



SUBCHAPTER 3

OCCUPANCY AND CONSTRUCTION

CLASSIFICATION

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ARTICLE 1 GENERAL

§[C26-300.1] 27-234 Scope.-The provisions of this subchapter shall establish and control the classification of all buildings, and spaces therein, with respect to occupancy group and class of construction.

§[C26-300.2] 27-235 Reference standards.-

Occupancy and construction classifications which appear in the several reference standards of this code shall apply to the provisions of the reference standard only unless otherwise indicated.

§[C26-300.3] 27-236 Definitions.-For definitions to be used in the interpretation of this subchapter, see subchapter two of this chapter.

ARTICLE 2 OCCUPANCY CLASSIFICATIONS

§[C26-301.1] 27-237 Occupancy groups.-Table 3-1 lists occupancy groups and sub groups that shall be established for classifying buildings and spaces in accordance with the provisions of articles three through twelve of this subchapter.

TABLE 3-1 OCCUPANCY CLASSIFICATIONS

Occupancy Group	Classification	Fire Index
A	High hazard	4
B-1	Storage (moderate hazard)	3
B-2	Storage (low hazard)	2
C	Mercantile	2
D-1	Industrial (moderate hazard)	3
D-2	Industrial (low hazard)	2
E	Business	2
F-1a	Assembly (theaters, etc.)	1
F-1b	Assembly (churches, concert halls, etc.)	1
F-2	Assembly (outdoors)	1
F-3	Assembly (museums, etc.)	1
F-4	Assembly (restaurants, etc.)	1
G	Education	1
H-1	Institutional (restrained)	1
H-2	Institutional (incapacitated)	1
J-1	Residential (hotels, etc.)	1
J-2	Residential (apartment houses, etc.)	1
J-3	Residential (one-and-two-family dwellings)	1
K	Miscellaneous	1

§[C26-301.2] 27-238 Classification of spaces.-Every space or room hereafter altered or erected shall, for the purposes of this code, be classified in one of the occupancy groups listed in Table 3-1 according to the occupancy or use of the space or room.

§[C26-301.3] 27-239 Classification of buildings.-Every building hereafter erected or altered under the provisions of section 27-115 of article four of subchapter one of this chapter shall, for the purposes of this code, be classified in one of the occupancy groups listed in table 3-1 according to the main use or dominant occupancy of the building. However, at the option of the applicant, subject to the approval of the commissioner, buildings may be classified in any other occupancy group, provided such occupancy group has a higher fire index, as listed in table 3-1, than the fire index of the occupancy group classification of the main use or dominant occupant.

§[C26-301.4] 27-240 Separation of occupancies.-Occupancies within buildings shall be separated from one another as follows:

a. Spaces classified in occupancy groups having a higher fire index, as listed in table 3-1, than the fire index of the occupancy group classification of the building, shall be separated from adjoining spaces by construction meeting the fire-resistance rating requirements for fire divisions under the provisions of subdivision (a) of section 27-339 of article five of subchapter five of this chapter. Such occupancies shall, for the purposes of this code, be classified and treated as separate buildings (hereinafter referred to as "building section").

b. Spaces classified in occupancy groups having the same or lower fire index, as listed in table 3-1, than the fire index of the occupancy group classification of the building, shall be separated from adjoining spaces by construction meeting the fire-resistance rating requirements for fire separations under the provisions of subdivision (b) of section 27-339 of article five of subchapter five of this chapter.

§[C26-301.5] 27-241 Classification tables.-Table 3-2 and reference standard RS 3-3 list representative

occupancies that shall be used as a basis for classifying buildings and spaces by occupancy.

§[C26-301.6] 27-242 Multiple occupancy or use.- When a building or space is used for multiple purposes, involving different activities at different times, the building or space shall be given a separate occupancy group classification for each of the activities involved. The design and construction of the building or space shall be in accordance with the most restrictive provisions of this code that apply to any of the occupancy group classifications utilized. However, a minor variation of any occupancy or use of a space from technical compliance with a particular space occupancy classification shall not be prohibited if such variation is normally associated with the occupancy classification and no specific danger or hazard is created.

