rules and regulations adopted by the commission, the provisions of subdivisions one and two shall not be applicable.

§62. Miscellaneous provisions.

1. An existing sprinkler installation, fire alarm, watchman's clock or fire-detecting system which has been approved or accepted by the department having jurisdiction and installed before July first, nineteen hundred fifty-two, in conformity with rules and regulations adopted by the commission, shall, after inspection by the said department, be deemed to be in compliance with the requirements of this chapter.

2. Where a sprinkler system is required by this article, such system shall be constructed to fuse at a temperature not higher than one hundred sixty-five degrees Fahrenheit, spaced so as to protect the area which is required to be sprinklered.

3. In furnace, boiler, laundry rooms and other parts of the dwelling where high temperature usually prevails, sprinkler heads may fuse at a higher temperature. Where such rooms are located at least thirty feet distant from such dwelling, no sprinklers shall be required.

4. Except as otherwise provided in sections fifty-two and fifty-five, an approved fire-detecting system shall be accepted as meeting any requirement for a sprinkler system under this article.

§63. Two story transient dwellings. (Effective April 21, 1960)

1. All nursing and convalescent homes, homes for the aged, and boarding and nursery schools, two stories in height, shall conform with all of the provisions of article four.

2. Except as provided in subdivision one of this section, the only provisions of article four which shall apply to two story transient dwellings in existence on July first, nineteen hundred fifty-two, shall be sections sixty, sixty-one, sixty-five, title two and the following:

a. Every such transient dwelling shall have at least two means of egress. The first means of egress shall be by an interior stair closed off at the top or bottom. The second means of egress shall be by an additional interior stair closed off at the top or bottom or a fire stair or fire escape. A second means of egress shall not be required in a dwelling containing less than thirty sleeping rooms if the sill of the second story window does not exceed fourteen feet in vertical height above the ground or other safe landing place immediately below such window sill.

b. Where it is impractical in such transient dwellings to provide a second required means of egress, the department may order, in lieu thereof, additional alterations to the first means of egress and to shafts, stairs and other vertical openings to safeguard the occupants of the dwelling, may require the public halls providing access to the first means of egress to be equipped on both stories with an automatic sprinkler system, and may also require automatic sprinkler heads in the stair which serves as the only means of egress.

c. Where two means of egress are required by this section and one is an ornamental stair, the provision for closing off the stair at top or bottom shall not be applicable to the ornamental stair.

§64. One story transient dwellings. The only provisions of article four which shall apply to one story transient dwellings in existence on July first, nineteen hundred fifty-two, shall be sections sixty, sixty-one, sixty-five and title two. (Effective April 21, 1960)

§65. Artificial lighting. The owner shall provide a light or lights in every public hall, stair and fire-stair on every floor so that every such space shall be lighted adequately.

TITLE 2 - SANITATION

§70. Repairs and cleanliness. Every transient dwelling shall be maintained in conformity with the provisions of section one hundred seventy-four.

§71. Water closet and bath accommodations. Every water closet or bathroom installed in transient dwellings on or after July first, nineteen hundred fifty-two, and in transient dwellings converted on or after such date shall be constructed in conformity with the provisions of section one hundred seventy-one.

§72. Water supply; plumbing and drainage. Every such dwelling shall comply with the provisions of sections forty-one and forty-three.

ARTICLE 5 NEW MULTIPLE DWELLINGS - GENERAL PROVISIONS

§100. Application of article five. All the provisions of this article shall apply to every multiple dwelling of permanent or transient occupancy erected on or after July first, nineteen hundred fifty-two, and shall apply in addition to and not in substitution for the provisions of article two, articles six or seven, and in the case of transient dwellings, sections fifty-three, fifty-six, and sixty-one of article four.

TITLE 1 - LIGHT AND AIR

§101. Height and bulk. The height and bulk of any new multiple dwelling shall be in accordance with the provisions of any applicable local law, ordinance, resolution, code provision or regulation.

§102. Yards and courts. Yards and courts in connection with any such multiple dwelling shall be in accordance with the provisions of any applicable local law, ordinance, resolution, code provision or regulation.

§103. Lighting and ventilation of rooms.

1. Except as in this section and in sections one hundred five, one hundred seventy-one and articles three and four

otherwise expressly provided, every living room shall have at least one window opening directly upon a street, yard or court upon the same lot as that occupied by the dwelling in which such room is situated.

2. Nothing in this section shall be construed as prohibiting the windows of any room from opening on a partially-enclosed terrace provided such terrace opens directly to a street, yard or court and the area of the front of the terrace which is open to the outer air is at least equal to seventy-five per centum of the floor surface area of the terrace.

3. No required window shall open upon any offset or recess less than six feet in width except a window of a water-closet compartment, bathroom, or stair or of a kitchenette.

4. The total window area in every living room shall be at least one-tenth of the floor surface area of such room.

§104. Size of rooms.

1. Every living room, except kitchens, shall contain at least eighty square feet of floor space and shall be not less than eight feet in its least horizontal dimension. However, in every permanently occupied dwelling, one living room in each apartment or suite shall have at least one hundred thirty-two square feet of floor space.

2. Every living room shall be at least seven and a half feet high, the measurements in all cases to be taken from the finished floor to the finished underside of the ceiling. Beams crossing the ceiling may be disregarded if none of them extends below the ceiling more than six inches.

§105. Cooking spaces.

1. Every space which is intended, arranged or designed for cooking or warming of food shall be either a kitchen or kitchenette.

2. A kitchen or kitchenette shall be unlawful unless it is constructed, arranged and maintained in compliance with the following applicable provisions:

a. The ceiling and walls, exclusive of doors, of all kitchenettes shall be fire-retarded or in lieu thereof such space shall be equipped with one or more sprinkler heads to fuse at a temperature not higher than two hundred twelve degrees Fahrenheit. Such heads shall be connected to the water supply through a pipe of adequate size.

b. In every kitchen and kitchenette, all combustible material immediately underneath or within one foot of any apparatus used for cooking or warming of food shall be fire-retarded or covered with fire-resistive material.

c. Every kitchenette shall be provided with a window opening upon a street or upon a yard, court or shaft. Such window shall be at least one foot wide, have a total area of at least three square feet and be at least ten per centum of the superficial floor area of such kitchenette. In lieu of such window, in such kitchenette it shall be lawful to install a system of mechanical or gravity ventilation to provide at least six changes per hour of the air volume of such kitchenette.

d. Every kitchenette may be equipped with a door or doors, provided the lower portion of each such door has a metal grille containing at least forty-eight square inches of clear openings or, in lieu of such a grille, there are two clear open spaces, each of at least twenty-four square inches, one between the floor and each such door, and the other between the top of each such door and the head jamb.

§106. Rooms in cellars. It shall be unlawful to occupy all or any part of a cellar for sleeping purposes, but all or part of such cellar may be used for storage or other general utility purposes accessory to the occupancy, use or management of the dwelling.

§107. Entrance doors. Every door giving access to an entrance hall from outside the dwelling shall contain at least five square feet of glazed surface. Every such door shall open outwardly. The width of every such door shall be at least forty-four inches. However, when double doors are provided each of the doors separately shall be at least two

feet six inches.

§108. Windows and skylights for public halls and stairs.

1. Where a window or windows are required to light a public hall or part thereof, at least one of such windows shall be not less than two feet six inches wide and five feet high. Every required window in such a hall shall open upon a street, yard or court. On the top story of such a dwelling a ventilating skylight of the same dimensions shall be accepted in lieu of a window for that story.

2. There shall be in the roof, directly over each required stair and fire-stair a ventilating skylight provided with louvres or ventilators having a minimum open area of forty square inches. The roof of every such skylight shall be glazed with plain glass and equipped with suitable metal screens above and below. The glazed area of every such skylight shall be at least twenty square feet, except that in such a dwelling or section thereof two stories or less in height the glazed area of such a skylight need be only nine square feet. In lieu of a skylight, a window of the same area as prescribed in subdivision one may be provided. If such a window is used in lieu of a skylight, fixed louvres having a minimum opening of forty square inches shall also be installed in or directly adjacent to such window.

3. When any stair, fire-stair or fire-tower in such a dwelling terminates at the level of a setback of an outer wall and such setback consists of a terrace at least four feet in width, measured between the inside of the parapet wall and the wall of the dwelling and at least ten feet in length, measured parallel to the wall of the dwelling, there may be provided in lieu of such skylight a fireproof door and assembly with the door self-closing giving access from such stair or fire-stair to such terrace. Such door shall have a panel at least five square feet in area glazed with wire glass and shall be equipped with louvres having a minimum open area of forty square inches.

§109. Artificial lighting. The owner shall provide a light or lights in every public hall, stair and fire-stair on every floor so that every such space shall be lighted adequately.

TITLE 2 - FIRE PROTECTION AND SAFETY

§130. Entrance halls. Every entrance hall shall be at least three feet eight inches in clear width from the entrance to the first stair. If such an entrance hall is the only entrance to more than one required stairs, the width of such hall shall be increased in every part, for each such additional flight of stairs, by one-half the width required for one flight of stairs.

§131. Shafts, elevators and dumbwaiters. Every shaft shall be enclosed on all sides with fireproof walls and shall have fireproof doors and assemblies at all openings, with the doors self-closing. Not more than three elevators or dumbwaiters shall ever be placed in the same shaft. All dumbwaiter doors shall be fastened by an interior lock in the shaft operated and controlled from a central point. The doors of every elevator shaft shall be provided with an automatic device to prevent the normal operation of the elevator unless the hoistway door at which the car is standing is closed and locked, or unless all hoistway doors are locked in a closed position. Such doors, except for power-operated sliding doors, shall have a vision panel of wire glass not exceeding one square foot in area. Every elevator shall be equipped with a gate or door with an automatic device to prevent the normal operation of such elevator unless such gate or door is closed.

§132. Stairs. Every interior and exterior stair and fire-stair shall be provided with proper balustrades and handrails. Every such stair and fire-stair three feet eight inches or more in width shall be provided with a handrail on each side. Each tread, exclusive of nosing, shall be not less than nine and one-half inches wide; each riser shall not exceed seven and three-quarter inches in height; and the product of the number of inches in the width of the tread and the number of inches in the height of the riser shall be at least seventy and at the most seventy-five. Winding stairs shall be unlawful in any public part of the dwelling.

§133. Fire-escapes.

1. Every fire-escape shall be located, arranged, constructed and maintained in accordance with the following

provisions:

- a. Each fire-escape shall be accessible to one or more exterior doors or windows opening from the room, apartment or suite, and such window or door shall be two feet or more in clear width and two feet six inches or more in clear height. The sill of any such window shall be within three feet of the floor.
- b. Access to any fire-escape shall not be through any public toilet, or be obstructed by any bathroom fixture, kitchen fixture, sink, or in any other way. Bars, grilles, gates or other obstructing devices on any window or door giving access to any fire-escape shall be unlawful. A required fire-escape shall never include a window of a stair hall or public stairs.
- c. Every fire-escape shall be constructed of open balconies and stairways of incombustible material and designed to support a uniformly distributed live load of at least eighty pounds per square foot. The use of cast iron in the construction of fire-escapes shall be unlawful.
- d. No fire-escape shall be removed from or erected upon any multiple dwelling without a permit from the department. No fire-escape shall be removed or replaced unless a secondary means of egress is available or provided in lieu thereof.

2.a. Every balcony for a fire-escape shall be three feet or more in clear width.

- b. Every lowest balcony more than five feet above a safe landing beneath shall have a drop ladder fifteen inches in width and of sufficient length to reach such landing. Such ladder shall be held in a proper position at all times, and, unless properly counterbalanced, shall be placed in guides so that it can be lowered easily. The lowest balcony shall not be more than fourteen feet above the ground or safe landing place beneath.
- c. Every stairway shall be placed at an angle of sixty degrees or less with steps at least six inches in width and twenty inches in length and with a maximum rise of nine inches. The opening in any balcony for such a stairway shall be at least twenty-one by twenty-eight inches.
- d. A stairway shall be provided from every balcony on the top story to the roof of a multiple dwelling three or more stories in height except where the roof is sloped or pitched in excess of fifteen degrees.

§134. Cellar entrance. There shall be a direct entrance to the cellar, or to the lowest story if there be no cellar, from the outside of every multiple dwelling, except that any stair leading to such cellar or lowest story may be located inside the dwelling provided it is enclosed in fireproof walls and fireproof doors and assemblies, with the doors self-closing, at both the level of such cellar or lowest story and that of the story above.

§135. Frame buildings. It shall be unlawful to erect a frame multiple dwelling exceeding two stories in height.

§136. Motor vehicle storage. A space or a structure may be provided and maintained in any multiple dwelling or upon the premises thereof for the storage of passenger motor vehicles but only with a written permit therefor from the department and in accordance with every applicable local law, ordinance, resolution, code provision or regulation and the rules and regulations of the commission.

§137. Business uses. When business is conducted in a non-fireproof multiple dwelling, the ceiling of the business space shall be covered with fire-resistive materials or be equipped with a sprinkler system.

§138. Parapets and guard railings. Except as hereinafter provided every open area of a roof, terrace, areaway, outside stair, retaining wall or porch shall be protected by a parapet wall, a guard railing, or both, extending three feet six inches or more in height above the level of such area or, in the case of a stair landing, stair window or window in a public hall, above the level of the floor adjacent thereto. In dwellings two stories in height, it shall be sufficient if the guard railing is erected at least five feet distant from and encloses any required bulkhead or scuttle opening to the roof. This section shall not apply to dwellings one story in height.

§139. Boiler rooms. In every dwelling the boiler or furnace of a central heating plant shall be enclosed in a fireproof room or space and all openings therefrom to other portions of the dwelling shall be equipped with fireproof doors and assemblies with the doors self-closing, except that in any dwelling three stories or less in height, such room or space may in the alternative be enclosed with walls or partitions constructed of fire-resistive materials and the ceiling fire retarded.

TITLE 3 - SANITATION AND HEALTH

§170. Water supply. The owner shall provide proper appliances to receive and distribute in such dwelling an adequate supply of water obtained from the public water supply system or from a source approved by the public health officer having jurisdiction at all times when the building is occupied and during all hours and hot water between six o'clock in the morning and midnight.

§171. Water-closet and bath accommodations.

1. Every dwelling arranged for permanent occupancy shall contain a water-closet in every apartment.
2. The floor of every compartment, bathroom or general toilet room shall be made waterproof and such waterproofing shall extend six inches or more above the floor so that the floor can be washed or flushed out without leaking. No plumbing or plumbing fixture shall be enclosed wholly or in part with woodwork.
3. Water-closets may be placed together in a general toilet room provided such water-closets are supplementary to the water-closet accommodations required for the exclusive use of tenants of the dwelling, or are solely for the use of business portions of the dwelling.
4. Every apartment arranged for permanent occupancy shall contain a bath or shower accessible from every bedroom without passing through any other bedroom. In dwellings arranged for transient occupancy there shall be at least one shower or bath for every eight resident occupants.
5. Except as specifically provided otherwise in this chapter, every water-closet compartment and bath or shower room shall have a window opening upon a street or upon a lawful court or yard.
6. In lieu of a required window or skylight, it shall be lawful to install a system of mechanical or gravity ventilation for water-closet compartments or bathrooms in any portion of a dwelling. Such system of ventilation shall be constructed, arranged and maintained continuously to provide at least four changes per hour of the air volume of each such water-closet compartment or bathroom.

§172. Plumbing and drainage. All liquid or water-borne waste from plumbing fixtures shall be conveyed by a house drain and house sewer to a street sewer or to a combined street storm water main and sewer, unless no such sewers are available. Where neither kind of sewer is available, provision shall be made for disposing of such waste as may be permitted pursuant to article five of the public health law and as required by local law or ordinance.

§173. Heating. Every new dwelling shall be provided with heat in all living rooms sufficient to maintain the minimum temperatures required by local law, ordinances, rules or regulation, or by the local public health officer, provided, however, that such minimum temperature shall, notwithstanding the provisions of subdivision one of section three hundred twenty-nine of this chapter, be sixty-eight degrees Fahrenheit during the hours between six o'clock in the morning and ten o'clock in the evening during the months between October first and May thirty-first, whenever the outdoor temperature falls below fifty-five degrees Fahrenheit.

§174. Repairs and cleanliness. The owner shall keep all and every part of a dwelling and the lot on which it is situated in good repair, clean and free from vermin, rodents, dirt, filth, garbage or other thing or matter dangerous to life or health; but the tenant shall also be liable if a violation is caused by his own wilful act, assistance or negligence or that of any member of his family or household or his guests.

ARTICLE 6
FIREPROOF NEW MULTIPLE DWELLINGS

§200. Application of article six. The provisions of this article shall apply only to fireproof new multiple dwellings of permanent or transient occupancy, and shall apply in addition to and not in substitution for the provisions of articles two and five, and in the case of transient dwellings, sections fifty-three, fifty-six, and sixty-one of article four.

TITLE 1 - FIRE PROTECTION

§201. Requirements for fireproof construction.

