



**SUBCHAPTER 7**  
**SPECIAL USES AND OCCUPANCIES**

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## ARTICLE 1 GENERAL

### §[C26-700.1] 27-397 Scope. -

This subchapter shall apply only to those building types, uses, and occupancies specifically regulated herein, and the requirements of this subchapter shall be in addition to the general requirements of other subchapters of this code governing the size, location, fire protection, means of egress, construction, and service equipment of buildings. Chemical plants, packing plants, refineries, and similar special occupancies may be constructed in accordance with the practices and requirements of the particular industry, subject to the approval of the commissioner.

### §[C26-700.2] 27-398 Standards. -

The provisions of reference standard RS-7 shall be a part of this subchapter.

### §[C26-700.3] 27-399 Definitions. -

For definitions to be used in the interpretation of this subchapter, see subchapter two of this chapter.

## ARTICLE 2 HIGH HAZARD OCCUPANCIES

### §[C26-701.1] 27-400 Application. -

This section shall apply to the construction, alteration, and use of buildings or spaces for high hazard occupancies classified in occupancy group A under the provisions of subchapter three of this chapter.

### §[C26-701.2] 27-401 Explosion hazard and unlisted occupancies. -

Buildings or spaces of high hazard occupancies that involve explosion hazards or that are not specifically provided for in this code, shall be constructed to provide any necessary additional protection adequate for the hazard involved subject to approval by the commissioner.

### §[C26-701.3] 27-402 Other requirements. -

The occupancy and use of high hazard buildings and spaces shall also be subject to the applicable requirements of chapter four of this title.

### §[C26-701.4] 27-403 Location. -

High hazard occupancies shall not be located within, or attached to, a building occupied for any other use, unless separated from such other use by noncombustible construction having not less than a four hour fire resistance rating.

### §[C26-701.5] 27-404 Sprinkler requirements. -

Sprinkler protection meeting the construction requirements of subchapter seventeen of this chapter shall be installed in all high hazard occupancies. Where the nature of the fire hazard is such that water is not effective as an extinguishing agent, the extinguishing agent to be used,

shall be subject to the approval of the fire commissioner.

### §[C26-701.6] 27-405 Ventilation of storage occupancies. -

Rooms or spaces used for the storage of flammable paints, solvents, anesthetic agents, fuel or other oils having a flash point under two hundred degrees Fahrenheit (Tag closed cup) or other inflammable vaporous materials shall be vented to the outdoors by gravity or mechanical means, with independent supply and exhaust openings or ducts. If ventilation is provided by gravity means, the total net free openable area of supply and exhaust openings shall be equal to at least one percent of the floor area of the room, equally divided between supply and exhaust. If ventilation is provided by mechanical means, the system shall be designed to provide at least two air changes per hour. Where there are explosion hazards, see section 27-401 of this article. The construction of all ventilating systems shall be in accordance with the requirements of subchapter thirteen of this chapter.

## ARTICLE 3 OCCUPANCIES INVOLVING SPRAY OR DIP FINISHING

### §[C26-702.1] 27-406 Application. -

This section shall apply to the construction, alteration, and use of buildings or spaces for the spraying, dipping, or drying of flammable paints, varnishes, and lacquers or other flammable materials, mixtures, or compounds used for painting, varnishing, staining, or similar purposes.

### §[C26-702.2] 27-407 Classification. -

All occupancies involving spray painting, dipping, and drying with flammable materials shall be classified in high hazard occupancy group A.

### §[C26-702.3] 27-408 Location of processes. -

Spraying, dipping, or drying processes shall be located in accordance with the requirements of 27-403 of article two of this subchapter.

### §[C26-702.4] 27-409 Construction. -

**(a) Spray Booths.** - Spray booths shall be substantially constructed of noncombustible materials. Panels of polished wired glass at least one-quarter inch thick, not exceeding seven hundred twenty square inches in area and not more than forty-eight inches in any linear dimension, may be used in the sides of spray booths.

(1) Spray booths shall be provided with a mechanical ventilating system meeting the requirements of section 27-410 of this article.

(2) Each spray booth having a frontal area larger than nine square feet shall have a noncombustible deflector or curtain at least six inches deep installed along the upper outer edge of the booth, over the opening, and shall be protected with an automatic sprinkler system. The interior of ducts shall be

protected with sprinklers complying with the construction requirements of subchapter seventeen of this chapter, installed not more than twelve feet apart in horizontal ducts, and the sprinklers shall be accessible through duct access doors.