ARTICLE 3 OCCUPANCY GROUP A-HIGH HAZARD

§[C26-302.1] 27-243 Classification.-Buildings and spaces shall be classified in the high hazard occupancy group when they are used for storing, manufacturing, or processing potentially-explosive products or materials, or highly-combustible or highly-flammable products or materials that are likely to burn with extreme rapidity. The high hazard group shall also include: uses that involve storing, processing, or handling any materials that produce explosive dust, or that result in the division of matter into fine particles subject to spontaneous ignition; uses that employ solids or substances that ignite or produce flammable gases on contact with water; and any other uses that constitute a high fire hazard because of the form, character, or volume of the materials involved.

(a) Typical material contents.-Acetylene gas and gases under pressure of fifteen psig or more and in quantities greater than twenty-five hundred cubic feet, including hydrogen, illuminating gas, natural gas, and all other gases subject to explosion; gas piping at pressure levels above fifteen psig regardless of the quantities of gas; celluloid and celluloid products; cotton batting; kerosene; fuel or other oils having a flash point under 200 F [sic] (tag closed cup), except five hundred fifty gallons or less in one- and two-family dwellings; refrigerating systems using high hazard refrigerants as defined in subchapter thirteen of this chapter, and except that in buildings lawfully occupied as garages prior to December sixth, nineteen hundred sixty-eight the storage of tank trucks or other vehicles, approved by the fire commissioner for the transportation of products having a flash point of over 100 F [sic] (tag open cup), and where the product contained in the cargo space of the vehicles is pending delivery, shall only be considered to constitute a high hazard occupancy when the product is stored in quantities greater than forty-five thousand gallons.

(b) Typical occupant activities.-Artificial [sic] flower and synthetic leather manufacture; ammunition, explosives, and fireworks manufacture, sales or storage; dry cleaning or dyeing; using or storing gasoline or other combustible solvents as outlined in article six of subchapter seven of this chapter; feather renovating; fruit ripening processes; hydrogenation processes; match manufacture or storage; metal enamelling or japanning; paint and varnish manufacture; paint spraying or dipping, as specified in article three of subchapter seven of this chapter; derivation of petroleum products by application of heat; processing of paper or cardboard in loose form; pyroxylin products manufacture and storage; rag sorting and storage; shoe polish manufacture; straw goods manufacture or broom corn storage; tar, pitch, or resin processing; waste paper sorting, shredding, storage, or baling; cotton waste processes.

§[C26-302.2] 27-244 Location restrictions.-No space classified in the high hazard occupancy group shall be located above the second story of any building or building section classified in construction group II containing a space classified in occupancy group J-1 or J-2.

ARTICLE 4 OCCUPANCY GROUP B-STORAGE

§[C26-303.1] 27-245 Classification.-Buildings and spaces shall be classified in the storage occupancy group when they are used primarily for storing goods. When the goods stored are highly combustible, flammable, or potentially explosive, the building or space shall meet the requirements for high hazard occupancies when the latter are more restrictive than the corresponding requirements for the storage classification. The storage occupancy group consists of sub groups B-1 and B-2.

§[C26-303.2] 27-246 Occupancy group B-1.-Shall include buildings and spaces used for storing any flammable or combustible materials that is likely to permit the development and propagation of fire with moderate rapidity.

(a) Typical material contents: bags (cloth, burlap, and paper); bamboo and rattan; baskets; belting (canvas and leather); books and paper in rolls or packs; buttons, including cloth-covered, pearl, or bone; boots and shoes; cardboard and cardboard boxes; wearing apparel; cordage; furniture; furs; glue, mucilage, paste, and size; horn and combs other than celluloid; leather enamelling or japanning; linoleum; livestock; lumber; photo-engraving supplies; silk; soap; sugar; tobacco; cigars, cigarettes, and snuff; upholstery and mattresses; wax candles.