1. Every new multiple dwelling exceeding six stories or seventy-five feet in height shall be fireproof.
2. The foregoing requirements shall not be construed as prohibiting:
 - a. Elsewhere than within, or in the openings to, the public halls, stairs and shafts, the use of wood for sleepers, grounds, nailing blocks, underflooring, finish flooring, interior doors with their assemblies and saddles, floor base not more than one foot in height, picture and wall moulding, shelving, closet and kitchen fixtures, cupboards, cabinets and wardrobes.
 - b. The use of wood for window and for interior trim and finish backed solidly against, or filled with, incombustible material and elsewhere than within, or in the openings to, the public halls, stairs and shafts.

§202. Egress from dwellings.

1. Nursing and convalescent homes, homes for the aged and boarding and nursery schools, two stories in height erected after July first, nineteen hundred fifty-seven, child caring institutions, two stories in height erected after July first, nineteen hundred sixty-two, and all dwellings three or more stories in height shall have at least two fire-stairs. Except as otherwise specifically provided in subdivision four, such fire-stairs shall extend from the entrance story to the roof and be equipped with fireproof self-closing doors glazed with wire glass and without transoms. No windows shall be required in such stairs, but any openings in exterior walls, except any window openings facing a street or yard, shall be equipped with fireproof frame and sash and glazed with wire glass.
2. Every such fire-stair shall have an entrance on the entrance story from a street or an entrance at the side or rear of the dwelling from a yard, court or passageway having continuous, safe and unobstructed access to a street. Every required stair and stair-landing shall be at least three feet eight inches in clear width.
3. There shall be horizontal access from every apartment to at least two fire-stairs, at least one of which shall be within one hundred feet horizontally in the line of travel from a required means of egress from such apartment.
4. A dwelling as a rule transiently or temporarily occupied, in which at least eighty per centum of the living rooms above the second story open directly upon a public hall without any intervening foyer or private hall, shall have at least two fire-stairs accessible at each story from each room through a public hall. Such fire-stairs shall be so located that at least one fire-stair shall be not more than one hundred twenty-five feet along the line of travel from the means of egress from any living room. Every such fire-stair shall have a clear width of at least three feet eight inches. Two such fire-stairs shall be deemed adequate for seventy living rooms on any story.
5. Nursing and convalescent homes, homes for the aged, and boarding and nursery schools, one story in height, erected after July first, nineteen hundred fifty-seven, and child caring institutions, one story in height, erected after July first, nineteen hundred sixty-two, shall have at least two means of egress from the dwelling accessible to every apartment providing free and unobstructed egress by a door opening to the outer air.

§203. Egress from apartments.

1. There shall be at least one means of egress from each apartment or suite on each and every story of such apartment or suite, and a second means of egress if the first means is not within forty feet of every living room in

such apartment or suite on such story.

2. No means of egress from any apartment or suite shall open into any stair or fire-stair required under the provisions of this section except through a vestibule or public hall.

§204. Bulkheads. Every stair and fire-stair required by this chapter to extend to the level of the roof shall extend to and through a fireproof bulkhead or other fireproof enclosure in such roof. Such bulkhead or enclosure shall give unobstructed access at all times to such roof by means of a fireproof door and door assembly with the door self-closing. Stairs to a bulkhead or enclosure shall have a handrail. Where the roof of a dwelling is pitched or sloped more than fifteen degrees, no bulkhead or stairs leading thereto shall be required.

§205. Separation and ventilation of stairs.

1. All stairs and fire-stairs shall be completely separated from one another and from every elevator or other shaft by fireproof walls. They shall be constructed of fireproof material throughout and shall contain no wood or other inflammable material of any kind, except that handrails of hardwood may be provided.

2. Access to stairs and fire-stairs from any public vestibule or other public hall shall be through fireproof doors and assemblies, with the doors self-closing and at least three feet wide, or through pairs of such doors at least four feet wide, containing in either case a fixed sash glazed with wire glass at least one-quarter inch thick and at least three hundred sixty square inches in area.

3. At the highest level of every stair and fire-stair there shall be provided a window or a skylight. At such termination, there shall also be an opening of at least one hundred forty-four square inches which shall communicate directly to the outer air, which opening may be a part of such window or skylight. Except as herein provided, such skylight shall comply with the provisions of subdivision two of section one hundred eight.

§206. Cellar and basement stairs. All inside cellar or basement stairs shall be entirely enclosed with fireproof walls and be provided with fireproof doors and assemblies, with the doors self-closing, at all openings.

§207. Public halls.

1. Every public vestibule or other public hall shall comply either with the applicable provisions of section two hundred fifty-eight for non-fireproof dwellings, or with all of the following provisions:

a. Every such public vestibule or hall shall be everywhere at least three feet eight inches in clear width and shall be separated from all other parts of the dwelling by fireproof floors and walls.

b. All openings from such a public vestibule or hall to stairs, fire-stairs, shafts, apartments or suites shall be protected by fire-proof doors and assemblies, with the doors self-closing, except that such doors and assemblies shall not be required in any transiently or temporarily occupied fireproof dwelling for any apartment consisting of one room opening directly upon a public hall.

c. Such a public vestibule or hall shall not be required to have a window, but if it does not have a window opening to the outer air it shall be equipped for artificial lighting and ventilation.

d. Any part of a public hall that is shut off from any other part of such hall by a door or doors shall be deemed a separate hall.

TITLE 2 - SANITATION

§215. Interior water-closets and bathrooms.

1. Except as otherwise provided in this section, water-closets, bath and shower rooms may be ventilated by windows or mechanically ventilated as prescribed in section one hundred seventy-one.

2. In transiently occupied dwellings there shall be on each story at least two water-closet compartments for the first twenty living rooms or fraction thereof and at least one additional water-closet compartment for each additional fifteen living rooms or fraction thereof.

a. The water-closet compartments on each story shall be accessible from every such living room on the story. Such water-closet compartments may be placed in one or more general toilet rooms.

b. Every water-closet compartment of a general toilet containing water-closet compartments permitted under this subdivision shall have a window opening to the outer air of the dimensions, kind and location required in a living room of the same area by section one hundred three, or be provided with a system of mechanical ventilation as prescribed in subdivision six of section one hundred seventy-one.

ARTICLE 7 NON-FIREPROOF NEW MULTIPLE DWELLINGS

§250. Application of article seven. The provisions of this article shall apply only to non-fireproof new dwellings of permanent or transient occupancy, and shall apply in addition to and not in substitution for the provisions of articles two and five, and in the case of transient dwellings, sections fifty-three, fifty-six, and sixty-one of article four.

TITLE 1 - FIRE PROTECTION

§251. Height limitation. A dwelling not exceeding seventy-five feet or six stories in height may be non-fireproof construction.

§252. Sub-curb uses. In all portions of such dwellings below the level of the highest curb all structural members, partitions, furrings and ceilings shall be constructed of incombustible materials.

§253. Construction of first floor. The first floor above the lowest cellar, or, if there be no cellar, above the lowest story, shall be fireproof or, if the dwelling be three stories or less in height, fire-retarded.

§254. Egress from dwellings.

1. Nursing and convalescent homes, homes for the aged and boarding and nursery schools, two stories in height erected after July first, nineteen hundred fifty-seven, child caring institutions, two stories in height, erected after July first, nineteen hundred sixty-two and all dwellings three or more stories in height shall have at least two means of egress and, except as otherwise provided in the case of a pitched or sloped roof, shall extend to the roof from an entrance story, street, court or yard. The entrances to such means of egress at every story shall be at least fifteen feet distant from each other unless they are on opposite sides of a public hall. One means of egress shall be a stair constructed as provided in section two hundred fifty-seven. The other means of egress shall be either another such stair or a fire-stair or a fire-escape constructed as provided in section one hundred thirty-three.

2. If the number of living rooms on any story, or in any section of any story, above the entrance story exceeds twenty, there shall be an additional stair or a fire-stair extending from the entrance story to the roof for each twenty rooms or fraction thereof on such story or section thereof in excess of twenty, except that no additional stair shall be required for such excess on any story or section thereof if the number of living rooms thereon does not exceed thirty and if in addition one stair serving such story or section and every entrance hall or other public hall connected therewith is everywhere four feet six inches or more in clear width.

3. There shall be accessible from every apartment two means of egress from the dwelling, one of which shall be an enclosed stair complying with the provisions of section two hundred fifty-seven within fifty feet from a means of egress from such apartment.

4. Nursing and convalescent homes, homes for the aged, and boarding and nursery schools, one story in height, erected after July first, nineteen hundred fifty-seven, and child caring institutions, one story in height, erected after July first, nineteen hundred sixty-two, shall have at least two means of egress from the dwelling accessible to

every apartment providing free and unobstructed egress by a door opening to the outer air.

§255. Egress from apartments.

1. A dwelling three or more stories in height shall have at least two means of egress from every apartment or suite. Such means shall be remote from each other. Except where it opens into a stair as permitted in subdivision three, one means shall be to a public hall connecting with an enclosed stair or fire-stair not more than fifty feet distant from such means. The other required means of egress shall open either directly upon a fire-escape or a public vestibule or other public hall connecting with a stair or fire-stair.
2. Except as hereinafter provided for dwellings two stories or less in height, such vestibule, hall or stair shall be separated from the public hall or stair, on which the first means of egress opens, by a fireproof wall, unpierced except by a fireproof door and assembly with the door self-closing. In a dwelling two stories or less in height, the separating wall may be fire-retarded.
3. In a dwelling three stories or less in height and occupied by four families or less on each story, and in any section of a permanently occupied dwelling which is two stories or less in height and occupied by four families or less on each story, a means of egress from an apartment may open directly into a stair without the intervention of a public hall. Such means shall have a fireproof door and assembly with the door self-closing and without a transom.

§256. Bulkheads and scuttles.

1. Every required stair and fire-stair in a dwelling three stories or more in height shall have a bulkhead constructed as provided for fireproof dwellings in section two hundred four.
2. A dwelling which is two stories or less in height shall be provided at each required stair or fire-stair either with such bulkhead or with a scuttle at least two feet by three feet in size, located in the ceiling of the public hall on the top story. Every such scuttle shall be arranged to be readily opened, shall be covered on the outside with metal and shall be provided with stairs or a stationary metal ladder leading thereto and easily accessible to all the occupants of the dwelling.
3. When the roof of a dwelling is pitched or sloped more than fifteen degrees, no bulkhead or scuttle, or stair or ladder leading thereto, shall be required.

§257. Public stairs.

1. Every stair and fire-stair shall, except as otherwise provided in subdivisions three and four of this section and in section two hundred fifty-nine, be constructed as provided for fire-stairs in sections two hundred two and two hundred five for fireproof dwellings.
2. Every stair and fire-stair shall be at least three feet in clear width throughout, and at all floor levels shall have landings at least three feet eight inches in clear width.
3. Every stair and fire-stair shall be completely separated from every other stair and fire-stair and from every public hall and shaft by fireproof walls, with fireproof doors and assemblies, with the doors self-closing and without transoms, at all openings, except that in dwellings two stories or less in height such walls may be fire-retarded. The doors giving access to such stairs shall not be held open by any device whatever.
4. Except in the case of an interior enclosed stair separated from and directly accessible to the public hall by a self-closing fireproof door and except as provided in subdivision five, there shall be provided to light and ventilate every stair at every story a window or windows opening on a street, court or yard.
5. In a dwelling occupied by two families or less on every story:
 - a. If such dwelling is three stories or less in height, there may be provided for any stair, in lieu of windows, a stairwell sixteen inches or more in clear width extending from the entrance story to the roof.

b. If such dwelling is a permanently occupied dwelling and is two stories or less in height, there may be provided for any stair, in lieu of windows, a stairwell six inches or more in clear width. For the purposes of this paragraph, a section of a permanently occupied dwelling may be deemed a separate multiple dwelling.

c. If such dwelling is two stories in height and has no public hall on the first story, no stairwell or stair windows need be provided.

§258. Public halls.

1. Every public hall shall be everywhere at least three feet in clear width.

2. Except as herein provided, every public hall shall be completely enclosed with fireproof floor, ceiling and walls, and separated from every stair by fireproof partitions or walls, and all doors and their assemblies opening therefrom shall be fireproof, with the doors self-closing and without transoms. In a dwelling three stories or less in height occupied by not more than four families on each story, or in a permanently occupied dwelling or any section thereof two stories or less in height, any such hall which furnishes access to only one stair need not be separated from such stair by any partition or door and the walls of a public hall may be fire-retarded and the floors may be provided with three inches or more of incombustible materials between the beams.

3. Except in dwellings three stories or less in height and occupied by two families or less on every story, every public hall shall have at least one window opening directly upon a street or upon a lawful yard or court. There shall be such a window at the end of such hall and at right angles to its length, with an additional window in each forty feet of hall or fraction thereof beyond the first sixty feet from such end window; or the hall shall have one window opening directly upon a street, yard or court, in every forty feet of the length of such hall or fraction thereof measured from one end of the hall. Any part of a public hall that is shut off from any other part of such hall by a door or doors shall be deemed a separate hall.

4. The foregoing provisions of this section with regard to lighting and ventilation shall not apply to a vestibule or other public hall which serves as a means of access from one or more apartments opening thereon to a fire-stair meeting the requirements of section two hundred two if such vestibule or public hall is lighted and ventilated as required by sections one hundred nine and two hundred seven.

§259. Cellar and basement stairs. A cellar or basement stair located inside the dwelling shall be entirely enclosed with fireproof walls and be provided, at all openings, with fireproof doors and assemblies, with the doors self-closing, except that in any dwelling three stories or less in height, such stair may be enclosed with walls or partitions constructed of fire-resistive materials.

§260. One and two-story frame dwellings; area limitation. A frame dwelling not exceeding two stories in height erected pursuant to plans filed after April first, nineteen hundred fifty-nine, and containing an area greater than three thousand square feet must, in addition to any other applicable provisions of this article, comply with the following provisions:

1. Fire-stopped partitions shall be constructed between apartments in such dwelling so as to prevent the passage of fire, smoke or gases from one apartment to another.

2. No section of such dwelling shall contain more than three thousand square feet. Each such section shall be separated from all other sections of the dwelling by fire walls of masonry or other materials having a fire resistive rating of at least two hours. Such wall (1) shall be unpierced except for openings for heat, utility and other service lines and ducts with such openings sealed with incombustible materials (2) shall extend continuously from the floor of the lowest level of the dwelling, to at least two feet above the level of the finished roof and (3) be fire-stopped at floors and roof in such manner as to prevent the passage of fire, smoke or gases between sections. Where there is a peaked or sloped roof, such wall may terminate at the top of the roof boards.

(Effective April 16, 1958)

TITLE 2 - SANITATION

§280. Water-closets and bathrooms. The requirements for water-closet compartments, bath and shower rooms shall be the same as provided in section two hundred fifteen for fireproof dwellings, except that each required water-closet compartment, bath or shower room in an apartment shall be ventilated by a window opening to the outer air as provided in section one hundred seventy-one. Water-closet compartments, bath and shower rooms which are supplementary to those required under the provisions of sections one hundred seventy-one and two hundred fifteen may be mechanically or gravity ventilated as provided in section one hundred seventy-one.

ARTICLE 8
REQUIREMENTS AND REMEDIES

§300. Registry of owner. On or before July first, nineteen hundred fifty-four, every owner of a multiple dwelling shall file with the department a statement, in duplicate, on a form to be prepared by the department substantially as follows:

Owner of record: _____

Street No. or other identifying description: _____

Type of construction: _____
(frame, brick, stucco, etc.)

Height of building: _____ No. of stories: _____

Number of rooms or apartments for which designed: _____

Number of persons in occupancy: _____

§301. Permits.

1. It shall be unlawful to commence the construction or alteration of a multiple dwelling or any part or section thereof, or of any building or structure on the same lot with such a dwelling, or the alteration or conversion of a building for use as a multiple dwelling, or the moving of a dwelling from one lot to another, until an application or plans have been filed in and a permit issued by the department. The department shall have the power to charge and collect a reasonable fee for each application filed and for each permit issued.
2. No person shall be recognized as the agent of the owner unless he shall file with the department a written instrument, signed by the owner, designating him as such agent. Upon the filing of such instrument, the person designated therein as such agent shall be deemed to be and shall be known as the certified agent of the owner.
3. The department shall have power to issue, refuse, revoke or cancel any permit or approval in case of any failure to comply with any of the provisions of this chapter, or in case any false allegation or representation is made in any plans or statements submitted or filed for such permit or approval. If such permit is refused, revoked or cancelled, the reason for such action shall be recorded by the department.
4. All plans, statements and permits filed in any department shall be public records and shall not be destroyed or removed from the department.

§302. Certificate of occupancy.