**(b) Dip tanks.** - Dip tanks, including their supports and drainboards when provided, shall be of an approved type.

**§[C26-702.5] 27-410 Ventilation. -**

Spraying or dipping spaces shall be mechanically ventilated during spraying or dipping operations so that the velocity of air is at least one hundred linear feet per minute in the breathing zone of the operator, conveying air toward the exhaust hood. The ventilating system shall be of sufficient capacity to prevent the accumulation of mist or vapors. Air shall be admitted to the spraying or dipping spaces in an amount equal to the capacity of the fan or fans and in a manner that prevents short-circuiting the path of air in the working zone of such spaces. The exhaust fan control shall be interconnected with spray guns so that they cannot be operated without the ventilation system being in operation. Exhaust fans shall, in addition, be arranged to operate independently of spray guns. Ventilation equipment shall be kept in operation for a sufficient length of time after spraying or dipping operations to exhaust all vapors, fumes, or residues of spraying materials from the spray, space dip space,\* or drying room.

(a) Ventilating ducts shall run directly to the outer air and be protected with a hood against the weather. Ventilating ducts shall be installed in accordance with the requirements of subchapter thirteen of this chapter, but shall not terminate within ten feet horizontally of any chimney outlet, or within twenty feet of any exit or any opening in an adjoining wall.

(b) Make-up air shall be supplied from a point outside the spraying or dipping space.

(c) The exhaust system from any spraying, dipping or drying space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

(d) Exhaust fan blades shall be constructed of nonferrous material. Fan blades not coming in direct contact with spraying fumes need not comply with this requirement.

(e) Adequate access doors or panels, tightly fitted, shall be provided to permit inspection and cleaning of ducts.

\* *As enacted but probably intended to read "spray space, dip space".*

**§[C26-702.6] 27-411 Drying equipment. -**

Ovens and furnaces operated in connection with spray or dip finishing processes shall be of an approved type.

**§[C26-702.7] 27-412 Sprinklers. -**

Sprinkler protection shall be provided in all spraying, dipping, or drying spaces using flammable materials in

accordance with the construction requirements of subchapter seventeen of this chapter.

**ARTICLE 4 USES AND OCCUPANCIES INVOLVING  
RADIOACTIVE MATERIALS AND  
RADIATION-PRODUCING EQUIPMENT**

**§[C26-703.1] 27-413 Application. -**

This section shall apply to the construction, alteration, and use of buildings or spaces for radioactive materials and radiation-producing equipment.

**§[C26-703.2] 27-414 City, state and federal regulations. -**

In addition to the requirements of this section, occupancies involving radioactive materials and radiation-producing equipment shall also comply with applicable requirements of the city health code, relating to radiological hazards, of part thirty-eight of the state industrial code relating to radiation protection, and of title ten of the code of federal regulations relating to atomic energy.

**§[C26-703.3] 27-415 Laboratories. -**

All laboratories required to register under the requirements of the New York City health code shall comply with the following:

**(a) Construction.** - All buildings in which such laboratories occur shall be of noncombustible group I construction.

**(b) Floors** - All floors shall comply with the fire-resistance requirements for the class of construction, and provide the degree of radioactive resistance required by applicable city, state, and federal regulations. A finished material shall be applied to provide a continuous nonporous surface, which may be readily removed.

**(c) Interior finish.** - All insulation of acoustical treatments and interior partitions shall be of noncombustible material. Walls and ceilings shall have nonporous finishes of class A rating.

**(d) Sprinkler protection.** - Automatic sprinkler protection complying with the construction provisions of subchapter seventeen of this chapter shall be provided, and such protection shall be designed for the type of combustible materials wherever such material is used, and for the radioactive material that may be expected to melt, vaporize, or oxidize under fire conditions. Laboratory equipment susceptible to damage from water or other materials used in the sprinkler system may be shielded by hoods except when the equipment provides a source of combustion. Where sprinkler protection uses water, or small water-spray installations are used to fight small isolated fires, floors shall be provided with drainage so that water may be carried to retention tanks for later disposal as required by the New York city health code when contamination of the water is to be anticipated.

**(e) Electrical controls.** - Electrical controls and equipment shall be installed in accordance with the

requirements of the electrical code of the city of New York.

**(f) Ventilation.** - Exhaust air from areas in which radioactive materials are used or stored shall be exhausted to the outdoors in such manner as not to create a health hazard, and shall not be recirculated to other areas of the building. Air pressure in rooms in which radioactive materials are used or stored shall be maintained below the [sic] air pressure of adjoining rooms, so that there is no flow of radioactive gases or dusts into adjoining rooms.

(1) Ducts shall be of sheet steel of not less than No. 16 manufacturers' standard gage [sic] or of other equivalent noncombustible material having a melting point above eighteen hundred degrees Fahrenheit. Exhaust ducts within the building, on the discharge side of the fan, shall be welded airtight. Exhaust ducts within the building, on the suction side of the fan shall have laps in the direction of air flow with smoke-tight joints, and shall be subjected to a smoke test in accordance with the requirements for chimneys in subchapter fifteen of this chapter. Access hatches with tight-closing covers shall be provided for cleaning and for fire-fighting in the exhaust system ducts.

(2) Fume hoods shall be exhausted to the outdoors. Controls for hood fans shall be interlocked so that contaminated air cannot be drawn into any space from a hood where the exhaust fan is not in operation.