***TABLE 3-2 TYPICAL OCCUPANCIES
FOR OCCUPANCY CLASSIFICATION**

Occupancy Group	Designation	Representative Occupancies
HIGH HAZARD	A	Paint shop and storerooms; industrial smoke houses; grain elevators; tanneries with enamelling or japanning; distilleries; sugar, starch, cereal, feed, flour, and grist mills; any space containing gas distribution piping at pressure levels above fifteen psig
STORAGE	B-1	Warehouses; storerooms; freight depots; stables; coal pockets; group 1 public garages**
	B-2	Warehouses; storerooms; private garages; green houses; group 2 public garages**
MERCANTILE	C	Retail stores; shops; sales rooms; markets
INDUSTRIAL	D-1	Baking plants; breweries; automotive repair shops; foundries [<i>sic</i>]; heliports; scenery shops
	D-2	Mechanical and electrical equipment rooms; power plants, and boiler and furnace rooms, except those containing gas distribution piping at pressure levels above fifteen psig; commercial laundries; vocational training shops; laboratories; nonresidential kitchens
BUSINESS	E	Office buildings; banks; civic administration buildings; radio and television stations not classified as places of assembly or as equipment rooms; telephone exchanges; barber and beauty shops; automotive service stations; neighborhood family care centers; medical offices or group medical centers
[ASSEMBLY	F-1a	Theaters; playhouses; opera houses]***
	F-1b	Churches; lecture halls; court rooms; convention halls; concert halls; sports arenas; planetariums; motion picture theaters
	F-2	Grandstands; bleachers; stadiums; drive-in theaters; amusement attractions and devices; bandstands; skating rinks
	F-3	Exhibition halls; galleries; gymnasiums; museums; passenger terminals; bowling alleys; billiard parlors; skating rinks
	F-4	Restaurants; night clubs; cabarets; dance halls; ballrooms; banquet rooms; cafeterias; snack bars; taverns; coffee houses
EDUCATIONAL	G	Schools; academies; universities; libraries
INSTITUTIONAL	H-1	Jails; prisons; reformatories; mental institutions
	H-2	Hospitals; sanitariums; clinics; nursing homes; orphanages; homes for the aged; day nurseries
RESIDENTIAL	J-1	Hotels; motels; lodging houses; rooming houses
	J-2	Apartment houses; apartment hotels; school dormitory buildings
	J-3	One-family and two-family dwellings; rectories; convents; [group homes]***
MISCELLANEOUS	K	Sheds; fences; signs

*This list of occupancies is representative only and is not complete.
See reference standard RS 3-3 for additional listings.

**See article ten of subchapter seven of this chapter.

***Copy in brackets not enacted but probably intended.

§[C26-303.3] 27-247 Occupancy group B-2.-Shall include buildings and spaces used for storing noncombustible materials and materials that do not ordinarily burn rapidly.

ARTICLE 5 OCCUPANCY GROUP C - MERCANTILE

§[C26-304.1] 27-248 Classification.-Buildings and spaces shall be classified in the mercantile occupancy group when they are used for display and sales of goods accessible to public inspection. Highly combustible or flammable goods, such as those made of pyroxylin products, shall be limited to small quantities that do not constitute a high hazard; if not so limited, the occupancy shall meet the requirements for high hazard occupancies when the latter are more restrictive than the corresponding requirements for the mercantile classification.

ARTICLE 6 OCCUPANCY GROUP D- INDUSTRIAL

§[C26-305.1] 27-249 Classification.-Buildings and spaces shall be classified in the industrial occupancy group when they are used for fabricating, assembling, manufacturing, or processing products, materials, or energy, except that when any products or materials, or other products or materials used in their manufacture are highly combustible, flammable, or explosive, the occupancy shall meet the requirements for high hazard occupancies when the latter are more restrictive than the corresponding requirements for the industrial classification. The industrial occupancy group consists of sub groups D-1 and D-2.

§[C26-305.2] 27-250 Occupancy group D-1.-Shall include buildings and spaces in which the fabrication, assembly, manufacturing, or processing represents a moderate fire hazard due to the extent and nature of such operations, or to the materials involved.

(a) Typical occupant activities-Canning, including food products and condensed and powdered milk manufacturer; dry cleaning or dyeing using or storing solvents having a flash point between 100 F and 138.2 F (Tag closed-cup); electrolytic processes; glass manufacture, leather tanning and treating, excluding enamelling or japanning; sugar refining; textile milling, including canvas, cotton, cloth, bagging, burlap, carpets, and rugs; upholstering; woodworking; cotton dressmaking; and manufacturing or processing materials such as those outlined in subdivision (a) of section 27-246 of article four of this subchapter.