1. No multiple dwelling shall be occupied in whole or in part until the issuance of a certificate by the department that said dwelling conforms in all respects to the requirements of this chapter, except that no such certificate shall be required for any multiple dwelling existing on July first, nineteen hundred fifty-two, for which a certificate of occupancy was not required before such date and in which no changes or alterations commenced on or after such date have been made except in compliance with this chapter, and except that a certificate shall be required prior to July first, nineteen hundred fifty-seven for any dwelling, the plans for the alteration or conversion of which to multiple dwelling occupancy were on file with the department or a permit authorizing such conversion was issued before such date and for which a certificate of occupancy upon completion of such conversion or alteration was not required before such date. This exception shall not be deemed to relieve any owner from the obligation to make such dwelling comply with the applicable provisions of this chapter.
2. Except as above provided, no dwelling constructed as or altered or converted into a multiple dwelling on or after July first, nineteen hundred fifty-two, shall be occupied in whole or in part until the issuance of a certificate of occupancy.
3. The department shall, on request of the owner or of his certified agent, issue a certificate of occupancy for any old multiple dwelling not requiring such certificate, provided that, after an inspection by the department, no violations are found against such dwelling.
4. A certificate of occupancy shall be issued within ten days after written application therefor, if the dwelling shall be entitled thereto. When the department does not issue such certificate within ten days, the head of the department shall, on the request of the owner or his certified agent, issue a temporary certificate of occupancy for a multiple dwelling or a section or a part thereof for a period of ninety days or less, provided that such certificate shall bear the endorsement that the dwelling has been inspected by the department and complies with all the requirements of this chapter, and that such temporary occupancy will not jeopardize life, health or property. Such temporary certificate may be renewed at the discretion of the head of the department for similar periods but shall not extend, together with such renewals, beyond one year from the date of its original issuance.
5. A certificate, a record in the department, or a statement signed by the head of the department that a certificate has been issued, may be relied upon by every person who in good faith purchases a multiple dwelling or who in good faith lends money upon the security of a mortgage covering such a dwelling. Whenever any person has so relied upon such a certificate, no claim that such dwelling had not, prior to the issuance of such certificate, conformed in all respects to the provisions of this chapter shall be made against such person or his successor in title or ownership with respect to such multiple dwelling or mortgage, or against the interest of any such person with respect thereto.
6. Notwithstanding any general or local law to the contrary, a certificate issued for any multiple dwelling organized

pursuant to the provisions of article nine-B of the real property law, shall be deemed issued for each dwelling unit contained within such multiple dwelling in full compliance with the requirements of this section. (Effective July 17, 1992)

§303. Enforcement.

1. The provisions of this chapter shall be enforced within each municipality by a person or department charged with such duty as provided in this section, provided, however, that in the case of a town such person or department shall have power and jurisdiction concerning such enforcement only with respect to such part of the town as is outside the limits of any village or city. Whenever in any city or village there is a person or department enforcing any building code, or in any town there is a person or department enforcing any building code with respect to the whole or the portion thereof outside the limits of any village or city, the provisions of this chapter shall be enforced by such person or department in such city or village, or in such town or portion thereof, respectively. If there be no such person or department in and for a city or village, or in a town for the whole or the portion thereof outside the limits of any city or village, the chief executive officer or, if there be none, the chief administrative body or board of the city, village, or town, respectively, shall have the power to and shall organize a department or shall designate or employ a person or department for the enforcement of this chapter in such city or village, or in such town or portion thereof, respectively, and the provisions of this chapter shall be enforced therein by the department so organized or the person or department so designated or employed. The person so designated or employed to enforce this chapter in a city or village or in a town or portion thereof, or in two or more of them acting jointly, as hereinafter provided, need not be an elector of the city, village or town, or of any of them, as the case may be, in or for which he is so designated or employed. A person assigned as a fire department inspector pursuant to subdivision four of this section shall not by virtue of such assignment be disqualified from holding the office of enforcement officer.

2. One such person or department may be designated or employed by two or more cities, villages or towns, acting jointly, for the enforcement of this chapter in such cities or villages, or in such towns or portions thereof, respectively, and such cities, villages and towns may make and perform agreements in connection therewith. Where two or more municipalities are so jointly acting, provision shall be made by each municipality for the appropriation, custody, audit, approval and payment of funds sufficient to defray the expense of operation of such person or department, including salaries, in such municipality or municipalities or portion or portions thereof. Any joint agreement made as provided in this section shall include provisions for the proportionate cost of the expense of operation of such person or department, including salaries, to be borne by each municipality or portion thereof and the manner of employment of personnel and may provide that a fiscal officer of one such municipality shall be the custodian of the moneys made available for expenditure for the purposes of such enforcement by all such municipalities or portions thereof and that such fiscal officer may make payments therefrom upon audit of the appropriate auditing body or officer of his municipality. In providing for the enforcement of this chapter in any municipality or portion thereof, a municipality may also contract with another municipality to enforce this chapter within such municipality or portion thereof as required by this chapter, under such terms and conditions as may be stated in such contract, and any amount agreed to be paid under such contract shall be a charge upon the municipality or portion thereof for which such enforcement is provided and shall be paid in the same manner as other charges of the municipality.

3. The person or department charged with the duty of enforcing the provisions of this chapter in a municipality or portion thereof shall have power to enter, examine, and inspect, or cause to be examined and inspected, any building or property for the purpose of carrying out the duties of such person or department under this chapter and is authorized and empowered to issue departmental notices and orders.

4. The fire department of any city, village or fire district, the fire department of any town which as such has a fire department, and any fire company located in the area of a town outside villages and fire districts, may, with the approval of the chief executive officer or, if there be none, the chief administrative body or board of the city, village or town, respectively, assign to one or more members of the fire department or company, as the case may be, the duty of making inspections of buildings and properties which are subject to the provisions of this chapter and are located in the area regularly served and protected by such fire department or company including areas protected pursuant to a contract. The purpose of any such inspection shall be to determine whether the provisions of this chapter and the rules and regulations adopted and promulgated pursuant thereto in relation to fire protection and safety are being complied with. Firemen assigned to such duty shall have full power and authority to enter, examine and inspect any such building or property at such times and hours as are reasonably convenient. It shall be the duty of any fireman so assigned to report any violations of such provisions of this chapter or of such rules

and regulations to the person or department charged with the duty of enforcing the provisions of this chapter in the city, town or village in which the building or property is located and also to the chief of his fire department or fire company, as the case may be. In the event that an area is served pursuant to a fire protection contract by more than one fire department or fire company, the fireman or firemen assigned to perform such duty in such area shall report violations to the chief of each fire department and fire company serving such area. The failure of any such fireman to discover and properly report any such violations or his neglect or omission to perform such duties, shall not subject him, his fire department, fire company, or the city, village, fire district or town in which or of which he is a fireman to any civil or other liability. Any such fireman shall not be liable civilly for any act or acts done by him as a fireman in the performance of such duties, except for wilful negligence or malfeasance, but the provisions of this subdivision shall not relieve any such city, village, fire district, town, or fire company from liability, if any, for the negligent or wrongful acts of the fireman in the actual performance of such duty. Firemen assigned to any such duty may be known as fire inspectors but shall not, by reason of this law, be an officer of any city, village, fire district or town or of any fire department or fire company. Unless otherwise provided by some other law, general, special or local, any such assignment of duty and the termination of any such assignment shall be made by the chief of the fire department or the fire company, as the case may be. Before any such inspection is made, the fireman assigned to perform such duty must be approved by the chief executive officer or, if there be none, the chief administrative body or board of the city, village or town, respectively, in which the inspection will be made.

5. Pending the organization of a department or designation of a person or department for the enforcement of this chapter in any city or village, or in a town outside any city or village, the chief executive officer, or if there be none, the chief administrative body or board of the city, village or town, shall be charged with the duty of enforcing the provisions of this chapter in such city or village, or in such town outside a city or village, until such time as a department is organized or a person or department is designated or employed to enforce the provisions of this chapter.

6. Notwithstanding the foregoing provisions of this section, this chapter shall be enforced within the county of Hamilton, in the manner provided in this subdivision. On or before September first, nineteen hundred fifty-four, the board of supervisors of such county may, by local law, create an office or department, or designate a county office or department, for the purpose of enforcing the provisions of this chapter within such county. The office or department so created or designated shall succeed to and become vested with the duty of enforcing the provisions of this chapter within each municipality in such county. All provisions of this chapter, not inconsistent with this subdivision, shall apply to the enforcement of this chapter within such county by the office or department so created or designated. The cost and expense of such enforcement shall be a county charge. In the event such board of supervisors shall fail to provide for the enforcement of this chapter pursuant to the foregoing provisions of this subdivision by such date, then and in such event, the provisions of this chapter shall be enforced within each municipality in such county in the manner hereinbefore provided in this section.

§304. Penalties for violations.

1. Any person, who having been served with a notice or order to remove any violation of this chapter or of any nuisance, fails to comply therewith within thirty days or within such further reasonable time therefore fixed by the department, shall be guilty of a misdemeanor punishable for each offense by a fine of not exceeding five hundred dollars or by imprisonment for a period of one year, or by both such fine and imprisonment. However, every person who shall violate or assist in a violation of any provision of sections forty, seventy and one hundred seventy-four shall be guilty of an offense punishable by a fine of not less than ten dollars nor exceeding five hundred dollars or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Courts of special sessions shall have exclusive jurisdiction in the municipalities to which this chapter is applicable to hear and determine charges of violations constituting misdemeanors or offenses under this chapter.

2. The term "person" as used in this section shall include the owner, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of a dwelling or part thereof.

§305. Nuisances.

1. The term nuisance shall be held to embrace whatever is dangerous to human life or detrimental to health and shall include but not be limited to: (a) a public nuisance as known at common law, statutory law and in equity jurisprudence, and (b) a dwelling that, in violation of this chapter or of any other state or local law, ordinance or

regulation, does not have adequate egress, safeguards against fire, adequate electrical service, installation and wiring, structural support, ventilation, plumbing, sewerage or drainage facilities, is overcrowded or inadequately cleaned or lighted and the condition constituting such violation is dangerous to human life or detrimental to health. All such nuisances are hereby declared to be unlawful.

2. Whenever the department shall declare that a dwelling is a nuisance, it shall serve a notice or order in the manner prescribed by section three hundred six of this chapter, reciting the facts constituting such nuisance, specifying in what respect the dwelling is dangerous to human life or detrimental to health and requiring the owner to remove such nuisance within thirty days after service of such notice or order or such lesser period of time where an emergency exists as may be determined by the department head. Such notice or order shall provide that, if the owner fails to remove such nuisance within such period for compliance so prescribed, the department may remove or cause the removal of such nuisance by cleansing, repairing, vacating, demolishing or by taking such other corrective action deemed necessary and shall notify the owner of his right to a hearing as hereinafter provided.

Wherever such notice is given, the owner may request a hearing before the head of the department charged with enforcement, and a hearing shall be given such owner prior to the expiration of the period for compliance so prescribed.

3. a. If such nuisance is not removed by the owner within the time heretofore prescribed after service of such notice or order, the department may proceed with the removal of such nuisance as provided in the notice or order.

b. If the owner refuses to permit the department to remove or cause the removal of such nuisance by cleansing, repairing, vacating, demolishing or by taking such other corrective action as may be necessary, or interferes in any way with the department or causes delay to the taking of corrective action, the department may cause such dwelling, in whole or in part, to be vacated and sealed up or vacated and demolished, but, in such case, the department shall commence a special proceeding in the supreme court for such relief. During the pendency of such proceeding, the department may obtain a temporary order for the immediate vacating of such dwelling, upon proof of a present danger to human life or detriment to health. In addition to the owner, all tenants, mortgagees and lienors of record shall be necessary parties to such special proceeding.

4. a. If the department proceeds to execute a notice or order issued by it or by the court for the removal of a nuisance, the department may let contracts therefor, in accordance with the provisions of any local laws, ordinances, rules and regulations of the municipality applicable to the letting of contracts for municipal improvements. The cost of executing such notice or order or orders whether or not carried out pursuant to court order shall be met from any appropriation made therefor, or if such appropriation has not been made or is insufficient, from the proceeds of the sale of obligations pursuant to the local finance law. The department shall keep a record of such notices and orders together with the acts done and the items of cost incurred in their execution.

b. The municipality shall have a lien upon the premises of the dwelling for the cost of executing such notice or order or orders for the removal of a nuisance and shall file a notice of such lien in the office of the clerk where notices of mechanics' liens are filed; and all proceedings with respect to such lien, its enforcement and discharge shall be carried on in the same manner as proceedings with respect to mechanics' liens under the lien law.

c. Notwithstanding the foregoing and in addition to any other remedy available, the department may maintain an action against the owner to recover the cost of executing such notice or order or orders.

§305-a. Abatement of rent in the case of serious violations. (Effective Sept. 1, 1966)

1. The provisions of this section shall apply to all cities of less than five hundred thousand population and to all towns and villages.

2. a. A "rent impairing" violation within the meaning of this section shall designate a condition in a multiple dwelling which, in the opinion of the state building code council, constitutes, or if not promptly corrected, will constitute, a fire hazard or a serious threat to the life, health or safety of occupants thereof.

b. The determination as to which violations are "rent impairing" shall be made in the following manner. Within six

months after the enactment of this section, the state building code council shall promulgate a list of conditions constituting violations of the provisions of this chapter and of any regulations promulgated pursuant to the provisions of subdivision three of section three of this chapter. Such list shall contain a brief description of the condition constituting the violation, the section of this chapter or regulation violated, and the order number assigned thereto. Such council may from time to time change the number or description of violations on such list, as may seem appropriate to such council. Such list shall be available at all times to the public.

c. At the time of the promulgation of the list of violations, the state building code council shall also designate, by reference to the order number, those violations which it proposes to classify as rent impairing as above defined. Within thirty days thereafter, such council shall hold a public hearing at which all persons interested may be heard as to the propriety of the classification of such violations as rent impairing. Within a reasonable time after the hearing, such council shall make and publish a list of those violations which are classified as rent impairing. Any person interested may, within four months thereafter, seek a review by the supreme court of the propriety of the classification of any of such violations as "Rent Impairing" by a special proceeding pursuant to article seventy-eight of the civil practice law and rules. No other body or officer shall have the power to review said classification.

d. The state building code council may at any time change the number or description of rent impairing violations but no such change shall be made except in the manner above set forth after notice and public hearing.

3.a. If (i) the official records of the department shall note that a rent impairing violation exists in respect to a multiple dwelling and that notice of such violation has been given by the department, by mail, to the owner last registered with the department and (ii) such note of the violation is not cancelled or removed of record within six months after the date of such notice of such violation, then for the period that such violation remains uncorrected after the expiration of said six months, no rent shall be recovered by any owner for any premises in such multiple dwelling used by a resident thereof for human habitation in which the condition constituting such rent impairing violation exists, provided, however, that if the violation is one that requires approval of plans by the department for the corrective work and if plans for such corrective work shall have been duly filed within three months from the date of notice of such violation by the department to the owner last registered with the department, the six-months period aforementioned shall not begin to run until the date that plans for the corrective work are approved by the department; if plans are not filed within said three-months period or if so filed, they are disapproved and amendments are not duly filed within thirty days after the date of notification of the disapproval by the department to the person having filed the plans, the six-months period shall be computed as if no plans whatever had been filed under this proviso. If a condition constituting a rent impairing violation exists in the part of a multiple dwelling used in common by the residents or in the part under the control of the owner thereof, the violation shall be deemed to exist in the respective premises of each resident of the multiple dwelling.

b. The provisions of subparagraph a shall not apply if (i) the condition referred to in the department's notice to the owner last registered with the department did not in fact exist, notwithstanding the notation thereof in the records of the department; (ii) the condition which is the subject of the violation has in fact been corrected, though the note thereof in the department has not been removed or cancelled; (iii) the violation has been caused by the resident from whom rent is sought to be collected or by members of his family or by his guests or by another resident of the multiple dwelling or the members of the family of such other resident or by his guests, or (iv) the resident proceeded against for rent has refused entry to the owner for the purpose of correcting the condition giving rise to the violation.

c. To raise a defense under subparagraph a in any action to recover rent or in any special proceeding for the recovery of possession because of non-payment of rent, the resident must affirmatively plead and prove the material facts under subparagraph a, and must also deposit with the clerk of the court in which the action or proceeding is pending at the time of filing of the resident's answer the amount of rent sought to be recovered in the action or upon which the proceeding to recover possession is based, to be held by the clerk of the court until final disposition of the action or proceeding at which time the rent deposited shall be paid to the owner, if the owner prevails, or be returned to the resident if the resident prevails. Such deposit of rent shall vitiate any right on the part of the owner to terminate the lease or rental agreement of the resident because of nonpayment of rent.

d. If a resident voluntarily pays rent or an installment of rent when he would be privileged to withhold the same under subparagraph a, he shall not thereafter have any claim or cause of action to recover back the rent or installment of rent so paid. A voluntary payment within the meaning hereof shall mean payment other than one made pursuant to a judgment in an action or special proceeding.

e. If upon the trial of any action to recover rent or any special proceeding for the recovery of possession because of non-payment of rent it shall appear that the resident has raised a defense under this section in bad faith, or has caused the violation or has refused entry to the owner for the purpose of correcting the condition giving rise to the violation, the court, in its discretion, may impose upon the resident the reasonable costs of the owner, including counsel fees, in maintaining the action or proceeding not to exceed one hundred dollars.