(3) Fan equipment other than the impeller and impeller housing shall be located outside the exhaust stream.

(4) When the degree of contamination of the exhaust stream exceeds the concentration limits permitted by the health code, the duct system shall be equipped with devices to decontaminate the air to a safe level before discharging to the outdoor air.

**(g) Plumbing.** - Drainage lines from sinks used for radioactive wastes shall be without traps, and shall lead to retention tanks when required by the provisions of the New York city health code.

**§[C26-703.4] 27-416 Radiation machines.**-Radiation machines or particle accelerators, linear accelerators, cyclotrons, synchrotrons, betatrons, or bevatrons shall be located only in buildings of noncombustible group I construction; however, this requirement shall not apply to conventional medical, dental, research, or industrial x-ray machines of less than one million volt capacity.

**§[C26-703.5] 27-417 Storage.** -

Radioactive materials shall be stored in sealed containers. When required by the commissioner to avoid too concentrated an exposure within any one space, radioactive materials shall be stored in vaults designed in accordance with the radiation shielding or other requirements for the materials to be stored. When any materials are subject to melting, vaporization, or oxidation under fire conditions, the storage vaults shall be constructed of walls having a fire-resistance rating of at

least four hours, and the vaults shall be equipped with automatic sprinklers complying with the construction requirements of subchapter seventeen of this chapter and shall be vented through devices to decontaminate the air to a safe level. Doors opening into storage vaults shall meet shielding requirements and have a fire-protection rating of not less than three hours. All bins, shelving, partitions, and pallets in storage vaults shall be of noncombustible materials. Other methods of storage permitted by the health department or the atomic energy commission, such as storage under water, may be used.

## ARTICLE 5 BOILER AND FURNACE ROOMS

**§[C26-704.1] 27-418 Application.** -

This section shall apply to the construction, alteration, and use of buildings or spaces for the enclosure of boilers, furnaces, and similar fuel-burning, heat-producing equipment.

**§[C26-704.2] 27-419 Enclosure.** -

Boilers or furnaces hereafter installed in any building, other than replacement boilers and furnaces and boilers or furnaces used to heat one- or two-family dwellings, shall be enclosed and separated from the rest of the building by noncombustible construction having at least a one hour fire-resistance rating, except that:

(a) All boilers carrying more than fifteen psi pressure and having a rating in excess of ten horsepower, shall be located in a room or compartment separated from the rest of the building by noncombustible construction having at least a two hour fire-resistance rating.

(b) Boilers or furnaces located adjacent to, or within, automotive repair shops, public garages (group 1), or any occupancy classified in high hazard occupancy group A shall be located in separate buildings or, in rooms enclosed by noncombustible construction having at least a two hour fire-resistance rating. Entrance to such enclosed rooms shall be from the outdoors, or through an intervening vestibule constructed of materials having a two hour fire-resistance rating. The floor area of such vestibules shall be at least fifty square feet, but not more than seventy-five square feet. Ventilation shall be provided by a louver permanently open to the outdoor air having a net free area of one hundred forty-four square inches, located near the floor. Vestibule doors shall be one and one-half hour self-closing fire doors, with a six inch high sill provided at the door between the vestibule and the boiler room. Both doors shall swing in the direction of the boiler room.

(c) Boilers having a rated gross capacity of less than sixty-seven thousand btu per hour for generating steam shall not be required to be enclosed, except as provided in subdivision (b) of this section.

(d) Electric or fuel-fired space heaters need not be enclosed when they are approved for installation without enclosure and are installed in accordance

with the conditions of approval.

(e) Boilers and furnaces used in conjunction with commercial and industrial processes need not be enclosed, subject to the approval of the commissioner.

**§[C26-704.3] 27-420 Location. -**

Rooms containing boilers or furnaces, or other equipment of similar or greater explosion hazard, shall not be located within fifty feet of any place of assembly, unless separated from such place of assembly by construction complying with the provisions of section 27-401 of article two of this subchapter.

**§[C26-704.4] 27-421 Clearances. -**

Enclosing construction for boilers and furnaces shall meet the minimum clearance requirements prescribed in subchapter fourteen of this chapter.

**§[C26-704.5] 27-422 Ash storage pits and bins. -**

Ash storage pits and bins not located within a boiler room enclosure shall be constructed of two hour fire-resistive construction, except that roofs over ash pits may be constructed of noncombustible materials.

**§[C26-704.6] 27-423 Exit requirements. -**

In every room containing a boiler, furnace, or incinerator, the maximum travel distance from any point within the room to an exit shall not exceed fifty feet. When two or more exits are so required, only the main exit shall comply with the size and construction requirements of subchapter six of this chapter. The other exit or exits may be noncombustible ladders or stairs leading to exit openings not less than thirty-two inches by forty-eight inches.

**§[C26-704.7] 27-424 Ventilation. -**

Boiler and furnace rooms shall be ventilated in accordance with the provisions of section 27-807 of article nine of subchapter fourteen of this chapter.