§[C26-305.3] 27-251 Occupancy group D-2.-This group shall include buildings and spaces in which the

fabrication, assembly, manufacturing, or processing represents a low fire hazard.

§[C26-305.4] 27-252 Location restrictions.-No space classified in the industrial group D shall be located above the second story of any building or building section classified in construction group II containing a space classified in occupancy group J-1 or J-2.

ARTICLE 7 OCCUPANCY GROUP E-BUSINESS

§[C26-306.1] 27-253 Classification.-Buildings and spaces shall be classified in the business occupancy group when they are occupied for transacting business; for rendering professional services; or for performing other commercial services that may incidentally involve the storage of limited quantities of stocks of goods for office use or purposes. Buildings and spaces used for prosecuting public or civic services shall also be classified in this group.

ARTICLE 8 OCCUPANCY GROUP F- ASSEMBLY

***§[C26-307.1] 27-254 Classification.**-Buildings and spaces exclusive of dwelling units shall be classified in the assembly occupancy group when they are designed for use by any number of persons for religious, recreational, political or social purposes, or for the consumption of food or drink or for similar group activities; or when occupied by seventy-five people or more for educational purposes. When such occupancies are enclosed and contain or are designed for use by seventy-five or more persons or are outdoor spaces and contain or are designed for use by two hundred or more persons, they shall comply with the requirements of subchapter eight of this chapter for places of assembly.

**Local Law 23-1990.*

§[C26-307.2] 27-255 Occupancy group F-1.-Shall include those buildings and spaces in which, during the major period of occupancy, the persons assembled comprise a seated or otherwise passive audience to a performance or presentation, and have their attention focused in a common direction or at a common subject. Occupancy group F-1 consists of two subdivisions F-1a and F-1b.

(a) Occupancy group F-1a.-Includes buildings and spaces in which scenery and scenic elements are used.
(b) Occupancy group F-1b.-Includes buildings and spaces in which scenery and scenic elements are not used.

§[C26-307.3] 27-256 Occupancy group F-2.-Shall include all outdoor structures and spaces.

§[C26-307.4] 27-257 Occupancy group F-3.-Shall include buildings and spaces in which the persons assembled are physically active and do not have a common center of attention.

§[C26-307.5] 27-258 Occupancy group F-4.-Shall include buildings and spaces in which persons assemble for dancing or for the consumption of food or drink, or for any combination of dancing, eating, drinking, or entertainment.

ARTICLE 9 OCCUPANCY GROUP G- EDUCATIONAL

§[C26-308.1] 27-259 Classification.-Buildings, building sections and spaces shall be classified in the educational occupancy group when persons occupy them for instruction or other educational purposes except those spaces occupied as a place of assembly. These spaces shall be classified in occupancy group F-assembly, under the provisions of article eight of this subchapter. Such buildings, building sections and spaces occupied for instruction and used exclusively by adults may be classified, by the commissioner in occupancy group E-business and if so classified such buildings, building sections and spaces shall comply with the requirements for such classification.

ARTICLE 10 OCCUPANCY GROUP H- INSTITUTIONAL

§[C26-309.1] 27-260 Classification.-Buildings and spaces shall be classified in the institutional occupancy group when persons suffering from physical limitations because of health or age are harbored therein for care or treatment; when persons are detained therein for penal or correctional purposes; or when the liberty of the inmates is restricted. The institutional occupancy group consists of sub groups H-1 and H-2.

§[C26-309.2] 27-261 Occupancy group H-1.-Shall include buildings and spaces used for the detention of persons under restraint.

§[C26-309.3] 27-262 Occupancy group H-2.-Shall include buildings and spaces used for the care or treatment of persons with physical limitations because of health or age. This shall not include medical or dental offices providing services to ambulatory non-hospitalized persons, such as neighborhood family care centers, medical or dental offices, group medical offices, and the like.

ARTICLE 11 OCCUPANCY GROUP J- RESIDENTIAL

§[C26-310.1] 27-263 Classification.-Buildings and spaces shall be classified in the residential occupancy group when families or households dwell therein, or when sleeping accommodations, with or without dining facilities, are provided therein for individuals. Excluded from this group are those buildings and spaces classified under the institutional occupancy group. The residential occupancy consists of sub groups J-1, J-2, and J-3.