§305-c. Right of tenant to offset payments for heat failure; certain cases. (Effective April 28, 1980)

1. Any tenant acting alone or together with other tenants of a multiple dwelling employing an oil fired heating device for which the owner is responsible and wherein there exists a lack of heat due to the owner's failure to have oil supplied to the premises, may contract and pay for the delivery of such oil in accordance with the provisions of this section. Any payment so made shall be deductible from rent providing the following provisions have been substantially complied with by the tenant or someone acting on his behalf:

a. Reasonable efforts were made to contact the owner or his agent to inform the owner of such failure to supply oil.

b. Reasonable efforts were made to have the normal fuel supplier to the premises deliver the requested fuel.

c. Delivery of fuel oil to the premises was secured from a fuel supplier regularly engaged in such business at a price within the range of prices listed by the department in the index provided for in subdivision three of this section.

d. The fuel supplier from whom oil is secured provided a written statement containing the following:

(1) The name of the person or persons who requested the delivery; and

(2) The date, time of and premises to which delivery was made; and

(3) The amount, grade and price of the oil delivered; and

(4) A certification that the usable fuel supply before the delivery was exhausted; and

(5) The charge, if any, for refiring the burner; and

(6) The amounts and from whom any payments were received.

e. A tenant shall not be required to comply with the provisions of paragraph a or b hereof unless the owner has continuously kept posted in a conspicuous place at the premises a notice containing his name, address and telephone number or that of his agent and the name, address and telephone number of the fuel supplier to the premises.

f. For purposes of this section, a multiple dwelling shall be considered to lack heat if, during the months between October first and May thirty-first, while its usable fuel supply was exhausted, the outdoor temperature fell below fifty-five degrees Fahrenheit at any time during the hours between six o'clock in the morning and ten o'clock in the evening.

2. The deduction from rent allowed by this section shall also include a reasonable charge, if any, made by the supplier for refiring the oil burner at the premises.

3. The department charged with the enforcement of laws, ordinances and regulations in relation to multiple dwellings shall:

a. Maintain and, to the extent practicable, update at least bi-weekly an index reflecting the range of prices of fuel oil according to grade and quantity paid per gallon on deliveries within the jurisdiction of the department during the last two week period for which statistics are available; and

b. Maintain and keep current and available a list of suppliers which have agreed to make deliveries of fuel oil in the circumstances, and to render such assistance as is otherwise required hereby to enable tenants to obtain

the benefits, contemplated by this section.

4. The payment for fuel oil at a price within the range of prices permitted by paragraph c of subdivision one of this section shall be conclusively presumed to have been a reasonable price.

5. The introduction into evidence in any action or proceeding of any statement rendered in compliance with the provisions of paragraph d of subdivision one of this section shall be presumptive of the facts stated therein. Sufficient foundation for the allowance into evidence of such statement shall consist in the oral testimony of any person named as a payer of all or part of the amount indicated thereon relating the facts and circumstances in which the statement was rendered.

6. Any tenant who has in good faith secured and paid for fuel oil otherwise in conformance with the provisions of this section and against whom an action or proceeding to recover possession of the premises for nonpayment of rent or any other action or proceeding attributable at least in part to the tenant seeking or taking a deduction from rent as allowed by this section shall, in addition to any other amounts, be entitled to recover reasonable costs and attorney's fees against an owner bringing such action or proceeding.

7. No owner or agent shall be entitled to recover any amounts in damages from any fuel oil supplier who attempts in good faith and acts reasonably to carry out the intent of this section except damages arising out of gross negligence.

8. The remedy provided in this section shall not be exclusive and a court may provide such other relief as may be just and proper in the circumstances. Nothing in this section shall be construed to limit or deny any existing constitutional, statutory, administrative or common law right of a tenant to contract and pay for the delivery of fuel oil for the multiple dwelling in which he resides or to pay for the cost of any other goods and services for such multiple dwelling. This section shall not be construed to preclude any defense, counterclaim or cause of action that may otherwise exist with respect to an owner's failure to provide heat or any other service.

9. Any agreement by a tenant of a dwelling waiving or modifying his rights as set forth in this section shall be void as contrary to public policy.

10. The provisions of this section shall be liberally construed so as to give effect to the purposes set forth herein.

* 11. Nothing contained in this section and no payment made pursuant to this section shall be deemed to discharge the liability of a renter with an interest in real property pursuant to subdivision two of section three hundred four of the real property tax law from taxes levied on such interest.

* NB (Effective pending ruling by Commissioner of Internal Revenue of the United States)

§306. Service of notices and orders. Every notice or order issued by the department relative to a premises shall be served at least thirty days before the time for compliance therewith. It shall be sufficient service of a departmental notice or order, if it is posted in a conspicuous place upon the premises affected and a copy thereof mailed, on the same day it is posted, to the person to whom it is directed at the address filed by him in the department, and, if his address is not so filed in the department, then in such case, such notice shall be sent by registered mail to his last known address or place of residence.

§307. Records and searches. All records of the department shall be public. Upon request the department shall be required to make a search and issue a certificate of any of its records, including violations, and shall have the power to charge and collect reasonable fees for searches or certificates.

ARTICLE 9 REVIEW; RULES; SAVING CLAUSES; EFFECTIVE DATE

§325. Review boards. (Effective July 1, 1954)

1. There may be in each county a review board, to consist of three members, who shall be appointed by the board of supervisors of the county. One member shall be a registered architect or a professional engineer. The term of

office of each member of such a review board shall be for three years, provided, however, that of the members first appointed in the case of any such board one shall be appointed for a term of one year, one for a term of two years, and one for a term of three years. Such members shall receive no compensation unless the board of supervisors shall otherwise determine but each member shall be entitled to his expenses actually and necessarily incurred by him in the performance of his duties. The board shall elect its chairman from among its own members. Two members of the board shall constitute a quorum. The concurring vote of at least two members of the board shall be necessary for action. Any member chosen to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the unexpired term of the member whom he is to succeed. The board of supervisors shall have power to remove any member of the review board for cause and after public hearing.

2. The board may appoint such employees as may be authorized by the board of supervisors, and prescribe their duties.

3. Each county board shall have power within its county, except as stated to the contrary in subdivision eight of this section, and each local board of review, as provided in said subdivision eight, shall have power within its own applicable area:

a. With respect to dwellings existing on the effective date of this chapter only, to vary or modify, in whole or in part, the application of any provision of this chapter or of any rule or regulation of the department or commission, relating and limited to

(1) secondary means of egress from dwellings,

(2) fire retarding of public halls, stairs, and cellar ceilings,

(3) requisite open spaces, and

(4) requirements with respect to bulkheads and scuttles; provided, however, that in the instance of each such variance or modification, the basic spirit and intent of the law are maintained and public health, safety and welfare are preserved, and further provided that in connection with any such variance or modification the board may prescribe alternative or substitute requirements where such requirements are appropriate or necessary to effectuate the basic purposes of this chapter. Any such variance or modification shall be granted only after satisfactory proof, at a public hearing, of practical difficulties or unnecessary hardships to be encountered or caused by compliance with the strict letter of such law, rule or regulation.

b. To fix a reasonable time for the hearing of an application, requiring that due notice be given of the time and place of such hearing to the applicant and to the department or to other persons affected. In every case the board shall state the reason or reasons for its decision. A record of all orders, requirements and decisions of each such board, indexed according to the section or sections of this chapter affected thereby shall be kept in the office of the board, and such record shall be open to public inspection at all times during normal business hours.

c. To enter, or delegate to any employee or officer of such a board power to enter, any building or property for the purpose of conducting investigations, surveys, or inspections necessary to carry out the provisions of this article.

d. To adopt a seal and to alter the same at its pleasure, and to require that it be used for the authentication of orders and proceedings and for such other purposes as it may prescribe.

e. To conduct examinations and investigations, administer oaths, hear testimony and take proof, under oath, if the board should so determine, of any matter relevant or necessary to carry out the provisions of this article.

f. To do all other things convenient and necessary to carry out its powers.

4. No member of such a board, nor any of its employees, shall pass upon any question relating to any premises in which he or any corporation in which he is a stockholder or security holder has any interest directly or indirectly.

5. An application for such variance or modification may be made within thirty days after service of a notice or order to remove any violation of this chapter or any nuisance, by any person aggrieved, or by the head of an agency or department within the area in which such board has jurisdiction. An aggrieved person shall be construed as one

who is directly and adversely affected by a provision of this chapter or a rule or regulation of the department or commission. Any action or decision of such a board may be reviewed on the law or the facts in the manner provided by the provisions of article seventy-eight of the civil practice law and rules.

6. An appeal shall stay all proceedings, both civil and criminal, in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall file with the board to which the appeal has been taken a certificate that, by reason of facts stated therein, a stay would, in his opinion, cause imminent peril to life or property, in which case, proceedings shall not be stayed otherwise than by a restraining order which, upon good cause shown, may be granted by such board or by the supreme court, on application, at least three days notice of which shall be given to the officer from whom the appeal is being taken.

7. Each review board shall have power to charge and collect reasonable fees and to make rules governing such charges.

8. A municipality may continue an existing local board of review, which is in existence on July first, nineteen hundred fifty-four, to have jurisdiction solely within the territorial limits of such municipality. In any such case, the jurisdiction of a county board of review shall not extend to any such municipality or municipalities. In the event that no such local board exists in a municipality and in the event that, and so long as, there shall not be in such county a review board appointed pursuant to subdivision one of this section, a review board to consist of three members, one of whom shall be a registered architect or a professional engineer, may be established by such municipality before September thirty, nineteen hundred sixty-six located within such county to have jurisdiction solely within the territorial limits of such municipality. The powers and duties of a local board of review, insofar as the operation of the provisions of this chapter is concerned, shall be the same, within the territorial limits of the municipality, as those of a county board created pursuant to this section.

9. In the event that, and so long as, there shall not be in any county or municipality a review board authorized to be established in this section, appeals authorized to be taken to such county or municipal review board, as herein provided, within the area in which such board would, if established, have jurisdiction, may be taken to the commission instead, and in such event and with respect to any such county or municipality, the commission shall have the same powers and jurisdiction as is herein provided for a county or municipality review board in such county.

§326. Rules and regulations. [See 9 NYCRR Part 1500]

1. The commission shall have the power to adopt and promulgate rules and regulations carrying into effect such provisions of the sections of this chapter wherein reference is made to the rules and regulations of or to be adopted by the commission, and also in other cases where the approval of the department or the existence of conditions satisfactory to it is a requisite under this chapter for compliance with any provision of this chapter or the exercise of discretionary powers by the department with respect to alternative requirements, is authorized.

2. Such rules and regulations shall be designed within the limitations of the specifically applicable provisions of this chapter:

a. To effectuate the general purposes of this chapter.

b. To provide reasonably uniform standards, ratings and requirements, consonant with accepted standards of engineering, fire prevention and safety practices.

c. To formulate such standards and requirements, so far as may be practicable, in terms of performance objectives, so as to make adequate performance for the use intended the test of acceptability.

d. To permit to the fullest extent possible, use of modern technical methods, devices and improvements which tend to reduce costs of construction, installation and maintenance without substantially affecting reasonable requirements for the health, safety and security of the occupants or users of dwellings.

3. Every rule or regulation or modification, amendment or repeal of a rule or regulation shall, immediately after adoption, be certified by the commission and transmitted to the secretary of state for filing in the office of the department of state. Upon such filing, the rule or regulation or modification, amendment or repeal of a rule or regulation, shall have the force and effect of law. The commission shall cause copies thereof to be sent to the

appropriate department or departments of all municipalities having jurisdiction over multiple dwellings therein which are affected thereby.

4. The commission shall invite the cooperation and advice of fire departments and organizations in connection with the promulgation of rules and regulations relating to fire protection and fire prevention.

§327. Saving clauses. The provisions of this chapter shall supersede any local law, ordinance, resolution or regulation of municipalities to which this chapter is applicable, but shall not affect or impair any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred or imposed prior to the time this chapter takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent and same manner as if such provisions had not been enacted.

§328. Effect of invalidity in part. If any term, part, provision, article, section, subdivision or paragraph of this chapter shall be held unconstitutional, or ineffective in whole or in part, then to the extent that it is not unconstitutional or ineffective this chapter and such term, part, provision, article, section, subdivision or paragraph thereof shall be in full force and effect; and such determination shall not be deemed to invalidate the remaining terms, parts, provisions, articles, sections, subdivisions or paragraphs thereof.

§329. Laws superseded.

1. The provisions of this chapter shall supersede all other state laws and all local laws, ordinances and regulations of municipalities to the extent that such laws, ordinances or regulations are inconsistent with the provisions of this chapter; provided, however, that the provisions of any other state law or of any local law, ordinance or regulation of any municipality, or the supplementary rules or regulations of any state department having the force and effect of law, now in effect or hereafter enacted or adopted, which are more restrictive than those provided in this chapter, shall govern during the period in which they are in effect.

2. Upon the adoption by any municipality of any state building construction code as to multiple residences pursuant to the provisions of article eighteen of the executive law which code contains provisions relating to the construction of multiple dwellings to which the provisions of articles four, five, six and seven of this chapter are applicable in whole or in part, then and in such event, the provisions of such articles four, five, six and seven and the definitions used in conjunction therewith shall become inoperative with respect to the construction of such dwellings in any such municipality so long as the state building construction code is applicable and operative.

§330. Time of taking effect. This chapter shall take effect July first, nineteen hundred fifty-two.

APPENDIX I

Report of Joint Legislative Committee
on Housing and Multiple Dwellings

[Not included in this version.]

APPENDIX II

Part 1500.1 - 1500.9 of Title 9
Fire Alarm Systems in Hotels and Similar Dwellings

TITLE 9 NYCRR (EXECUTIVE)

VOLUME C, SUBTITLE S
DIVISION OF HOUSING AND COMMUNITY RENEWAL

CHAPTER II - FIRE PREVENTION AND SAFETY: MULTIPLE RESIDENCES
<<As reissued on 7/95 by Lawyers Cooperative Publishing>>

PART 1500
FIRE ALARM SYSTEMS IN HOTELS AND SIMILAR DWELLINGS
(Statutory authority: Multiple Residence Law, § 326)

1500.1 GENERAL REQUIREMENTS.

1500.1(a) New fire alarm systems installed pursuant to sections 61(1) and 62(1) of chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York shall conform to the regulations as set forth herein, entitled Part 1500, Fire Alarm Systems in Hotels and Similar Dwellings.

1500.1(b) New fire alarm systems shall be located within the buildings to be protected and shall be designed and installed so as to warn all the occupants of such buildings in the event of fire or other emergency. Such fire alarm systems shall be electric signal systems of one of the following types:

1500.1(b)(1) Noncoded closed circuit system consisting of manual fire alarm boxes and sounding devices operated on electrically supervised closed circuits so arranged that the manual operation of any box will actuate the sounding devices throughout all portions of the building.

1500.1(b)(2) Coded closed circuit system consisting of manual fire alarm boxes and sounding devices operated on electrically supervised closed circuits so arranged that the manual operation of any box will actuate the sounding devices throughout all portions of the building in such a manner that rounds of coded signals are transmitted to indicate from where the alarm was sent.

1500.1(b)(3) Pre-signal system consisting of a coded closed circuit system so arranged that the manual operation of any box will actuate the sounding device located at the main telephone switchboard or in the custodian's room or in the chief engineer's office or at another place within the building where an authorized person or a trained fire brigade is on duty at all times to receive the alarm and take proper action, and so arranged that the manual operation of any box by an authorized person in a special manner shall actuate all the sounding devices throughout the building.

1500.1(c) New installations of pre-signal systems shall be permitted only in hotels and similar dwellings having a central location where an authorized person or a trained fire brigade is available in accordance with the requirements for pre-signal systems.

1500.1(d) Where a hotel or similar dwelling is subdivided into sections by fire walls, each section shall be deemed a separate building when designing or installing new required fire alarm systems. One control board may be used to operate separately the signal devices in each section of the building.

1500.1(e) The component parts of a new fire alarm system shall be designed, made and assembled for fire alarm purposes and so as not to require frequent major replacements. Design, material and workmanship shall be adequate for the purpose and shall be capable of sustaining normal usage and handling without breakdown.

1500.1(f) Electrical wiring and equipment shall be designed and installed so as not to be a potential source of ignition of combustible material or a potential source of electrical hazard.

1500.1(g) Prior to making a new installation or an alteration or an addition to an existing installation, drawings and data showing complete details of the new installation, together with all pertinent details of the existing installation, if there be one, shall be furnished to the department, and approval obtained for the proposed work. Upon completion of the work, and as a condition of approval, the entire system shall be subjected to a test conducted in the presence of, and under the direction of, a representative of the department; and the entire system must prove satisfactory under such test.

1500.2 EXISTING INSTALLATIONS.

1500.2(a) Before existing fire alarm systems installed prior to July 1, 1952, may be approved as complying with the requirements of this Part, they shall be examined and tested by the department. Such systems shall be in operative condition, free of mechanical injury and structural defects, and shall present no potential source of electrical hazard.

1500.2(b) Extensions to existing fire alarm systems shall comply with all of the provisions of this Part applicable to new installations.