## ARTICLE 6 DRY CLEANING ESTABLISHMENTS

**§[C26-705.1] 27-425 Application. -**

This section shall apply to the construction, alteration, and use of buildings or spaces for dry cleaning or dry dyeing operations.

**§[C26-705.2] 27-426 Classification. -**

Dry cleaning and dry dyeing establishments shall be classified as follows:

(a) **High hazard.** - All establishments employing gasoline or other solvents having a flash point below 100°F (tag, closed-cup).

(b) **Moderate hazard.** - All establishments employing solvents having a flash point between 100°F and 138.2°F (tag, closed-cup).

(c) **Low hazard.** - All establishments employing solvents with a flash point higher than 138.2°F (tag, closed-cup).

**§[C26-705.3] 27-427 Construction requirements. -**

(a) **High hazard.** - The construction or installation of high hazard dry cleaning establishments shall be prohibited.

(b) **Moderate hazard.** - Moderate hazard dry cleaning establishments shall meet all of the requirements of this code applicable to industrial occupancy group D-1 buildings. The floor finish in moderate hazard dry cleaning establishments shall be noncombustible and impervious.

(c) **Low hazard.** -

Low hazard dry cleaning establishments shall meet all of the requirements of this code applicable to industrial occupancy group D-2 buildings.

(d) **Equipment.** - All dry cleaning machines and equipment shall be of an approved type.

**§[C26-705.4] 27-428 Ventilation. -**

Mechanical ventilation systems in moderate hazard plants shall be adequate to effect ten complete air changes per hour. Low hazard dry cleaning establishments shall be provided with mechanical ventilation adequate to effect four complete air changes per hour. Ventilating systems shall be arranged in such manner as to prevent solvent vapors from being admitted to the combustion area of any device requiring an open flame. Sufficient make-up air shall be introduced into all parts of the establishment to equal the air exhausted by the dry cleaning units, dryers, and exhaust ventilating system. Such air shall not contain any flammable vapors. Openings or stacks discharging solvent vapor-air mixtures to the outdoors shall be located in accordance with the provisions of subchapter thirteen of this chapter.

**§[C26-705.5] 27-429 Coin-operated units.**

In coin-operated establishments all dry cleaning units shall be installed in such a manner that the working or maintenance portion of the equipment shall be separated from the front of the units by solid noncombustible partitions. Coin-operated units shall be located within a diked area, all parts of which are impervious to the solvent used in such units. The diked section shall be a four inch curb above the floor. Provisions shall be made for the collection of solvent spillage into tanks of capacity sufficient to contain all of the solvent in the dry cleaning units served, and for return of the solvent to the cleaning units through a closed pipe system. Access doors to the space in back of the units shall be kept closed and locked. Solvent storage tanks and other sources of danger shall be so situated as to be inaccessible to the general public. In addition to the mechanical ventilation required for low hazard dry cleaning establishments, the following mechanical ventilation shall be provided:

(a) All dry cleaning units shall have facilities that create an inward flow of one hundred cubic feet of air per minute into the unit when the loading door is opened.

(b) Emergency ventilation of the space in back of the dry cleaning units shall be provided so that in emergencies a minimum of one air change per minute in the enclosed space will be provided. Emergency ventilation equipment shall be on a circuit that is separate from the general lighting and power circuits, and shall be taken off ahead of the main switchboard, or shall be connected to the emergency lighting power source when such source is provided.

(c) A scavenger duct system shall be provided in the space in back of the units at each unit, and shall be designed to pick up vapor surrounding the equipment near the floor and exhaust it at the rate of one hundred cubic feet per minute. Scavenger ducts shall not be less than five square inches in area.

**§[C26-705.6] 27-430 Sprinklers. -**

Automatic sprinkler protection complying with the construction provisions of subchapter seventeen of this chapter as required for occupancy group D-1, shall be provided for moderate hazard dry cleaning establishments. In addition, in moderate hazard establishments each dry cleaning unit shall be provided with automatic extinguishing equipment, such as a carbon dioxide system, or a steam jet of not less than three-quarters of an inch at a pressure of fifteen psi.

**§[C26-705.7] 27-431 Separation of direct-fired dryers. -**

In moderate hazard dry cleaning establishments, direct-fired dryers shall not be used. In low hazard dry cleaning establishments using nonflammable solvents only, direct fired dryers may be used, but such dryers shall not be located within twenty-five feet of a dry cleaning unit unless a noncombustible partition (which may be glazed), equipped with self-closing doors, is provided between the dry cleaning unit and the flame producing device. This partition may provide either complete or partial separation, provided that any partial separation shall be so arranged that the line of air travel around the partition from the cleaning units to the dryer is a minimum of twenty-five feet. Where a solid noncombustible partition is constructed extending to the ceiling and all portions of the enclosure are solid, except for self-closing access doors, and outdoor air for combustion and drying is supplied, the separation may be reduced to fifteen feet.