§[C26-310.2] 27-264 Occupancy group J-1.-Shall include buildings and spaces that are primarily occupied for the shelter and sleeping accommodation of individuals on a day-to-day or week-to-week basis.

§[C26-310.3] 27-265 Occupancy group J-2.-Shall include buildings with three or more dwelling units that are primarily occupied for the shelter and sleeping accommodation of individuals on a month-to-month or longer-term basis.

§[C26-310.4] 27-266 Occupancy group J-3.-Shall include buildings occupied as one-family or two-family dwellings, or as convents or rectories.

ARTICLE 12 OCCUPANCY GROUP K- MISCELLANEOUS

§[C26-311.1] 27-267 Classification.-Structures of a temporary character, and minor occupancies not classified in any other specific occupancy group, shall be classified in the miscellaneous occupancy group. Such structures and occupancies shall be constructed, equipped, and maintained to meet the requirements of this code commensurate with the fire and life hazard incidental to their use. The miscellaneous occupancy group includes all accessory structures such as sheds, fences, and similar constructions.

ARTICLE 13 DOUBTFUL OCCUPANCIES

§[C26-312.1] 27-268 Classification.-When a building or space is used for an occupancy not specifically provided for in this code, or when its classification is otherwise uncertain, such building or space shall be included in the occupancy group that it most nearly resembles with respect to the existing or proposed life and fire hazard, and it shall be so

classified by the architect or engineer subject to the approval of the commissioner.

ARTICLE 14 CONSTRUCTION CLASSIFICATIONS

§[C26-313.1] 27-269 Construction classes.-Table 3-3 lists construction classes that shall be established for classifying buildings and spaces by construction in accordance with the provisions of articles fifteen, sixteen and seventeen of this subchapter.

TABLE 3-3 CONSTRUCTION CLASSES

Construction Group	Class
I-Noncombustible	I-A— (4-hr. protected)
	I-B— (3-hr. protected)
	I-C— (2-hr. protected)
	I-D— (1-hr. protected)
	I-E— (unprotected)
II-Combustible	II-A— (heavy timber)
	II-B— (protected wood joist)
	II-C— (unprotected wood joist)
	II-D— (protected wood frame)
	II-E— (unprotected wood frame)

§[C26-313.2] 27-270 Classification of buildings and spaces.-Every building, room, or space hereafter altered or erected shall, for the purposes of this code be classified in one of the construction classes listed in table 3-3.

§[C26-313.3] 27-271 Classification table.-The fire-resistance ratings of construction elements in hours listed in table 3-4 shall be used as a basis for classifying buildings and spaces by construction. Fire-resistance ratings shall be based on the test procedures of reference standard RS 3-1 and shall apply to all occupancy groups except as specifically noted. For hazardous occupancies involving an exceptionally high degree of fire risk or an exceptionally high concentration of combustible or flammable contents, the commissioner may increase the requirements of table 3-4.

§[C26-313.4] 27-272 False designation.-No building or space shall be designated a given construction class unless it conforms to the minimum requirements for that class; and no building or space shall be posted, used, designated, or advertised as of a given construction class unless it complies with the minimum requirements of this code for that class.

§[C26-313.5] 27-273 Minimum requirements.-When a class of construction is utilized which is superior to that required for any particular use, nothing in this code shall be construed to require full compliance with the requirements for the higher class; the designated construction classification of the building or space shall be that of the lesser classification, unless all of the requirements for the higher class are met.

ARTICLE 15 CONSTRUCTION GROUP I-NONCOMBUSTIBLE

§[C26-314.1] 27-274 Classification.-Buildings or spaces in noncombustible construction group I are those in which the walls, exitways, shafts, structural members, floors, and roofs are constructed of noncombustible materials and assemblies affording the fire-resistance ratings specified in table 3-4. The noncombustible construction group I consists of classes I-A, I-B, I-C, I-D, and I-E.

§[C26-314.2] 27-275 Construction class I-A.-Includes buildings and spaces in which the bearing walls and other major structural elements are generally of four-hour fire-resistance rating.

§[C26-314.3] 27-276 Construction class I-B.-Includes buildings and spaces in which the bearing walls and other major structural elements are generally of three-hour fire-resistance rating.