1500.3 MANUAL FIRE ALARM BOXES.

1500.3(a) New fire alarm systems shall be provided with manually operated fire alarm boxes, each arranged to transmit an alarm signal to sounding devices, and located as follows:

1500.3(a)(1) There shall be at least one box on each floor. Attics and basements that are used at any time for sleeping quarters, recreation purposes, dining facilities, offices, or where a person is on duty, shall be considered as a floor.

1500.3(a)(2) Boxes shall be located so as to be readily accessible and in the natural path of escape from fire. Where practicable such boxes shall be located near a required means of egress.

1500.3(a)(3) Boxes shall be located so that the horizontal distance from any point on a floor not divided into rooms, or from any door leading to a room or suite to the nearest fire alarm box shall not exceed 100 feet, except that for fireproof buildings the maximum distance may be increased to 150 feet.

1500.3(a)(4) Boxes shall be located in a public hall or passageway so as to be accessible on every floor without passing through a fire door.

1500.3(b) New and existing fire alarm boxes shall be in a position and ready at all times to operate when actuated.

1500.3(c) New fire alarm boxes shall be used only for fire protection purposes or other emergency.

1500.3(d) New coded systems shall be provided with pull-lever type boxes capable of transmitting at least four rounds of the coded signal. Mechanism shall be designed so that when once started there can be no interference with the proper transmission of signals.

1500.3(e) New noncoded systems shall be provided with boxes the manual operation of which will cause an alarm to sound continuously on all sounding devices. It shall be impossible to interfere with the signal except by the resetting of the box mechanism or by a time-limit device.

1500.3(f) New boxes shall be installed with handles approximately five feet above the floor.

1500.4 SOUNDING DEVICES.

1500.4(a) New sounding devices within a hotel or similar dwelling shall be of the same type and shall sound a clear audible signal that is distinct from all signals by other sounding devices used in the vicinity.

1500.4(b) New sounding devices shall be located approximately eight feet above floor level wherever practicable.

1500.4(c) New fire alarm systems shall have no more than 14 sounding devices connected on a single direct current circuit, nor more than 10 sounding devices connected on a single alternating current circuit.

1500.5 ELECTRICAL REQUIREMENTS.

1500.5(a) General.

1500.5(a)(1) New electrically operated interior fire alarm systems shall be constantly supervised by the continuous flow of an electric current through the system. Any interruption of electric current through the system or any circuit trouble shall cause a trouble signal to be sounded which is audible to an authorized person satisfactory to the department. Such trouble signal shall sound until silenced by manual means or restoration of supervisory current flow by correction of circuit trouble. Silencing of trouble signal by manual means shall automatically transfer such signal to a red lamp. Trouble signal shall be operated from the auxiliary source of power, except that where a single source of power is permitted, the trouble signal shall be operated from a side or phase of the power supply separate from that operating the signaling system. Sounding devices not readily susceptible to electrical supervision, such as vibrating bells, will not be required to be so supervised provided such sounding devices are alternately connected to separate circuits and are approximately equally distributed

throughout the building.

1500.5(a)(2) New electric equipment shall be designed and constructed to operate satisfactorily at voltages of 25 percent above or below normal, or in accordance with generally accepted standards as set forth in the appendix to these rules. <*See Appendix S-2>

1500.5(a)(3) Circuits used for the transmission of alarms shall be used for fire protection purposes only and shall be arranged and installed so that there can be no interference with the operation of the sounding devices.

1500.5(b) Electrical wiring.

1500.5(b)(1) New electrical wiring for fire alarm systems shall have a rating of not less than 300 volts, except that on systems designed for operation at 50 volts or less, electrical wiring having a rating of not less than 150 volts may be used for circuits where the input is limited to 100 volt-amperes with current not exceeding five amperes.

1500.5(b)(2) Sizes of such electrical wiring shall be in accordance with generally accepted standards as set forth in the appendix to these rules. <*See Appendix S-2>

1500.5(b)(3) New electrical wiring shall be satisfactorily protected against damage due to corrosion, moisture or mechanical injury.

1500.5(b)(4) New electrical wiring shall be protected by a metallic raceway or armor, except that such raceway or armor shall not be required for wiring installed at least seven feet above the floor for circuits where the input is limited to 100 volt-amperes with current not exceeding five amperes on systems designed for operation at 50 volts or less.

1500.5(b)(5) New raceways, boxes, fittings and cabinets containing fire alarm conductors shall not contain wiring used for any purpose other than fire protection.

1500.5(c) Power supply.

1500.5(c)(1) A new fire alarm system shall be supplied with electrical energy from a main source and, in case of failure of the main source, from an auxiliary source, except that where electric service of three, four, or five-wire type is obtained from a reliable underground network distribution system, the auxiliary source shall not be required. The following are acceptable sources for main and auxiliary power supplies: central electric power station (local utility company) and an electric generator or one set of storage battery units continually charged; two electric generators; two sets of storage battery units continually charged; one electric generator and one set of storage battery units continually charged. A sufficient number of heavy duty primary batteries of suitable type and of adequate capacity shall be permitted as the auxiliary source of power supply when approved by the department.

1500.5(c)(2) One source of power shall be connected to the fire alarm system at all times. The auxiliary source shall be automatically controlled so that when the primary source fails, the auxiliary source will be connected automatically to the system and the transfer shall be indicated by a signal. Immediate steps shall be taken to return the system to the primary source of supply.

1500.5(c)(3) A new fire alarm service connection to a central power station supply shall be made as close as practicable to the main service entrance with either of the following arrangements: connection made on the street side of the service switch, or connection made on the house side of the meter and as close to the meter as possible without intervening interrupting devices.

1500.5(c)(4) Between fire alarm service connection, as described in paragraph 1500.5(c)(3) above, and the control board, only one set of protective devices will be permitted; no additional devices are permitted.

1500.5(c)(5) A new fire alarm service connection to a power supply other than that from a central power station shall be made with only one set of protective devices in addition to any set of devices used to protect the main source of supply.

1500.5(c)(6) Fire alarm system protective devices shall be contained in a locked or sealed metal cabinet which

shall be conspicuously identified. The use of open link or screw plug fuses shall not be permitted.

1500.6 INSTALLATION.

Installation of a new fire alarm system in conformity with generally accepted standards set forth in the appendix to these rules <*See Appendix S-2> shall be deemed to comply with this Part.

1500.7 INSTRUCTION AND IDENTIFICATION OF NEW AND EXISTING SYSTEMS.

1500.7(a) Adequate printed instructions relative to their purpose and use shall be posted in a conspicuous manner at fire alarm boxes and at control boards.

1500.7(b) Fire alarm boxes shall be identified and shall have a conspicuous exterior color.

1500.7(c) There shall be permanently mounted at right angles to the wall a durable sign at least eight inches square with conspicuous letters reading, FIRE ALARM BOX. Such sign shall be located above every fire alarm box, and approximately seven feet above the floor.

1500.8 MAINTENANCE OF NEW AND EXISTING SYSTEMS.

1500.8(a) Fire alarm systems shall be maintained in operating condition at all times except when the buildings are unoccupied for a period longer than one week. If any fire alarm system becomes defective during periods of occupancy, the following precautionary measures shall be taken:

1500.8(a)(1) Notify all occupants of building.

1500.8(a)(2) Where watchman's clock system is provided, the frequency of watchman's patrols shall be increased to twice that normally required, or where a watchman's clock system is not provided, patrol routes shall be established so that all parts of the building are visited at hourly intervals by authorized persons.

1500.8(a)(3) Notices shall be placed on alarm boxes indicating that the system is out of order and giving instructions that, in the event of fire, the alarm be transmitted to the management by telephone or other means.

1500.8(a)(4) System shall be restored to working order within a reasonable time as specified by the department.

1500.8(b) Fire alarm boxes shall not be obstructed and shall be in full view at all times.

1500.8(c) Fire alarm systems shall be tested daily during periods of occupancy and all fire alarm boxes and sounding devices tested at least once a month. Tests shall be made under the direct supervision of the owner or a qualified person representing the owner, and shall be satisfactory to the department. Such person shall be responsible for the making of all tests. A complete record shall be kept of the tests and operation of the system, and records shall be open to examination by the department. After each test, the system shall be restored to normal operating conditions. Occupants of building shall be notified in advance as to time of testing of sounding devices. Such tests shall be held during daylight hours.

1500.8(d) It shall be the responsibility of the owner to notify the fire department immediately in the event of fire.

1500.9 STANDARDS FOR COMPLIANCE.

The construction, installation, operation, and maintenance of a new fire alarm system in accordance with the generally accepted standards listed in the appendix to these rules and regulations <*See Appendix S-2>, to the extent that such standards are consistent with these rules and regulations, shall constitute compliance with this Part or any applicable provision thereof.

PART 1501

FIRE DETECTING SYSTEMS IN HOTELS AND SIMILAR DWELLINGS (Statutory authority: Multiple Residence Law, § 326)

1501.1 GENERAL REQUIREMENTS.

1501.1(a) Fire detecting systems installed pursuant to sections 54, 57(2), 58, 61(3), 62(1), and 62(4) of chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York shall conform to the regulations as set forth herein, entitled Part 1501, Fire Detecting Systems in Hotels and Similar Dwellings.

1501.1(b) New fire detecting systems shall be of a type that will detect a fire in its incipency or an abnormal rise of temperature, and will automatically actuate an alarm and will be reasonably free from false alarm possibilities.

1501.1(c) New fire detecting systems including signal apparatus shall be connected and operated on closed supervised electric circuits.

1501.1(d) The component parts of a new fire detecting system shall be designed, made and assembled for fire detection purposes and so as not to require frequent major replacements. Design, material and workmanship shall be adequate for the purpose and shall be capable of sustaining normal usage and handling without breakdown.

1501.1(e) Electrical wiring and equipment shall be designed and installed so as not to be a potential source of ignition of combustible material or a potential source of electrical hazard.

1501.1(f) Prior to making a new installation or an alteration or an addition to an existing installation, drawings and data showing complete details of the new installation, together with all pertinent details of the existing installation, if there be one, shall be furnished to the department, and approval obtained for the proposed work. Upon completion of the work, and as a condition of approval, the entire system shall be subjected to a test conducted in the presence of, and under the direction of, a representative of the department; and the entire system must prove satisfactory under such test.

1501.2 EXISTING INSTALLATIONS.

1501.2(a) Before existing fire detecting systems installed prior to July 1, 1952, may be approved as complying with the requirements of this Part, they shall be examined and tested by the department. Such systems shall be in operative condition and free of mechanical injury and structural defects, and shall present to potential source of electrical hazard. [SIC]

1501.2(b) Extensions to existing fire detecting systems shall comply with all of the provisions of this Part applicable to new installations.

1501.3 FIRE DETECTING DEVICES.

1501.3(a) New fire detecting systems shall be provided with fire detecting devices designed to operate on one or both of the following principles:

1501.3(a)(1) Fixed temperature.

1501.3(a)(2) Rate-of-rise.

1501.3(b) Fire detecting devices are classified into the following types:

1501.3(b)(1) Spot devices in which thermostats are provided at specific locations.

1501.3(b)(2) Continuous line devices such as fire detecting wire or pneumatic tubing, in which the thermal sensitive element is continuous.

1501.4 OPERATING TEMPERATURES.

1501.4(a) Fire detecting devices of the fixed temperature type shall operate when the temperature rises to 165 degrees Fahrenheit, when installed in areas where the maximum temperature at the ceiling is 100 degrees Fahrenheit. Where higher temperatures normally exist at the ceiling, such as in furnaces or boiler rooms, kitchens, laundries, etc., fire detecting devices may operate at higher temperatures providing such higher operating temperatures are commensurate with the ceiling temperatures.

1501.4(b) Fire detecting devices of the rate-of-rise type shall operate whenever the rate of the rise in temperature exceeds 20 degrees per minute.

1501.5 LOCATION OF THERMAL SENSITIVE ELEMENTS.

1501.5(a) Fire detecting devices shall be located throughout the building in accordance with the generally accepted standards listed in the appendix to these rules and regulations. <*See Appendix S-2>

1501.5(b) Thermostats shall be located so as to operate promptly and shall be protected from injury. Not more than 65 thermostats will be permitted on any single circuit.

1501.5(c) Continuous line fire detecting wire shall be located so as to operate promptly and shall be protected from injury. In no case shall any point on the ceiling be more than seven and one-half feet from the nearest portion of the fire detecting wire. A single circuit of fire detecting wire shall not exceed 1,000 feet in length, nor shall any circuit be used to protect more than the area of one floor or story except with the approval of the department.

1501.5(d) Continuous line fire detecting pneumatic tubing shall be located so as to operate promptly and shall be protected from injury. In no case shall any part of the ceiling be more than 15 feet from the nearest portion of the tubing; nor shall any enclosed space or separate room contain less than 25 feet of exposed tubing or less than five percent of the length of the circuit. A single circuit of fire detecting tubing shall not exceed 1,000 feet in length, nor shall such pneumatic tubing be enclosed in conduit or other covering except when necessary to isolate signals or to protect the tubing from mechanical injury.

1501.6 MANUALLY OPERATED ALARM.

A new fire detecting system shall be equipped with at least one manual fire alarm box located in a natural path of escape, to provide an auxiliary means for actuating the alarm system. Where practicable such box shall be located on the ground floor near the main means of egress.

1501.7 CODED SYSTEMS.

New fire detecting systems shall be of the coded type where the system contains three or more fire detecting circuits, or where the aggregate protected floor area exceeds 20,000 square feet, except that a noncoded type system, with an annunciator located at a place within the building where an authorized person is on duty at all times, will be permitted when approved by the department.

1501.8 TESTING.

New fire detecting systems shall be arranged so that the entire system can be tested at regular intervals.

1501.9 MISCELLANEOUS REQUIREMENTS.

In addition to the regulations set forth herein for fire detecting systems, such systems shall also conform to the applicable requirements of fire alarm systems in Part 1500 of these rules and regulations as set forth under sections 1500.1, General requirements, 1500.4, Sounding devices, 1500.5, Electrical requirements, 1500.6, Installation, and as set forth under section 1500.8, Maintenance of new and existing systems.

1501.10 STANDARDS FOR COMPLIANCE.

The construction, installation, operation, and maintenance of a new fire detecting system in accordance with the generally accepted standards listed in the appendix to these rules and regulations <*See Appendix S-2>, to the extent that such standards are consistent with these rules and regulations, shall constitute compliance with this Part or any applicable provision thereof.

PART 1502

WATCHMAN'S CLOCK SYSTEMS IN HOTELS AND SIMILAR DWELLINGS (Statutory authority: Multiple Residence Law, § 326)

1502.1 GENERAL REQUIREMENTS.

1502.1(a) Watchman's clock systems installed pursuant to sections 61(2), 61(3), and 62(1) of chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York shall conform to the regulations as set forth

herein, entitled Part 1502, Watchman's Clock Systems in Hotels and Similar Dwellings.

1502.1(b) Watchman's clock systems shall be used for the purpose of recording the movements of the watchman.

1502.1(c) New watchman's clock systems shall consist of the equipment set forth herein for checking the regularity and continuity of the watchman's patrol of his route. This requirement shall not exclude any other equipment which provides not less than the equivalent of the requirements as set forth in this Part.

1502.2 EXISTING SYSTEMS.

Before existing watchman's clock systems installed prior to July 1, 1952, may be approved as complying with the requirements of this Part, they shall be examined and tested by the department. The department may permit the use of an existing clock system which is tamperproof and in good operative condition and which requires the watchman to visit all spaces to record his patrol.

1502.3 WATCHMAN'S CLOCK.

1502.3(a) For new watchman's clock systems, the watchman's portable mechanically driven clock shall be capable of running at least 48 hours without rewinding, shall contain a mechanism which is manually operated by recording keys fixed at call stations, and shall record legibly and permanently on a chart or tape each station number and time of recording.

1502.3(b) Watchman's clocks shall be substantially mounted and strongly encased.

1502.3(c) New and existing watchman's clocks shall be enclosed so that access thereto cannot be had without automatically recording the time of opening and closing.

1502.4 KEY STATIONS.

1502.4(a) The number and location of key stations on each patrol route of new watchman's clock systems and the number of routes shall be such that one complete circuit of any route shall take no longer than 40 minutes. The system of routes shall lead to or through each space of the building including public and service spaces, but not including guest rooms and suites. The number and location of key stations and the layout of routes shall be approved by the department.

1502.4(b) Keys shall be made difficult to duplicate and of a pattern permitting variations that will preclude the probability that keys for one clock will fit other clocks. Keys shall be fixed and so sealed that they cannot be removed from the stations without giving evidence of such removal.

1502.5 MANUAL FIRE ALARM BOXES.

One or more manual fire alarm boxes shall be available to the watchman in an accessible location on each floor and on each route.

1502.6 RECORDS FOR NEW AND EXISTING SYSTEMS.

1502.6(a) All chart and tape records of watchmen shall be kept on file for at least six months and shall be available to the department's authorized inspector.

1502.6(b) Extra charts and tapes for recording clocks shall be inaccessible to the watchman.