## ARTICLE 7 HELIPORTS

**§[C26-706.1] 27-432 Application. -**

This section shall apply to the construction, alteration, and use of building roofs, or parts thereof, as heliports.

**§[C26-706.2] 27-433 Classification. -**

Heliports on building roofs shall be classified in

industrial occupancy group D-1. They shall be separated from all other portions of the building by construction meeting the requirements of table 5-2 for fire divisions.

**§[C26-706.3] 27-434 Construction. -**

Heliports shall be permitted only on buildings classified in noncombustible construction group I. All heliport construction above the building roof shall be noncombustible. No openings in the roof shall be permitted in the landing area. Roof openings outside the landing area shall be protected from flammable liquid spillage by four inch curbs and shall be surrounded by metal railings at least three feet complying with the requirements of subchapter nine of this chapter. The landing area shall be enclosed with a substantial metal fence or skirt.

**§[C26-706.4] 27-435 Limitations. -**

No refueling facilities shall be provided, and no major aircraft repair or maintenance facilities shall be provided.

**§[C26-706.5] 27-436 Exits. -**

At least two means of egress, meeting the requirements of subchapter six of this chapter, shall be provided for each landing area. The exits shall be remote from each other and shall lead to the building stairways.

**§[C26-706.6] 27-437 Fire protection. -** Heliports shall be provided with fire-foam extinguishing equipment and fire alarm facilities meeting the following requirements:

(a) At least two hose stations housing approved foam generating equipment shall be provided remote from each other and located adjacent to outlets of the building standpipe system or other source of water supply. Hoses shall be provided with nozzles and related equipment for dispensing foam to all portions of the roof.

(b) The building standpipe system or other source of water supply shall be capable at all times of providing two hose streams simultaneously, each of which will afford foam application at a total water rate of at least sixty gallons per minute at a nozzle pressure [sic] of seventy-five psi for a period of ten minutes.

(c) A fire alarm system meeting the installation requirements of subchapter seventeen of this chapter shall be provided with a direct connection to the central station of an operating fire alarm company and with a local alarm to all heliport personnel.

## ARTICLE 8 AUTOMOTIVE SERVICE STATIONS

**§[C26-707.1] 27-438 Application. -**

This section shall apply to the construction, alteration, and use of buildings or spaces as automotive service stations.

**§[C26-707.2] 27-439 Classification. -**

Automotive service stations shall be classified in business occupancy group E.

**§[C26-707.3] \*27-440 Gasoline and diesel oil motor vehicle fuel storage.** - All volatile flammable liquids and diesel oil motor vehicle fuel storage tanks shall be installed below ground and vented to the open air except for such above ground [*sic*] installation as may be authorized by the rules of the fire commissioner. The installation and venting of storage tanks shall be in accordance with applications and plans approved by the commissioner and shall also meet the requirements of chapter four of this title and the rules of the fire commissioner. Except as otherwise provided for in chapter four of this title or the rules of the fire commissioner, underground tank installations shall comply with the following:

(a) The top of the tanks shall be at least two feet below finished grade and at least two feet below the level of any cellar or basement floor within ten feet of the tanks.

(b) Tanks shall be supported on foundations complying with subchapter eleven of this chapter.

(c) Tanks shall be located so that the forces from any building foundation and support loads are not transmitted to the tanks. The distance from any part of a tank to the nearest wall of any basement, pit or cellar, or from any property line that may be built upon, shall not be less than three feet.

(d) Tanks shall be covered with a structurally supported reinforced concrete slab at least eight inches thick extending at least twelve inches beyond the horizontal outlines of the tanks and placed over a coverage of suitable clean backfill material.

(e) All concrete shall have a minimum compressive strength of twenty-five hundred pounds per square inch at twenty-eight days.

\*Local Law 68-1999.

**§[C26-707.4] 27-441 Location of pumps. -**

No gasoline pumps or other mechanical equipment shall be installed so as to permit servicing of motor vehicles standing on a public street. Canopies and supports over pumps and service equipment shall be noncombustible, except that they may be of construction having a one hour fire resistance rating or of heavy timber construction meeting the requirements of section 27-623 of article seven of subchapter ten of this chapter when located more than twenty feet from interior lot lines and from any building or structure.

**§[C26-707.5] 27-442 Heating equipment. -**

Heat generating equipment for automotive service stations shall be enclosed in accordance with the requirements of section 27-419 of article five of this subchapter.

## ARTICLE 9 AUTOMOTIVE REPAIR SHOPS

**§[C26-708.1] 27-443 Application. -**

This section shall apply to the construction, alteration, and

use of buildings or spaces as automotive repair shops.

**§[C26-708.2] 27-444 Classification. -**

Automotive repair shops shall be classified in industrial occupancy group D-1.

**§[C26-708.3] 27-445 Volatile flammables. -**

All volatile flammables shall be stored and handled in accordance with the provisions of chapter four of this title.