§[C26-314.4] 27-277 Construction class I-C.-Includes buildings and spaces in which the bearing walls and other major structural elements are generally of two-hour fire-resistance rating.

§[C26-314.5] 27-278 Construction class I-D.-Includes buildings and spaces in which the bearing walls and other major structural elements are generally of one-hour fire-resistance rating.

§[C26-314.6] 27-279 Construction class I-E.-Includes buildings and spaces in which the bearing walls and other major structural elements generally have no fire-resistance rating.

ARTICLE 16 CONSTRUCTION GROUP II-COMBUSTIBLE

§[C26-315.1] 27-280 Classification.-Buildings and spaces in combustible construction group II are those in which the walls, partitions, structural members, floors, and roofs are constructed wholly or partly of combustible materials affording the required degree of fire-resistance specified in table 3-4. The combustible construction group II consists of classes II-A, II-B, II-C, II-D, and II-E.

TABLE 3-4

†TABLE 3-4 CONSTRUCTION CLASSIFICATIONS	CONSTRUCTION ELEMENT	CLASS I-A		CLASS I-B		CLASS I-C		CLASS I-D		CLASS I-E			
		Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g		
CONSTRUCTION GROUP 1 NONCOMBUSTIBLE	Exterior Walls with an Exterior Separation of	3'-0" or less	Bearing	4	N.P.	3	N.P.	2	N.P.	2	N.P.		
			Non-bearing ^f	2		2		2		2	N.P.		
		More than 3'-0" but less than 15'-0"	Bearing	4	3 1/3 % protected	3	3 1/3 % protected	2	3 1/3 % protected	2	3 1/3 % protected		
			Non-bearing ^f	2		2		2		2	6 2/3 % protected		
		15'-0" or more but less than 30'-0"	Bearing	4	3 1/3 %	3	3 1/3 %	2	3 1/3 %	1	3 1/3 %		
			Non-bearing ^f	1 1/2		1 1/2		1		1	0		
		30'-0" or more	Bearing	4	N.L.	3	N.L.	2	N.L.	1	N.L.		
			Non-bearing ^f	0		0		0		0	0		
		Interior bearing walls and bearing partitions.		4		3		2		1	0 ^{g,i}		
		††Enclosure of vertical exits ^c , exit passageways, hoistways ^m and shafts.		2		2		2		2	2		
Required fire-resistance ratings of construction elements in hours, based on the test procedures of reference standard RS 3-1.	Fire divisions and fire separations.	See Article 5											
		Columns ^k , girders, trusses (other than roof trusses) and framing.	Supporting one floor	3		2		1 1/2		1	0 ^{g,i}		
			Supporting more than one floor ^l	4		3		2		1	0 ^{g,i}		
		Structural members supporting a wall.		Same as required fire resistance of wall supported, but not less than rating required for member by the class of construction.									
		Floor construction including beams.		3		2		1 1/2		1	0 ^{g,i}		
		Roof construction, including beams, trusses and framing, including arches, domes, shells, cable supported roofs and roof decks ^h .	15'-0" or less in ht. above floor to lowest member	2		1 1/2		1 ⁱ		1 ⁱ	0 ^{g,i}		
			15'-0" to 20'-0" in ht. above floor to lowest member	2 ^{c,i} or 1 ^{d,i}		1 1/2 ^{c,i} or 1 ^{d,i}		1 ⁱ		1 ⁱ	0 ^{g,i}		
			20'-0" or more in ht. above floor to lowest member	2 ^{c,i} or 0 ^{d,g,i}		1 1/2 ^{c,i} or 0 ^{d,g,i}		1 ^{c,i} or 0 ^{d,g,i}		1 ^{c,i} or 0 ^{d,g,i}	0 ^{g,i}		

Notes:

^a The area of openings permitted in exterior walls at any story shall be obtained by multiplying the percentage shown in the table by the exterior separation distance in feet, and then multiplying that product by the square-foot area of the façade of that story. Requirements for protected exterior openings shall not apply to churches. ^[.]Protected openings within an exterior separation of 3 ft. 0 inch or less are permitted for buildings classified in Occupancy Groups J-2 and J-3 provided, however said openings do not exceed in total area 10% of the façade of the story in which they are located. The openings however, may not be credited towards meeting any of the mandatory natural light or ventilation requirements of Art. 12* Protection of openings with an exterior separation of 3 ft. to 30 ft. shall not be required for J2 and J3 occupancy groups.]** or to buildings classified in occupancy groups J-2 and J-3*** See section 27-331 of article four of subchapter five of this chapter for additional requirements for exterior walls and exterior wall openings.