PART 1503

SPRINKLER SYSTEMS IN HOTELS AND SIMILAR DWELLINGS (Statutory authority: Multiple Residence Law, § 326)

Note: The provisions of this Part apply to complete sprinkler systems installed throughout hotels and similar dwellings. The requirements for sprinkler systems consisting only of sprinkler heads and piping installed in special locations in multiple dwellings are covered in Part 1504.

1503.1 GENERAL REQUIREMENTS.

1503.1(a) New sprinkler systems installed pursuant to sections 57(2), 61(3), 62(1), 62(2), 62(3), and 62(4) of chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York shall conform to the regulations as set forth herein, entitled Part 1503, Sprinkler Systems in Hotels and Similar Dwellings.

1503.1(b) New sprinkler systems shall, upon actuation by heat produced by fire, automatically distribute water upon the fire in sufficient quantities either to extinguish it entirely or confine it without spread. Such sprinkler systems shall be designed, constructed, installed and maintained so as to be structurally safe and present no physical hazard.

1503.1(c) The component parts of new sprinkler systems shall be made and assembled so as to function as a unified system which will not require frequent major replacements.

1503.1(d) Prior to making a new installation or an alteration or an addition to an existing installation, drawings and data showing complete details of the new installation, together with all pertinent details of the existing installation, if there be one, shall be furnished to the department, and approval obtained for the proposed work. Upon completion of the work, and as a condition of approval, the entire system shall be subjected to a test conducted in the presence of, and under the direction of, a representative of the department; and the entire system must prove satisfactory under such test.

1503.1(e) Connections to new or existing sprinkler systems for other than sprinkler use are prohibited, except as otherwise provided in section 1503.8 of this Part.

1503.2 EXISTING INSTALLATIONS.

1503.2(a) Before existing sprinkler systems installed prior to July 1, 1952, may be approved as complying with the requirements of this Part, they shall be examined and tested by the department. Such systems shall comply with the following requirements:

1503.2(a)(1) They shall be in operative condition, shall be free from mechanical injury, structural defects and obstructions and shall present no physical hazard.

1503.2(a)(2) They shall have a water supply of adequate pressure and capacity, and shall function automatically at the operating temperatures set forth in this Part for new installations.

1503.2(a)(3) They shall, upon actuation by heat produced by fire, automatically distribute water upon the fire in sufficient quantities either to extinguish it entirely or confine it without spread.

1503.2(b) New extensions to existing sprinkler systems shall comply with all of the provisions of this Part applicable to new installations.

1503.3 WATER SUPPLY.

1503.3(a) New sprinkler systems shall have at least one automatic water supply of adequate pressure, capacity and reliability meeting all of the requirements for light-hazard conditions of the generally accepted standards listed in the appendix to these rules and regulations. <*See Appendix S-2>

1503.3(b) When primary supply is obtained from water mains and the water pressure is insufficient to maintain 12 pounds per square inch at the highest sprinkler head, but is sufficient to maintain at least five pounds per square inch at such head, an automatic booster pump shall be used as an auxiliary means of furnishing the required supply. The booster pump shall be caused to operate when the flow of water through any portion of the sprinkler piping is equal to or greater than that flowing from a single sprinkler head. The booster pump shall be capable of supplying sufficient water for a period of at least 20 minutes to at least 25 percent of the total number of sprinkler heads at a pressure of at least 12 pounds per square inch at the highest sprinkler head. Such booster pump shall be so connected as not to restrict the flow of water in the system.

1503.3(c) Gravity tanks, when used as the primary means of water supply for new sprinkler systems, shall have a capacity of at least 5,000 gallons and the bottom of the tank shall be not less than 20 feet above the highest sprinkler head supplied from the tank.

1503.3(d) Where approved by the department, one common source of water supply of adequate capacity may be acceptable for adjacent buildings or contiguous buildings separated by fire walls.

1503.4 PIPING SYSTEMS.

1503.4(a) New sprinkler systems shall be capable of withstanding a water pressure of at least 175 pounds per square inch. All parts of such systems, including tanks, that are exposed to the weather or subjected to freezing shall be designed, installed and protected so as to withstand damage and to function in a satisfactory manner.

1503.4(b) Pipe sizes for new sprinkler systems shall conform to the requirements of the generally accepted standards listed in the appendix <*See Appendix S-2>, except that with the approval of the department the supply main need be only as large as the largest pipe in the system but in no case less than two inches in size.

1503.5 SPACING OF SPRINKLER HEADS.

1503.5(a) Sprinkler heads installed in new sprinkler systems and additional sprinkler heads installed in existing sprinkler systems shall be located and arranged to spray all parts of the area to be protected, including closets and alcoves opening from such areas.

1503.5(b) Spacing of sprinkler heads installed in new sprinkler systems shall conform to the requirements of the generally accepted standards listed in the appendix. <*See Appendix S-2>

1503.6 FIRE DEPARTMENT CONNECTION.

1503.6(a) New sprinkler systems having more than 36 sprinkler heads shall be equipped with approved fire department connections, and such connections shall be constructed of corrosion-resistive metal, located on a street front of the building or structure not less than 18 inches or more than 36 inches above grade; when located more than two feet above grade, such connections shall not project beyond the building face. Such connections shall be marked with raised letters not less than one inch in size, reading as follows: AUTO SPKR.

1503.6(b) The number of fire department connections required shall be determined by the department.

1503.7 SPRINKLER ALARM.

New sprinkler systems shall be equipped with means for sounding an audible signal to warn all the occupants when the flow of water through any part of such systems is equal to or greater than that flowing from a single sprinkler head. The alarm signal shall be automatically transmitted to the local fire department or there shall be an appropriate sign located near the sounding device in a conspicuous position and identified as follows: SPRINKLER FIRE ALARM - WHEN ALARM SOUNDS CALL FIRE DEPARTMENT.

1503.8 HOUSE SERVICE WATER SUPPLY.

New and existing sprinkler systems shall be maintained for sprinkler use only, and connections to such systems for any other purpose shall be prohibited, except that a house service water-supply connection may be tapped from the sprinkler water-supply connection to the water main, provided the house service tap is not more than one and one-fourth inches for a four-inch sprinkler connection to the main, and not more than two inches for a six-inch or larger sprinkler connection to the main. Where a connection for house service water supply is made to the sprinkler water supply such connection shall be made on the supply side of the check valve in the service main.

1503.9 MAINTENANCE.

1503.9(a) Sprinkler systems shall be maintained in operative condition, free from mechanical damage, structural failure, water failure or obstruction during the period that the buildings are occupied.

1503.9(b) Sprinkler systems shall be inspected by a competent person satisfactory to the department. Such inspection shall be made at least once every three months during the period that the buildings are occupied and within one week prior to the resumption of occupancy after the buildings have been vacant for a period exceeding one month. Such person shall be responsible for the making of all tests to see that all parts of the system are in good repair and working order. A detailed record of each inspection shall be kept, and records shall be open to examination by the department.

1503.10 STANDARD FOR COMPLIANCE.

The construction, installation, operation, and maintenance of new sprinkler systems in accordance with the generally accepted standards listed in the appendix to these rules and regulations, <*See Appendix S-2> to the extent that such standards are consistent with these rules and regulations, shall constitute compliance with this Part or any applicable provision thereof.

PART 1504 SPRINKLER SYSTEMS FOR SPECIAL LOCATIONS IN MULTIPLE DWELLINGS (Statutory authority: Multiple Residence Law, § 326)

Note: The provisions of this Part apply to sprinkler systems consisting only of sprinkler heads and piping installed in special locations in multiple dwellings. The requirements for complete sprinkler systems installed throughout hotels and similar dwellings are covered in Part 1503.

1504.1 GENERAL REQUIREMENTS.

1504.1(a) New sprinkler systems installed pursuant to sections 26, 28, 30, 52, 53, 54, 55(3), 55(4), 58, 62(1), 62(2), 62(3), 62(4), 105(2a) and 137 of chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York shall conform to the regulations as set forth herein, entitled Part 1504, Sprinkler Systems for Special Locations in Multiple Dwellings.

1504.1(b) New sprinkler systems shall, upon actuation by heat produced by fire, automatically distribute water upon the fire in sufficient quantities either to extinguish it entirely or confine it without spread. Such sprinkler systems shall be designed, constructed, installed and maintained so as to be structurally safe and present no physical hazard.

1504.1(c) The component parts of new sprinkler systems shall be made and assembled so as to function as a unified system which will not require frequent major replacements.

1504.1(d) Prior to making a new installation or an alteration or an addition to an existing installation, drawings and data showing complete details of the new installation, together with all pertinent details of the existing installation, if there be one, shall be furnished to the department, and approval obtained for the proposed work. Upon completion of the work, and as a condition of approval, the entire system shall be subjected to a test conducted in the presence of, and under the direction of, a representative of the department; and the entire system must prove satisfactory under such test.

1504.1(e) Connections to new or existing sprinkler systems for other than sprinkler use are prohibited.

1504.2 EXISTING INSTALLATIONS.

1504.2(a) Before existing systems installed prior to July 1, 1952, may be approved as complying with the requirements of the Part, they shall be examined and tested by the department. Such systems shall comply with the following requirements:

1504.2(a)(1) They shall be in operative condition, shall be free from mechanical injury, structural defects, and obstructions, and shall present no physical hazard.

1504.2(a)(2) They shall have a water supply of adequate pressure and capacity, and shall function automatically at the operating temperatures set forth in this Part for new installations.

1504.2(a)(3) They shall, upon actuation by heat produced by fire, automatically distribute water upon the fire in sufficient quantities either to extinguish it entirely or confine it without spread.

1504.2(b) New extensions to existing sprinkler systems shall comply with all of the provisions of this Part applicable to new installations.

1504.3 WATER SUPPLY.

1504.3(a) Except as otherwise stated in subdivision 1504.3(b) below, the water supply for new sprinkler systems may be tapped from the domestic water supply system provided the supply to the sprinkler system is of adequate

pressure, capacity and reliability and provided that the following requirements are met:

1504.3(a)(1) The sprinkler connection shall be made to a main or branch from a main with no intervening means of shut-off from the main.

1504.3(a)(2) Water pressure from the main shall be sufficient to maintain at least 12 pounds per square inch at the highest sprinkler head. Where the water pressure is insufficient to maintain 12 pounds per square inch at the highest head but is sufficient to maintain at least five pounds per square inch at such head, an automatic booster pump shall be used as an auxiliary means of furnishing the required supply. The booster pump shall be caused to operate when the flow of water through any portion of the sprinkler piping is equal to or greater than that flowing from a single sprinkler head. The booster pump shall be capable of supplying sufficient water for a period of at least 20 minutes to at least 25 percent of the total number of sprinkler heads at a pressure of at least 12 pounds per square inch at the highest sprinkler head. Such booster pump shall be so connected as not to restrict the flow of water in the system.

1504.3(b) Where the domestic water supply system is inadequate to supply a new sprinkler system, the department shall require an alternate arrangement for the sprinkler system water supply.

1504.4 PIPING SYSTEMS.

1504.4(a) New sprinkler systems shall be capable of withstanding a water pressure of at least 175 pounds per square inch, except that systems supplied from domestic piping shall be capable of withstanding a water pressure of at least 125 pounds per square inch. All parts of the system, including tanks, that are exposed to the weather or subjected to freezing shall be designed, installed and protected so as to withstand damage and to function in a satisfactory manner.

1504.4(b) The size of the domestic water supply pipe from which the sprinkler connection is made shall be at least equal to the required size of the main sprinkler connection.

1504.4(c) Pipe sizes for new sprinkler systems shall conform to the requirements for light-hazard conditions of the generally accepted standards listed in the appendix. <*See Appendix S-2>

1504.5 SPACING OF SPRINKLER HEADS.

1504.5(a) Sprinkler heads shall be located and arranged to spray all parts of the area to be protected, including closets and alcoves opening from such areas.

1504.5(b) Spacing of sprinkler heads shall conform to the requirements of the generally accepted standards listed in the appendix. <*See Appendix S-2>

1504.5(c) Where practicable, sprinkler heads shall be installed in the upright position.

1504.6 FIRE DEPARTMENT CONNECTION.

1504.6(a) Fire department connections shall be required for new sprinkler systems having a total of 36 or more sprinkler heads in one building and where such sprinkler heads are arranged so that in the event of fire there is a probability that more than 25 percent of the total number of heads in the building will be in operation.

1504.6(b) The number of fire department connections required shall be determined by the department.

1504.6(c) A required fire department connection to a sprinkler system shall be constructed of corrosion-resistive metal, located on a street front of the building or structure not less than 18 inches or more than 36 inches above grade; when located more than two feet above grade, such connections shall not project beyond the building face. Such connections shall be marked with raised letters not less than one inch in size, reading as follows: AUTO SPKR.

1504.7 LOCAL WATER-FLOW ALARM.

1504.7(a) A local water-flow alarm shall be installed in new sprinkler systems that are used to protect a public hall or stairs or a required means of egress, or for systems where a new sprinkler pipe supplies more than five

sprinkler heads, or for other systems where deemed necessary by the department.

1504.7(b) Required local water-flow alarms shall include sounding devices of sufficient size and so located that the sound can be heard by the occupants or by an authorized person on duty at all times to take proper action. The alarm shall be caused to sound when the flow of water through any portion of the sprinkler piping is equal to or greater than that flowing from a single sprinkler head.

1504.8 IDENTIFICATION.

Valves controlling water flow to sprinkler systems shall be provided with durable identification signs with conspicuous lettering which shall be installed in a permanent manner near such valves.

1504.9 MAINTENANCE.

Sprinkler systems shall be maintained in operative condition, free from mechanical injury, structural failure, water failure or obstructions. Sprinkler heads shall be maintained clear and free from corrosion, paint and whitewash, and shall be in full view and unobstructed.

1504.10 STANDARD FOR COMPLIANCE.

The construction, installation, operation, and maintenance of new sprinkler systems in accordance with the generally accepted standards listed in the appendix to these rules and regulations <*See Appendix S-2> to the extent that such standards are consistent with these rules and regulations, shall constitute compliance with this Part or any applicable provision thereof.

PART 1505

FIRE ESCAPE SYSTEMS

(Statutory authority: Multiple Residence Law, § 326)

1505.1 GENERAL REQUIREMENTS.

Fire escapes on old multiple dwellings, on hotels and similar dwellings, and on nonfireproof new multiple dwellings, installed pursuant to chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York, shall conform to the regulations as set forth herein, entitled Part 1505, Fire Escape Systems.

1505.2 TERMINUS OF FIRE ESCAPES.

All required fire escapes shall lead to the street, or to a yard, court, area or passageway affording continuous, safe and unobstructed access to a street.

1505.3 FIRE ESCAPES SUPPLEMENTAL TO A REQUIRED MEANS OF EGRESS.

Wire, chain, cable, rope fire escapes, vertical ladder and other fire escapes, supplemental to a required means of egress shall be maintained in good order and repair, and be structurally safe and free of obstruction.

1505.4 FIRE ESCAPES ON OLD MULTIPLE DWELLINGS PERMITTED AS A SECOND MEANS OF EGRESS.

Fire escapes installed on old multiple dwellings prior to July 1, 1953, and permitted as a second means of egress, shall conform to the following rules and regulations: (see § 1505.5 below for requirements governing such fire escapes installed on old multiple dwellings on and after July 1, 1953).

1505.4(a) Access. Balconies shall be accessible from the interior space through a clear opening whose minimum dimensions are two feet wide and two feet six inches high.

1505.4(b) Enclosures and guard railings.

1505.4(b)(1) Balconies shall be at least 31 inches wide with a railing at least 33 inches high.

1505.4(b)(2) Stairs shall have a braced handrail at a minimum height of 27 inches above the center of tread, on

at least the open side.

1505.4(c) Stairways and balconies.

1505.4(c)(1) Balconies shall be connected by stairs with steps at least 17 inches in length, inclined at a maximum angle of 80 degrees with the horizontal, and affording safe transit.

1505.4(c)(2) The lowest balcony shall have no floor opening unless a stair, fixed or counterbalanced, leads from such opening to a safe landing.

1505.4(c)(3) When the lowest balcony is more than five feet above a safe landing, there shall be either a fixed or counterbalanced stair, or a drop ladder whose rungs can sustain without failure a load of 250 pounds at their center, and are spaced 12 inches or less on centers.

1505.4(c)(4) There shall be a ladder or stairs affording safe egress from the top balcony to the roof except where the pitch of the roof exceeds 15 degrees with the horizontal and except where a roof cornice interferes with its installation.

1505.4(d) Clearances.

1505.4(d)(1) Balconies shall have a 14-inch minimum clear horizontal passageway past the stairwell opening.

1505.4(d)(2) Balconies shall have a 20-inch minimum clear platform width at each end of stair runs.

1505.4(e) Specific requirements.

1505.4(e)(1) Such fire escapes shall be of incombustible material other than cast iron.

1505.4(e)(2) Such fire escapes shall be capable of sustaining without failure a uniform live load of 80 pounds per square foot of balcony. Stair treads shall be capable of sustaining without failure a concentrated load of 250 pounds applied at the center of tread.

1505.4(f) Maintenance. Such fire escapes shall be maintained in good order and repair, and be structurally safe and kept free of obstruction.