**§[C26-708.4] 27-446 Ventilation. -**

All spaces used for the repair of motor vehicles shall be provided with mechanical ventilation adequate to provide four air changes per hour.

(a) **Exhaust gases.** -Where engines are to be run for test purposes or adjustments, provisions shall be made to collect the exhaust gases from each vehicle and to discharge such gases to the outer air by means of a positively induced draft. The discharge opening from such system shall be located as required by subchapter thirteen of this chapter.

(b) **Pits.** - All pits for inspection or repair shall have mechanical exhaust ventilation taken from near the bottom of the pits. Pit exhaust systems shall be adequate to provide at least four air changes per hour.

**§[C26-708.5] 27-447 Sprinklers. -**

Automatic sprinkler protection complying with the construction provisions of subchapter seventeen of this chapter shall be provided as required by occupancy group D-1.

**§[C26-708.6] 27-448 Heating equipment. -**

Heat generating equipment for automotive repair shops shall be enclosed in accordance with the requirements of section 27-419 of article five of this subchapter.

**§[C26-708.7] 27-449 Pits. -**

All pits shall be provided with two means of egress.

## ARTICLE 10 PUBLIC GARAGES

**§[C26-709.1] 27-450 Application. -**

This section shall apply to the construction, alteration, and use of buildings or spaces as public garages. Any areas of such buildings in which gasoline, oil, and similar products are dispensed shall meet the requirements of article eight of this subchapter; any areas in which motor vehicles are repaired shall meet the requirements of article nine of this subchapter; and any areas in which any paint spraying is done shall meet the requirements of article three of this subchapter.

**§[C26-709.2] 27-451 Classification. -**

Public garages shall be classified according to their specific uses as follows:

**(a) Group 1.** - Buildings or spaces used for the parking of vehicles having fuel storage tanks in excess of twenty-six gallon capacity; or used for the parking of vehicles of any size, and in which mechanical repair, body work, or painting of vehicles is conducted, or in which gasoline, oil, or similar products are dispensed. Group 1 public garages shall be classified in storage occupancy group B-1.

**(b) Group 2.** - Buildings or spaces used exclusively for the parking of vehicles having fuel storage tanks of twenty-six gallon capacity or less, and in which no repair, body work or painting of vehicles is conducted, and in which no gasoline, oil, or similar products are dispensed. Group 2 public garages shall be classified in storage occupancy group B-2.

**§[C26-709.3] 27-452 Construction. -**

The street floor construction of group 1 public garages shall have at least a two hour fire-resistance rating. Where openings are provided in the floor of any public garage, they shall be protected by railings complying with the requirements of subchapters nine and ten of this chapter, with a curb or ramp at least six inches high above the floor. All floors shall be concrete or equivalent noncombustible material. Columns in parking areas shall comply with the provisions of section 27-559 of article three of subchapter nine of this chapter.

**§[C26-709.4] 27-453 Group 1 public garages in buildings of other occupancy classification. -**

No group 1 public garage shall be located within, or attached to, a building occupied for any other use, unless separated from such other use by construction meeting the requirements of table 5-2 for fire divisions. Elevators, stairways, and exit passageways connecting group 1 garages to other occupancies shall be accessible only through vestibules constructed of materials having a two hour fire-resistance rating. The floor area of such vestibules shall be at least fifty square feet but not more than seventy-five square feet. Ventilation shall be provided by a louver permanently open to the outdoor air having a net free area of one hundred forty-four square inches, located near the floor. Vestibule doors shall be one and one-half hour self-closing fire doors, with a six inch high sill provided at the door between the vestibule and the garage. Both doors shall swing in the direction of the elevators, stairways or exit passageways.

**§[C26-709.5] 27-454 Roof storage of motor vehicles. -** Roofs of buildings shall not be used for the parking or storage of motor vehicles unless the building is of class 1-A, 1-B, or 1-C construction, or is an open parking structure. When the roof of a building is used for parking of motor vehicles, it shall be provided with a parapet wall or guard rail at least three feet six inches high, and with curbs or wheel guards of noncombustible

materials of at [sic] least eight inches high. Such guards shall be substantially anchored to prevent any vehicle from striking the parapet wall or guard rail. Guard rails shall comply with the requirements for railings in subchapter nine of this chapter.

**§[C26-709.6] 27-455 Sprinklers. -**

(a) Automatic sprinkler protection complying with the construction provisions of article four of subchapter seventeen shall be provided as required for occupancy group B-1 or B-2 respectively, except that in existing buildings lawfully occupied as garages prior to December sixth, nineteen hundred sixty-eight, storage of forty-five thousand gallons or less of product having a flash point over one hundred degrees [sic] F (tag open cup) in the cargo space of tank truck or other vehicles approved for such storage by the fire commissioner, pending delivery, shall not be deemed to require sprinkler protection.