^b Upon special application, the commissioner may permit exterior wall openings to be constructed in excess of the permitted area established by table 3-4 if such openings at the time of their construction are

located at least sixty feet in a direct line from any neighboring building except as otherwise permitted by footnote f. Such additional openings may not, however, be credited toward meeting any of the mandatory natural light or ventilation requirements of subchapter twelve of chapter on of this title. If any neighboring building is later altered or constructed to come within the above distance limitation, the affected exterior openings shall immediately be closed with construction meeting the fire-resistance rating requirements for exterior wall construction of the building in which they are located.

^c Applies to occupancy groups A,B-1,B-2, and D-1.

^d Applies to all occupancy groups other than those described in footnote c.

^eNow Subchapter 12.

^{**}Copy in brackets not enacted but probably intended.

^{***}Copy from closing brackets to these asterisks enacted but probably intended to be omitted.

^fLocal Law 77-1988.

^{††} Local Law 26-2004.

TABLE 3-4 (continued)															
†TABLE 3-4 CONSTRUCTION CLASSIFICATIONS (continued)	CONSTRUCTION GROUP II COMBUSTIBLE	Required fire-resistance ratings of construction elements in hours, based on the test procedures of reference standard RS 3-1.	Key: N.P.—Not permitted N.L.—No limit Noncombustible Materials	CONSTRUCTION ELEMENT Exterior Walls with an Exterior Separation of	CLASS II-A		CLASS II-B		CLASS II-C		CLASS II-D				
					Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g	Rating in Hrs.	Ext. ^{a,b} Open'g			
					3'-0" or less	Bearing	2	N.P.	2	N.P.	2	N.P.			
						Non-bearing ^f	2		2		2				
					More than 3'-0" but less than 15'-0"	Bearing	2	3 1/3 %	2	3 1/3 %	2	3 1/3 %			
						Non-bearing ^f	2	protected	2	protected	1	6 2/3 %			
					15'-0" or more but less than 30'-0"	Bearing	2	3 1/3 %	2	3 1/3 %	1	0			
						Non-bearing ^f	2		2		1				
					30'-0" or more	Bearing	1	N.L.	1 1/2	N.L.	1	N.L.			
						Non-bearing ^f	0		0		0				
Interior bearing walls and bearing partitions.					2		1		0		1	0			
††Enclosure of vertical exits ^e , exit passageways, hoistways ^m and shafts.					2		2		1 ⁱ		1 ⁱ	1			
Fire divisions and fire separations.					See Article 5										
Columns ^k , girders, trusses (other than roof trusses) and framing.				Supporting one floor	see section 27-623		1		0 or 1 ^j		1	0			
				Supporting more than one floor	see section 27-623		1		0 or 1 ^j		1	0			
Structural members supporting a wall.					Same as required fire resistance of wall supported, but not less than rating required for member by the class of construction.										
Floor construction including beams.					see section 27-623		1		0 or 1 ^j		1	0			
Roof construction including beams, trusses and framing, including arches, domes, shells, cable supported roofs and roof decks ^h .				15'-0" or less in ht. above floor to lowest member	see section 27-623		3/4		0		3/4	0			
				15'-0" to 20'-0" in ht. above floor to lowest member	see section 27-623		3/4		0		3/4	0			
				20'-0" or more in ht. above floor to lowest member	see section 27-623		3/4		0		3/4	0			

^{††e} See subdivision (i) of section 27-375 of article five of subchapter six of this chapter for additional impact resistance requirements applicable to certain stair enclosures and for certain exceptions to stair enclosure requirements.

^f When two or more buildings are constructed on the same lot, and the combined floor area of the buildings does not exceed the limits established by tables 4-1 and 4-2 for any one of the buildings, no fire-resistance rating shall be required for nonbearing portions of the exterior walls of those buildings facing each other, and there shall be no limitation on the permitted amount of exterior openings.