1505.5 NEW FIRE ESCAPES.

Such fire escapes shall comply with the provisions of section 133 of chapter 61-B of the Consolidated Laws (Multiple Residence Law) of the State of New York, and shall be constructed, installed, arranged and maintained in accordance with the following rules and regulations:

1505.5(a) Access. All doors and windows affording direct access to fire escapes shall open upon a balcony platform. The bottom of the openable window providing access to the balcony shall be not more than 18 inches, nor less than seven inches above the balcony platform. Sills of doors affording access to fire escapes shall be not more than eight inches nor less than four inches above the balcony platform.

1505.5(b) Enclosures and guard railings.

1505.5(b)(1) The open sides of balconies, stairwells and stairways shall be provided with either enclosures or guard railings; except such open sides of stairways located not more than six inches from the wall at any point in their run shall not be required to have an enclosure or guard railing.

1505.5(b)(2) The height of the enclosure or guard railing shall be not less than 33 inches nor more than 48 inches above the balcony platform; guard railings for stairways shall be not less than 31 inches high, measured vertically above the center of the tread.

1505.5(b)(3) Openings, if any, in the enclosure or guard railing shall not exceed six inches in width and 48 inches in length.

1505.5(b)(4) Enclosures and top railings shall be capable of withstanding a horizontal load of at least 50 pounds

per linear foot.

1505.5(c) Stairways and balconies.

1505.5(c)(1) Stairways shall contain no winders.

1505.5(c)(2) Stairways shall have a minimum clear headroom of six feet and six inches.

1505.5(c)(3) Stair treads and balcony platforms shall be solid or slatted, provided the width of openings does not exceed three quarters of an inch. Treads of double rungs will not be acceptable. All stair treads and balcony platforms shall be arranged so as to drain off and prevent the accumulation of water in pockets.

1505.5(c)(4) All straight flights of stairs shall be braced to the wall at approximate midheight but the bottom of such bracing shall be not less than six feet and six inches above the balcony platform below.

1505.5(c)(5) Rungs of the drop ladder shall be not further apart than 12 inches.

1505.5(c)(6) There shall be no opening in the floor of the lowest balcony.

1505.5(d) Clearances.

1505.5(d)(1) Balconies shall have a 14-inch minimum clear horizontal passageway past the stairwell opening and all minimum widths specified shall not be reduced by the swing of doors and windows which open onto the fire escape.

1505.5(d)(2) Balconies shall have a 20-inch minimum clear platform width at each end of stair runs, except that at the end of a stair run of a balcony platform affording access to a drop ladder, this dimension shall be 36 inches minimum.

1505.5(d)(3) The clear vertical distance between any fixed or movable part of the fire escape, and a publicly owned area, shall be not less than 10 feet.

1505.5(e) Construction and installation.

1505.5(e)(1) Such fire escapes shall be designed, installed, and supported to withstand the dead load of the structure and a uniformly distributed live load of at least 80 pounds per square foot applied to the balcony platform and stairs. Treads shall be designed for a concentrated load of 250 pounds applied at the center of tread. Each rung of the drop ladder shall be designed to carry a concentrated load of at least 250 pounds at its center.

1505.5(e)(2) Such fire escapes shall be constructed of new, ductile, incombustible material whose strength and durability is not affected by wetting or normal extremes of temperature. The thickness of metal shall be not less than one quarter of an inch.

1505.5(f) Maintenance.

1505.5(f)(1) Deterioration of metal fire escapes subject to corrosion shall be prevented by treatment at erection and periodically thereafter.

1505.5(f)(2) Such fire escapes shall be maintained safe and free of obstruction.

PART 1506

MOTOR VEHICLE STORAGE IN NEW MULTIPLE DWELLINGS OR UPON
THE PREMISES THEREOF

(Statutory authority: Multiple Residence Law, § 326)

1506.1 GENERAL REQUIREMENTS.

1506.1(a) Motor vehicle storage facilities provided pursuant to section 136 of chapter 61-B of the Consolidated

Laws (Multiple Residence Law) of the State of New York, shall conform to the regulations as set forth herein, entitled Part 1506, Motor Vehicle Storage in New Multiple Dwellings or Upon the Premises Thereof.

1506.1(b) Motor vehicle storage facilities in a multiple dwelling or in a structure upon the premises thereof shall be separated from the multiple dwelling by distance, or by fire-resistive materials and construction, to retard the spread of fire from within such facilities, and shall be equipped so as not to be a hazard to the safety and health of occupants of the multiple dwelling.

1506.1(c) Such motor vehicle storage facilities shall be arranged and constructed so that flammable vapors cannot spread to fixed sources of ignition; so that toxic gases and flammable vapors originating within such facilities cannot spread to the multiple dwelling; so that air for heating, ventilation and such uses cannot be circulated from such facilities to the multiple dwelling. The floors of such facilities shall be of materials that will not absorb flammable liquids nor be ignitable, and each floor shall slope to a floor drain equipped with an oil separator. Such oil separator shall be properly maintained.

1506.1(d) Motor vehicle storage facilities in or attached to a multiple dwelling shall be separated from such dwelling by construction having a fire resistance rating commensurate with the fire hazard involved. Such construction shall be continuous and unpierced by openings; except that openings shall be permitted therein when equipped with self-closing opening protectives having a fire resistance rating commensurate with the fire resistance rating of the separating construction, and when constructed in accordance with the requirements of this Part.

1506.1(e) Roof storage. When motor vehicle storage facilities are provided on a roof, such roof shall be designed and constructed to support the resulting load; if such roof be the roof of a multiple dwelling, such dwelling shall be of fireproof construction.

1506.1(f) Roof storage parapet wall. Roofs used for the storage of motor vehicles shall be provided with a noncombustible parapet wall at least 24 inches high. Such wall shall be designed to resist a lateral horizontal force of 300 pounds per linear foot, applied 21 inches above the level of the roof. If a substantial eight-inch high curb is provided at least four feet from the parapet wall, such wall need only be designed to resist a lateral horizontal force of 150 pounds per linear foot. When the parapet wall is less than 42 inches high, a railing capable of resisting a lateral horizontal force of 100 pounds per linear foot applied at the top rail shall be attached thereto. Such railing shall have a height of at least 42 inches above the roof level and any opening therein shall not exceed eight inches in at least one dimension.

1506.1(g) Parking decks and open sides. Where a side of a motor vehicle storage facility is not enclosed, such side shall be protected with a noncombustible wall at each floor level at least 24 inches in height. Such wall shall be designed to resist a lateral horizontal force of 300 pounds per linear foot, applied 21 inches above the floor level. When an eight-inch curb is provided at least four feet from the wall, such wall need only be designed to resist a lateral force of 150 pounds per linear foot. When the height of such wall above the floor level is less than 42 inches, a railing capable of resisting a lateral horizontal force of 100 pounds per linear foot applied at the top rail shall be attached thereto. Such railing shall have a height of at least 42 inches above the floor level and any opening therein shall not exceed eight inches in width and four feet in length.

1506.1(h) Open storage. Motor vehicles stored in the open upon the premises of a multiple dwelling shall not be stored within five feet of a combustible wall or wall opening of that multiple dwelling, except when such wall is protected to a height of at least eight feet on the side nearest such storage by a noncombustible facing of at least three-quarter hour fire protection, and such openings are equipped with opening protectives having a fire resistance rating of at least three-quarter hour.

1506.2 HEIGHT AND AREA REQUIREMENTS.

1506.2(a) Motor vehicle storage facilities in multiple dwellings. Facilities for storage of motor vehicles in any multiple dwelling may be of unlimited height and area except that the total area of all stories including any extensions beyond the perimeter of the multiple dwelling shall not exceed that required for one vehicle for each apartment or suite of rooms with at least 200 square feet of floor area allowed for each vehicle.

1506.2(b) Motor vehicle storage facilities upon the same premises with a multiple dwelling.

1506.2(b)(1) The height and area of motor vehicle storage facilities in a building upon the premises of a multiple

dwelling shall meet the requirements set forth in Table 1506.2-1

TABLE 1506.2-1
Height and Area Requirements of Motor Vehicle Storage
Facilities in a Building Upon the Premises of a Multiple Dwelling

Type of construction	Minimum fire resistance of floors in hours	Maximum height{1} in stories in feet		Maximum area per floor in square feet
Fireproof	3	Unlimited		Unlimited
Fireproof	2	6	75	20,000
Protected noncombustible	1 1/2	5	65	12,000
Protected noncombustible	3/4	4	50	9,500
Heavy timber (mill)	3/4	4	50	9,500
Ordinary	3/4	2	30	6,500
Unprotected noncombustible	---	2	30	6,500
Wood frame	3/4	1	20	5,000

{1} Where a motor vehicle storage facility is equipped with an automatic sprinkler system the figures in the height columns may be increased by one story and 12 feet respectively.

1506.2(b)(2) The permissible floor area of motor vehicle storage facilities with frontages of more than 25 percent of the building perimeter on one or more streets, or other accessible legal open space at least 30 feet wide, may be increased two percent for each one percent of such frontage in excess, of 25 percent.

1506.3 MOTOR VEHICLE SERVICE FACILITIES.

1506.3(a) Space within motor vehicle storage facilities in multiple dwellings shall not contain volatile flammable solvents, nor facilities for oil or grease handling, service, or repair, except that vehicle cleaning and washing shall be permitted.

1506.3(b) Space within motor vehicle storage facilities upon the premises of any multiple dwelling shall not contain volatile flammable solvents, or facilities for oil or grease handling, except on the ground floor or roof, and provided that such service facilities shall comply with generally accepted safety standards.

1506.4 SEPARATION REQUIREMENTS.

1506.4(a) The walls enclosing motor vehicle storage facilities in a multiple dwelling, the structural members therein and the floor over and the floor below the storage facilities shall be of noncombustible construction having fire resistance ratings of at least two hours but not less than that required for the corresponding components of the multiple dwelling.

1506.4(b) The common wall between a multiple dwelling and an attached building or structure for motor vehicle storage shall be of noncombustible materials and have a fire resistance rating of at least two hours. All portions of such building or structure that are less than 10 feet from the multiple dwelling shall be of noncombustible materials and have a fire resistance rating of at least two hours, except that nonbearing walls other than the common wall and bearing walls that are more than 10 feet but within 20 feet from the multiple dwelling shall have a fire resistance rating of not less than three-quarter hour.

1506.4(c) Motor vehicle storage facilities having an above-grade building volume exceeding 8000 cubic feet or exceeding one story in height and having exterior walls less than 20 feet from a multiple dwelling, shall have such walls protected on the exterior with noncombustible facings of at least three-quarter hour fire protection, but the fire resistance rating of such walls shall be not less than that required for the type of construction of such facility.

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resistance ratings of at least two hours but not less than that required for the corresponding components of the multiple dwelling.

1506.4(b) The common wall between a multiple dwelling and an attached building or structure for motor vehicle storage shall be of noncombustible materials and have a fire resistance rating of at least two hours. All portions of such building or structure that are less than 10 feet from the multiple dwelling shall be of noncombustible materials and have a fire resistance rating of at least two hours, except that nonbearing walls other than the common wall and bearing walls that are more than 10 feet but within 20 feet from the multiple dwelling shall have a fire resistance rating of not less than three-quarter hour.

1506.4(c) Motor vehicle storage facilities having an above-grade building volume exceeding 8000 cubic feet or exceeding one story in height and having exterior walls less than 20 feet from a multiple dwelling, shall have such walls protected on the exterior with noncombustible facings of at least three-quarter hour fire protection, but the fire resistance rating of such walls shall be not less than that required for the type of construction of such facility.

1506.5 OPENINGS AND OPENING PROTECTIVES.

1506.5(a) Openings in separating walls for passage between multiple dwellings and motor vehicle storage facilities in or attached to a multiple dwelling shall be provided with vestibules not less than six feet long and of noncombustible construction having a fire resistance rating of not less than two hours and equipped with self-closing doors having a fire resistance rating of not less than one and one-half hours. Such fire-resistive doors may be provided with a vision panel of wired glass of not more than 100 square inches in area with no dimension exceeding 12 inches.

1506.5(b) When a motor vehicle storage facility is not within the enclosing walls of a multiple dwelling but is connected thereto by an enclosed passageway, the requirements of subdivision 1506.5(a) above for communicating openings between a motor vehicle storage facility and a multiple dwelling shall apply.

1506.5(c) Openings for vehicles shall be directly from the outside of the building and shall be located not less than 20 feet from any door of the multiple dwelling and shall be at least seven feet in width. Other openings in exterior walls of motor vehicle storage facilities in multiple dwellings and openings less than 20 feet from a multiple dwelling and in exterior walls of such storage facility upon the same premises with a multiple dwelling, shall be equipped with opening protectives having a fire resistance rating of at least three-quarter hour.

1506.5(d) Where a motor vehicle storage facility is on the same premises with a multiple dwelling, and there are openings in the walls of such multiple dwelling that are less than 30 feet above and less than 20 feet horizontally from the roof of the motor vehicle storage facility, such openings shall be protected by three-quarter hour opening protectives, or, in lieu thereof, the roof of such facility shall be of noncombustible construction having a fire resistance rating of at least three-quarter hour.

1506.6 EXIT REQUIREMENTS.

1506.6(a) There shall be provided from every floor of motor vehicle storage facilities in a multiple dwelling or upon the premises thereof at least two means of egress located remote from each other. Such means of egress shall lead directly, or through an exit passageway or an exit stairway in a two-hour fire-resistive enclosure, to a legal open space having access to a street. Exits, exit passageways and exit stairways shall be at least 36 inches wide and six feet six inches high. Ramps used shall have a slope not to exceed one foot in 10 feet and shall be provided with nonslip surfaces. The maximum distance of travel to an exit or exitway shall not exceed 100 feet, except that such distance may be 150 feet when the storage facility is equipped with an automatic sprinkler system. A ramp for vehicles may be considered as one means of egress when such ramp is remote from the main enclosed exit and when it has a terminus at grade within 50 feet of an exit door opening to the exterior.

1506.6(b) All exit doors shall be self-closing and swing in the direction of egress. Interior exit doors shall have a fire resistance rating of at least one and one-half hours. Exterior exit doors shall have a fire resistance rating of at least three-quarter hour. Where doors swing into the path of travel from other areas, they shall be so located as not to project into such path of travel. Doors to stairways shall open upon a landing providing a distance from door swing to line of tread of stairs not less than the width of the doors. Louvers are not permitted in interior exit doors.

1506.6(c) All doors used as required exits shall be arranged so as to be readily openable from the motor vehicle storage facility side. Locks, if provided on required exits, shall not require a key to be operated from the motor

vehicle storage facility side.

1506.6(d) Every enclosed stairway shall have at its topmost landing an opening to the exterior at least 24 by 30 inches, provided with a window or door, readily accessible and easily openable from both the interior and exterior of the building.

1506.6(e) Stairs shall be constructed of noncombustible materials, shall provide for safe ascent and descent. The use of winders shall not be permitted. Stairs shall be at least three feet in clear width throughout and have a handrail on the open side or, if enclosed, on at least one side, with a clearance of at least one and one-half inches between the handrail and the wall and placed at least 31 inches above the center of the tread; when three feet eight inches or more in width, handrails shall be provided on each side. Treads, exclusive of nosing, shall be not less than nine and one-half inches wide; risers shall not exceed seven and three-quarter inches in height; and the product of the number of inches in width of the tread and the number of inches in the height of the riser shall be at least 70 and at most 75. Minimum headroom shall be six feet six inches measured vertically from the surface of the tread at the nosing.

1506.6(f) Well openings and window openings on stairs, ramps or landings shall be guarded by substantial railings at least 33 inches high above the floor or tread level. The openings in such railings shall not exceed six inches in width nor 48 inches in length.

1506.6(g) Exitways shall be lighted by natural and, or artificial light of sufficient intensity to allow safe passage at all times.

1506.6(h) Every means of egress shall be indicated by a durable sign reading EXIT in red letters at least eight inches high on a white background or vice versa, and such sign shall be clearly visible at all times.

1506.7 VENTILATION.

Motor vehicle storage facilities in a multiple dwelling or upon the premises thereof shall be provided with natural or mechanical ventilation capable of preventing the accumulation of flammable gases or vapors. Where such facilities do not have natural ventilation they shall have mechanical ventilation providing not less than six complete changes of air per hour at all times during occupancy of the garage. Where such facilities are located above grade, every room or space therein shall be provided with openings to the outer air, having a combined area of not less than two percent of the floor area; or such rooms or space shall have mechanical ventilation providing six air changes per hour.

1506.8 STRUCTURAL REQUIREMENTS.

1506.8(a) Constructions and parts thereof used for the storage of motor vehicles in a multiple dwelling or upon the premises thereof shall be capable of sustaining safely the loads to which they are subject. The motor vehicle loads on floors, roofs, and ramps shall be those set by the department but in no case shall they be less than a uniformly distributed load of 75 pounds per square foot, or 2,000 pounds concentrated on an area nine inches in diameter, whichever produces the greater stress.