(b) Smoke detection or thermostatic alarm with central office connection. -A thermostatic alarm system or smoke detection system equipped with a central office connection complying with subchapter seventeen of this code, and reference standard RS 17-3 of the appendix to this code may be provided in lieu of the sprinkler system required under the preceding subdivision in existing buildings lawfully occupied as garages prior to December sixth, nineteen hundred sixty-eight, when the storage of fuel oils or other products having a flash point over one hundred degrees F (tag open cup) is twenty-two thousand five hundred gallons or more but not exceeding forty-five thousand gallons in the cargo space of tank trucks or other vehicles approved for such storage by the fire commissioner, pending delivery.

(c) Portable fire fighting appliances, as the fire commissioner may direct, shall be provided in existing buildings lawfully occupied as garages prior to December sixth, nineteen hundred sixty-eight, when the storage of fuel oils or other products, having a flash point over one hundred degrees F (tag open cup), in the cargo space of tank trucks or other vehicles approved for such storage by the fire commissioner, pending delivery, is less than twenty-two thousand five hundred gallons.

**§[C26-709.7] 27-456 Ventilation. -**

Public garages shall be ventilated in accordance with provisions of section 27-766 of article eight of subchapter twelve of this chapter and the following:

(a) Garage spaces above or below grade except as provided in subdivision (e) of this section shall be provided with mechanical ventilation according to one of or a combination of the following methods:

(1) Air exhaust at the rate of not less than one cfm per square foot of total floor area with properly designed means for air inflow.

(2) Air supply at the rate of not less than one cfm per square foot of total floor area with properly designed means for air outflow.

(3) Air exhaust or air supply at a rate sufficient to maintain an average concentration of carbon monoxide not to exceed one hundred parts per one million parts of air for periods longer than one hour and with a maximum concentration at any time not to exceed four hundred parts of carbon monoxide per one million parts of air. The concentration of carbon monoxide shall be determined by periodic tests taken between three and four feet from the floor by means of approved carbon monoxide detector tubes or other equivalent means. This method of mechanical ventilation may be used only if the overall design includes automatic ventilating fan control by means of approved carbon monoxide monitoring devices or by other approved means located so as to provide full protection for the occupancy.

(b) The provisions of section 27-766 of article eight of subchapter twelve of this chapter shall apply.

(c) Air supply shall be taken from an uncontaminated source. Exhaust outlets shall be located in accordance with the requirements of subchapter thirteen with one-half of them located six inches above floor level. In public garages where motor vehicles are parked by mechanical means, the ventilation requirements shall be one-half of those required above.

(d) No automotive service pits shall be installed in floors below the street floor. Pits shall have mechanical exhaust ventilation taken from near the bottom.

(e) Garage spaces above grade provided with natural ventilation having a free openable area of at least five percent of the total floor area of the space and having adjustable openings measuring at least six inches by four inches located within six inches of the floor and at most sixteen feet apart on all outside and court walls need not be provided with mechanical ventilation.

#### **§[C26-709.8] 27-457 Exits. -**

Public garages shall be provided with at least two exits from each tier of parking. One of the exits may be a ramp used by motor vehicles, when serving not more than one level below grade. All vertical exits shall have a minimum width of thirty-six inches and shall be enclosed in two hour fire-resistive construction, except as permitted by section 27-458 of article ten of subchapter seven of this chapter. No exit in a group 1 public garage shall have a path of travel through a fuel dispensing area. In group 2 public garages occurring [sic] in occupancy group J-2 buildings, overhead doors shall be of the automatic self-closing type.

(a) **Travel distance.** -No point in any public garage shall be more than one hundred feet from an exit, except that such distance may be increased to one hundred fifty feet when the garage is fully sprinklered.

(b) **Repair and fuel spaces.** - Spaces in group 1 public garages used for the repair of motor vehicles or the dispensing of fuel shall be provided with at least two exits, within the travel distance limitations of subdivision (a) of this section.

(c) **Roof parking.** - When the roof of a building is used for parking, interior vertical exits shall be enclosed in a bulkhead constructed as required by subchapter five of this chapter.

#### **§[C26-709.9] 27-458 Ramps. -**

Vehicular ramps in public garages shall not exceed a gradient of one in seven, and their surfaces shall be nonslip. A landing having a minimum length of twenty feet shall be provided at the discharge point at the street level, within the street line. Ramps serving as required exits shall be enclosed in construction having a two hour fire-resistance rating except that openings for motor vehicles at each parking tier may be protected by a water curtain consisting of deluge-type sprinkler heads supplying at least three gallons of water per minute per linear foot of opening.

#### **§[C26-709.10] 27-459 Heating equipment. -**

Heat generating equipment for public garages shall be enclosed in accordance with the requirements of section 27-419 of article five of subchapter seven of this chapter.

#### **\*§27-459.1 Parking spaces for people having physical disabilities. -**

Parking spaces for people having physical disabilities [sic] shall comply with the requirements of section 27-292.19 and reference standard RS 4-6.