^g Fire retardant treated wood complying with the requirements of section 27-328 of article three of subchapter five of this chapter may be used.

^h Tabulated ratings apply to buildings over one story in height. In one story buildings roof construction may be of material having 0 hour fire-resistance rating.

ⁱ Materials which are not noncombustible, as defined in subchapter two of chapter one of this title, may be used in nonbearing construction elements if they fall into one of the following categories:

1. Materials having a structural base of noncombustible materials as defined in subchapter two, and having a surface not over one-eighth inch thick which when tested in accordance with the provisions of reference standard RS 3-2 has a flame spread rating not higher than fifty.

2. Materials which when tested in accordance with the provisions of reference standard RS 3-2 have a surface flame spread rating not higher than twenty-five without evidence of continued progressive combustion, and which are of such composition that surfaces which would be exposed by cutting through the material in any way would not have a flame spread rating higher than twenty-five without evidence of continued progressive combustion.

Notes for Table 3-4 (continued)

j. Applies to the construction of the street floor and all construction below the level of the street floor in building or spaces classified in occupancy group J-2 except where the space below the street floor does not exceed five feet in height.

k. Columns supporting the roof of a one-story building shall have the same fire-resistance rating as required for a column supporting one floor in a building of the same construction class.

l. Members supporting loads of not more than two floors or one floor and a roof need not have a fire-resistance rating greater than the floor construction fire-resistance requirement in buildings classified in occupancy groups G, H, and J-2, not including unsprinklered spaces of other occupancies, and in fully sprinklered buildings in occupancy groups E and J-1.

††m. See subdivision (c) of section 27-987 of article one of subchapter eighteen of this chapter for additional impact resistance requirements applicable to certain elevator enclosures.

†† *Local Law 26-2004.*

§[C26-315.2] 27-281 Construction class II-A.-

Includes heavy timber construction in which fire-resistance is attained by limiting the minimum sizes of wood structural members and the minimum thickness and composition of wood floors and roofs; by avoiding concealed spaces under floors and roofs or by providing fire-stopping protection for these spaces; and by using fastenings, construction details, and adhesives for structural members as required by article seven of subchapter ten of this chapter. The minimum dimensions for framing members shall be prescribed in section 27-623 of article seven of subchapter ten of this chapter, except that members which are protected to provide a fire-resistance rating of at least one hour need not comply with this requirement.

§[C26-315.3] 27-282 Construction class II-B.-

Includes buildings and spaces in which the exterior walls, fire walls, exitways, and shaft enclosures are of noncombustible materials having the required fire-resistance ratings; and in which the floors, roofs, and interior framing are wholly or partly of wood of smaller dimensions than required for class II-A construction, or are of other combustible or noncombustible materials, having the required fire-resistance ratings.

§[C26-315.4] 27-283 Construction class II-C.-

Includes buildings and spaces in which the exterior walls, fire walls, exitways, and shaft enclosures are of noncombustible materials having the required fire-resistance ratings; and in which the floors, roofs, and interior framing are wholly or partly of wood of smaller dimensions than required for class II-A construction, or are of other combustible or noncombustible materials having no fire-resistance ratings.

§[C26-315.5] 27-284 Construction class II-D.-

Includes buildings and spaces in which the exterior walls, bearing walls, floors, roofs, and interior framing are generally of wood or other combustible materials having the required fire-resistance ratings.

§[C26-315.6] 27-285 Construction class II-E.-

Includes buildings and spaces in which the exterior walls are generally of wood or other combustible materials having the required fire-resistance ratings, and in which the bearing walls, floors, roofs, and interior framing are of wood or other combustible materials, generally having no fire-resistance ratings.

ARTICLE 17 MIXED CONSTRUCTION

§[C26-316.1] 27-286 Classification.-When two or more classes of construction occur within the same building, the entire building shall be subject to the most restrictive occupancy and size limitations for the classes of construction involved. However, if the occupancies within the different classes of construction are completely separated by construction that meets the fire-resistance rating requirements for fire divisions listed in table 5-2 then each occupancy so separated may, for the purposes of this code, be considered as a separate building ("building section").

§[C26-316.2] 27-287 Restrictions.-In buildings of mixed construction, no structural element shall be supported by construction having a lower fire-resistance rating than that required for the element being supported.