1506.8(b) Wherever structural material or assemblies of such construction may, if unprotected, deteriorate and become structurally unsound under the proposed conditions of use, approved protection shall be provided. Causes of such deterioration include, among others, action of freezing and thawing, dampness, wetting and drying, termites and rodents.

1506.8(c) Parts of such buildings built in soil which is water bearing at any season of the year shall be constructed so that ground water will not flow into basements and cellars.

1506.9 EQUIPMENT REQUIREMENTS.

1506.9(a) General. The construction, installation, operation, and maintenance of equipment in motor vehicle storage facilities, except as otherwise specified in this Part, shall be in accordance with the generally accepted standards listed in the appendix. <*See Appendix S-2>

1506.9(b) Plumbing. Plumbing systems shall be designed and installed to supply water and to convey waste in a manner free from health and physical hazards.

1506.9(c) Gas piping.

1506.9(c)(1) Gas piping systems shall be designed and installed so as to be free from health and physical hazards under normal conditions of use.

1506.9(c)(2) Gas piping systems shall provide a supply of gas sufficient to meet the maximum expected demand of the installed gas-burning appliances, shall be of materials resistant to the corrosive effect of gases conveyed, and shall remain, with a minimum of maintenance, gastight, safe, frost-free, and operative under conditions of use.

1506.9(c)(3) Gas piping systems shall have a valve in an accessible location outside the building for shutting off all gas to the system.

1506.9(d) Heating.

1506.9(d)(1) Heating facilities shall be designed and installed in a manner free from fire, health, and physical hazards under conditions of use.

1506.9(d)(2) Heat producing equipment shall not be operated beyond the safe capacity for which it has been designed.

1506.9(d)(3) Heat producing equipment, other than direct-fired unit heaters installed eight feet or more above the floor level, shall be located in separate buildings or in rooms enclosed by solid and vaportight noncombustible construction. Such rooms shall be separated from other parts of the building with constructions having fire resistance rating of at least two hours. Separating constructions shall be unpierced except where necessary for the passage of heating pipes or ducts. Openings around such pipes and ducts shall be sealed with masonry or other noncombustible material. Entrance to such rooms shall be from the outside of the building.

1506.9(d)(4) Flue and gasvent outlets shall be located so as not to be lower than the level of the top of any window or other exterior wall opening which is less than 15 feet horizontally or 30 feet vertically from the outlet, nor shall such outlets be less than two feet above the level of any unprotected combustible part of any building or construction when such part is 10 feet or less from the outlet.

1506.9(e) Electrical wiring and equipment. Electrical wiring and equipment shall be designed and installed so as not to be a potential source of ignition of combustible material or become a potential source of electrical hazard.

1506.9(f) Lighting. Facilities for the storage of motor vehicles and private thoroughfares leading thereto shall be wired for electricity, and light outlets and fixtures shall be installed to provide adequate lighting.

1506.9(g) Elevators and hoisting equipment.

1506.9(g)(1) Elevators and hoisting equipment shall be designed and installed so as to perform their functions in a manner free from physical and fire hazards.

1506.9(g)(2) Elevator hoistways shall be enclosed in constructions having a fire resistance rating of at least two hours, except that in motor vehicle storage facilities not more than two stories in height the elevator hoistway enclosure on above-grade floors may be of unprotected noncombustible material. Door openings in hoistways in two-hour fire-resistive enclosures shall be provided with fire doors or opening protectives having a fire resistance rating of at least one and one-half hours.

1506.9(h) Fire-extinguishing equipment.

1506.9(h)(1) Sprinkler systems.

1506.9(h)(1)(i) Where motor vehicle storage facilities are located in a multiple dwelling and have a capacity of 20 or more vehicles, an automatic sprinkler system shall be installed in such facilities in conformity with the requirements entitled Part 1503, Sprinkler Systems in Hotels and Similar Dwellings.

1506.9(h)(1)(ii) When motor vehicle storage facilities are located in a basement or cellar of a building upon

the premises of a multiple dwelling, and such storage facility has a capacity of 20 or more vehicles, an automatic sprinkler system shall be installed in such basement or cellar in conformity with the requirements entitled Part 1503, Sprinkler Systems in Hotels and Similar Dwellings.

1506.9(h)(1)(iii) When approved by the department, a tank supplying a standpipe system may be used to supply the sprinkler system.

1506.9(h)(2) Standpipes.

1506.9(h)(2)(i) Motor vehicle storage facilities in a multiple dwelling or upon the premises thereof which are more than two stories or 30 feet in height or which have a floor area above the grade floor exceeding 10,000 square feet per floor shall be equipped with standpipes not less than two and one-half inches in diameter, unless:

1506.9(h)(2)(i)(a) such facilities are more than four stories or 50 feet in height, in which event the premises shall be equipped with standpipes not less than four inches in diameter; or

1506.9(h)(2)(i)(b) such facilities are more than six stories or 75 feet in height, in which event the said premises shall be equipped with standpipes not less than six inches in diameter.

1506.9(h)(2)(ii) No standpipes shall be required when such facilities are equipped with a sprinkler system installed pursuant to the requirements entitled Part 1503, Sprinkler Systems in Hotels and Similar Dwellings.

1506.9(h)(2)(iii) Standpipes required by this Part shall conform to approved standards, and shall be of such number and so located that all parts of each floor can be reached by a 30-foot stream from a nozzle attached to 100 feet of hose connected to the riser and outlet on that floor.

1506.9(h)(2)(iv) Standpipes shall be equipped with fire department outlets on every floor.

1506.9(h)(2)(v) Standpipes shall be equipped with outlets and first-aid hose in conformity with the regulations set forth in subparagraph 1506.9(h)(3)(ii) of paragraph 1506.9(h)(3) of this subdivision.

1506.9(h)(2)(vi) Standpipes shall be protected from freezing and damage.

1506.9(h)(2)(vii) Standpipes shall be equipped with approved fire department inlet connections. The number of such fire department connections shall be determined by the department having jurisdiction. Fire department inlet connections shall be constructed of corrosion-resistive metal, located on a street front of the building or structure not less than 18 inches or more than 36 inches above grade, and when located more than two feet above grade, shall not project beyond the building face. Such connections shall be marked with raised letters not less than one inch in height reading: TO STANDPIPE; or identified otherwise for type of standpipe.

1506.9(h)(2)(viii) Standpipe systems shall be supplied with water in conformity with generally accepted standards listed in the appendix to this Part <*See Appendix S-2> to the extent that such standards are consistent with this Part.

1506.9(h)(2)(ix) When approved by the department, a tank supplying a domestic water system or a sprinkler system may be used to supply the standpipe system.

1506.9(h)(3) First-aid fire equipment.

1506.9(h)(3)(i) Motor vehicle storage facilities in a multiple dwelling or upon the premises thereof shall be equipped with manual fire extinguishing equipment of a type suitable for the occupancy and shall be so located and installed as to be visible and readily accessible. There shall be at least one such fire extinguisher located in each 4,000 square feet of floor area or fraction thereof.

1506.9(h)(3)(ii) Motor vehicle storage facilities in a multiple dwelling or upon the premises thereof shall be equipped with standpipe outlets and first-aid fire hose on every floor when standpipes are required by this Part, except when such facilities are equipped with an automatic sprinkler system. Such outlets and hose shall be in conformity with generally accepted standards and shall be located in or near stairways or exitways.

1506.9(h)(3)(iii) First-aid fire equipment shall be maintained in good operating condition at all times.

1506.10 MAINTENANCE.

1506.10(a) Open containers of volatile flammable liquids shall be prohibited in motor vehicle storage facilities.

1506.10(b) Smoking shall be prohibited in motor vehicle storage facilities, and conspicuous durable signs to this effect shall be displayed therein at all times.

S-1

Classification of Buildings by Occupancy or Use 9 NYCRR Appendix S-1

<NOTE: The following is Appendix S-1 from 9 NYCRR Executive Volume C, as reissued on 7/95 by Lawyers Cooperative Publishing.>

C1 - Business <See 703.2>

This group includes, but is not limited to, the following:

- Banks
- Buildings for broadcasting and telecasting having a capacity of not more than 99 persons [SIC] <50 persons>
- Computer and data processing buildings
- Indoor tennis courts designed for or intended to be used by not more than 99 persons [SIC] <50 persons>, without seating for spectators
- Administration buildings
- Laboratories, other than chemical
- Library buildings having a capacity of not more than 99 persons [SIC] <50 persons>
- Office buildings
- Professional offices, incidental to other uses
- School administration buildings without classrooms
- Telephone exchanges

C2 - Mercantile <See 703.3>

This group includes, but is not limited to, the following:

- Auto sales rooms
- Display rooms
- Gasoline service stations without maintenance or repair facilities
- Markets and supermarkets
- Stores, including paint stores without bulk handling facilities

C3 - Industrial <See 703.4>

This group includes, but is not limited to, the following:

C3.1 Low Hazard: <See 703.4(a)>

- Car wash facilities
- Dairy product processing
- Dry cleaning plants using nonflammable solvents
- Electric substations
- Electrolytic processing excluding those that generate flammable or toxic gases
- Electronic assembly plants

Foundries
Power generating plants
Metal processing buildings
Metal fabrication buildings
Ceramic product manufacture
Masonry product manufacture
Waterpumping stations
Wineries, Breweries

C3.2 Moderate Hazard: <See 703.4(b)>

Aircraft maintenance and repair facilities
Bakeries
Chemical laboratories and manufacturers other than high hazard
Commercial laundries
Dry cleaning plants using flammable solvents
Metal-working shops requiring volatile or flammable liquids
Motor vehicle maintenance and repair shops
Papermills and sawmills
Woodworking plants excluding furniture manufacture

C3.3 High Hazard: <See 703.4(c)>

Celluloid, pyroxylin and nitrocellulose products
Explosives and fireworks manufacturing and distributing
Flammable dust
Gasoline plants and plants for flammable gas
Oil refineries and oil cracking facilities
Paint and varnish manufacture
Rooms with high oxygen atmosphere including hospital operating rooms
Upholstering facilities
Wood furniture manufacture

C4 - Storage
<See 703.5>

This group includes, but is not limited to, the following:

C4.1 Low Hazard: <See 703.5(a)>

Cold storage of food products
Firehouse without assembly space
Passenger car storage without maintenance or repair facilities
Storage of noncombustible materials

C4.2 Moderate Hazard: <See 703.5(b)>

Aircraft hangars
Book storage
Firehouse with assembly space
Furniture storage, wood
Garage with maintenance or repair facilities
Grain elevators
Lumber storage without facilities for producing chips or dust
Paper or cardboard storage, tightly packed
Stables or barns within fire limits
Truck or commercial garages
Warehouse and truck terminals

C4.3 High Hazard: <See 703.5(c)>

Buildings wherein flammable chips or dust are produced
Gasoline bulk stations including handling facilities

Storage of flammable medical gas or hydrogen
Wholesale chemical storage

C5 - Assembly
<See 703.6>

This classification is subdivided into groups, according to the number of persons or the use of the building, as follows:

Groups C5.1 for not more than six hundred persons. [SIC] <300 persons>

Group C5.2 for more than six hundred, but not more than fifteen hundred persons. [SIC] <more than 300, but not more than 1,000 persons>

Group C5.3 for more than fifteen hundred persons. [SIC] <1,000 persons>

The above groups, based on number of persons, include but are not limited to the following:

- Amusement park buildings to which the public has access
- Armories
- Art galleries
- Assembly halls
- Auditoriums
- Bath houses
- Bowling alleys
- Club rooms
- Coliseums and stadiums
- Court rooms
- Dance halls
- Exhibition halls or buildings
- Grandstands
- Gymnasiums
- Indoor tennis courts with seating for spectators
- Lecture halls
- Libraries and broadcasting and telecasting stations having a capacity of more than 99 persons
- Lodge halls or rooms
- Mortuary Chapels
- Motion picture theaters
- Museums
- Nightclubs
- Passenger stations and terminals of air, surface, underground and marine public transportation facilities
- Recreation centers, halls and piers
- Restaurants
- Skating rinks
- Tents and similar shelters
- Theaters

The following groups include, but are not limited to:

Group C5.4 - churches, synagogues, mosques, and similar places of worship.

Group C5.5 - schools, colleges and similar places of education.

C6 - Institutional
<See 703.7>

This classification is subdivided into groups, according to the movement of the occupants, and includes, but is not limited to, the following:

C6.1 - for persons whose movements are not limited and have a normal sense of perception, as follows: <See

703.7(a)>

Out-patient clinics without domiciliary facilities
Days centers for, children 3 years of age or over

C6.2 - for persons whose movements are limited because of illness, physical or mental handicap, (except nursing and old-age homes regulated by the State Building Construction Code applicable to Multiple Dwellings). <See 703.7(b)>

Examples are as follows:

Child caring institutions with overnight sleeping facilities Clinics with sleeping rooms Community residences as defined in section 803.3 <606.3(a)(34)> Day care centers for children under 3 years of age Hospitals Infirmaries Sanitariums

C6.3 Detained or Confined: <See 703.7(c)>

Detention homes
Houses of correction
Jails
Mental hospitals.
Penitentiaries
Police lockups
Prisons
Reformatories

C7 - Miscellaneous
<See 703.8>

This group includes, but is not limited to, the following:

Boathouses
Chimneys, free standing
Contractors temporary buildings
Roofed marine terminals

S-2

APPENDIX S-2

GENERALLY ACCEPTED STANDARDS
<<As reissued on 7/95 by Lawyers Cooperative Publishing,
pages 14,642 - 14,643 Executive.>>

<<NOTE: §1250.3 "Reference Standards Applicable to State Uniform Fire Prevention and Building Code" was Amended Effective July 26, 1995>>

Part 1500 FIRE-ALARM SYSTEMS IN HOTELS AND SIMILAR DWELLINGS

NATIONAL BOARD OF FIRE UNDERWRITERS - NBFU No. 70, 1962,
National Electrical Code; NBFU No. 72, 1960, Protective Signaling Systems.

UNDERWRITERS' LABORATORIES, INC. - Electrical Appliance and Utilization Equipment List, 1962; Electrical Construction Materials List, 1962; Fire Protection Equipment List, 1962.

Part 1501 FIRE DETECTING SYSTEMS IN HOTELS AND SIMILAR DWELLINGS

NATIONAL BOARD OF FIRE UNDERWRITER - NBFU No. 70, 1962, National Electrical Code; NBFU No. 72, 1960. Protective Signaling Systems.

UNDERWRITERS' LABORATORIES, INC. - Electrical Appliance and Utilization Equipment List, 1962; Electrical

Construction Materials List, 1962; Fire Protection Equipment List, 1962.

Part 1502 WATCHMAN'S CLOCK SYSTEMS IN HOTELS AND SIMILAR DWELLINGS

NATIONAL BOARD OF FIRE UNDERWRITERS - NBFU No. 72, 1960, Protective Signaling Systems.

UNDERWRITERS' LABORATORIES, INC. - Fire Protection Equipment List, 1962.

Part 1503 SPRINKLER SYSTEMS IN HOTELS AND SIMILAR DWELLINGS

NATIONAL BOARD OF FIRE UNDERWRITERS - NBFU No. 13, 1961, Standard for the Installation of Sprinkler Systems; NBFU No. 70, 1962, National Electrical Code.

UNDERWRITERS' LABORATORIES, INC. - Fire Protection Equipment List, 1962.

Part 1504 SPRINKLER SYSTEMS FOR SPECIAL LOCATIONS IN MULTIPLE DWELLINGS

NATIONAL BOARD OF FIRE UNDERWRITERS - NBFU No. 13, 1961, Standard for the Installation of Sprinkler Systems; NBFU No. 70, 1962, National Electrical Code.

UNDERWRITERS' LABORATORIES, INC. - Fire Protection Equipment List, 1962.

Part 1506 MOTOR VEHICLE STORAGE IN NEW MULTIPLE DWELLINGS OR UPON THE PREMISES THEREOF

AMERICAN GAS ASSOCIATION LABORATORIES - Directory of Approved Appliances and Listed Accessories, 1962.

AMERICAN SOCIETY OF HEATING, REFRIGERATING AND AIR-CONDITIONING ENGINEERS - Guide and Data Book, 1961, Sections 1, 2, 3, 4 and 6.

NATIONAL BOARD OF FIRE UNDERWRITERS - NBFU No. 13, 1961, Standard for the Installation of Sprinkler Systems; NBFU No. 14, 1952, Standards for the Installation of Standpipe and Hose Systems; NBFU No. 70, 1962, National Electrical Code.

UNDERWRITERS' LABORATORIES, INC. - Electrical Appliance and Utilization Equipment List, 1962; Electrical Construction Materials List, 1962; Hazardous Location Equipment List, 1962; Fire Protection Equipment List, 1962; Gas and Oil Equipment List, 1961.

ORGANIZATIONS ISSUING GENERALLY ACCEPTED STANDARDS

American Gas Association Laboratories
1032 East 62 Street
Cleveland 3, Ohio

American Society of Heating, Refrigerating and Air-Conditioning Engineers
345 East 47 Street
New York 17, New York

National Board of Fire Underwriters
85 John Street
New York 38, New York

Underwriters' Laboratories, Inc.
161 Sixth Avenue
New York 13, New York