*\*Local Law 58-1987.*

## **ARTICLE 11 OPEN PARKING STRUCTURES**

#### **§[C26-710.1] 27-460 Application. -**

This section shall apply to the construction, alteration, and use of open parking structures. Open parking structures in buildings of other occupancy group classification shall not be permitted unless separated from other occupancies by construction having at least a two hour fire resistance rating.

#### **§[C26-710.2] 27-461 Height and area limitations. -**

The height of the top parking surface, and the area per parking tier, shall not exceed the limitations listed in table 7-1.

**TABLE 7-1  
HEIGHT AND AREA LIMITATION[S] \*\* OF  
OPEN PARKING STRUCTURES**

Construction Classification	Maximum Allowable Height (ft.)	Allowable area per Parking Tier (sq. ft.)
1A	Unlimited	Unlimited
1B	Unlimited	Unlimited
1C	100	50,000
1D	100	50,000
1E	75	30,000

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

a. The area of an open parking structure having not more than two tiers above grade shall not be limited.

b. Open parking structures of construction class 1C, or 1D exceeding three parking levels may be sixty thousand square feet on any parking level provided they shall have at least fifty percent of their perimeter, fifty percent open.

c. Open parking structures of construction class 1C or 1D, exceeding three parking levels, may be one hundred thousand square feet on any parking level when fifty percent of the perimeter is fifty percent open, and may be one hundred twenty-five thousand square feet on any parking level when seventy-five percent of the perimeter is fifty percent open and may be one hundred fifty thousand square feet on any parking level when one hundred percent of the perimeter is fifty percent open in all aforementioned cases and shall have frontage space on at least two sides, and the horizontal distance on any level to an open exterior wall shall not exceed two hundred feet.

d. Open parking structures of construction class 1E exceeding three parking levels may be fifty thousand square feet on any parking level when fifty percent of the perimeter is fifty percent open and may be sixty-two thousand five hundred square feet on any parking level when seventy-five percent of the perimeter is fifty percent open and may be seventy-five thousand square feet on any parking level when one hundred percent of the perimeter is fifty percent open in all aforementioned cases and shall have frontage space on at least two sides, and the horizontal distance on any level to an open exterior wall shall not exceed two hundred feet.

e. The allowable areas specified in notes b, c and d above shall apply only to open parking structures used exclusively for the parking and storage of passenger vehicles accommodating not more than nine passengers but not including trailers, campers or similar vehicles.

**§[C26-710.3] 27-462 Construction. -**

All materials used in the construction of open parking structures shall be noncombustible. Columns in parking areas shall comply with the provisions of section 27-559 of article three of subchapter nine of this chapter. Interior finishes shall be class A. The minimum clear height of any parking tier shall be at least six feet six inches.

**(a) Below grade.-** Any portion of an open parking structure extending below grade shall comply with all of the requirements for public garages as provided in article ten of this subchapter.

**§[C26-710.4] 27-463 Exterior walls. -**

An exterior enclosure wall shall be required on any side of an open parking structure located within fifteen feet of an interior lot line. Such walls shall be noncombustible construction having at least a two hour fire-resistance rating.

**§[C26-710.5] 27-464 Curbs and bumpers. -**

Curbs or bumpers of noncombustible materials shall be provided at the perimeter of each parking tier. Such curbs or bumpers shall be at least eight inches high, substantially anchored, and so located that no part of any motor vehicle will contact a wall, partition or railing.

**§[C26-710.6] 27-465 Railings. -**

Substantial railings or protective guards of noncombustible materials shall be provided at the perimeter of all parking tiers, except where exterior walls are provided, and around all interior floor openings. Such railings or guards shall be at least three feet six inches high, and shall be designed in accordance with the requirements of subchapter nine of this chapter.

**§[C26-710.7] 27-466 Floor openings. -**

A curb or ramp at least six inches high shall also be provided at all interior floor openings. All floors shall be pitched to provide adequate drainage.

**§[C26-710.8] 27-467 Motor fuel pumps. -**

Motor fuel pumps and facilities may be provided within an open parking structure as an accessory use. Such facilities shall comply with the requirements for the storage and handling of volatile flammables as provided in chapter four of this title. The area used for such purpose shall be located on the street floor. No pedestrian exit from any parking area shall have a path of travel through any fuel dispensing area.

**§[C26-710.9] 27-468 Mechanical parking. -**

Open parking structures in which motor vehicles are parked by mechanical means shall comply with the requirements for open parking structures, except that the requirements for means of egress may be modified as provided in section 27-469 of this article.

**§[C26-710.10] 27-469 Exits. -**

(a) **Driver parking. -** Open parking structures with driver parking shall be provided with at least two exits from each tier. One of the exits may be a ramp used by motor vehicles, when serving not more than one level below grade. Exit stairs shall have a minimum width of thirty-six inches and may be unenclosed, except that they shall be enclosed in noncombustible construction having at least a two hour fire-resistance rating if the first riser of the stair is more than thirty feet from one of the open exterior walls of the structure. No point on any tier of parking shall be more than one hundred feet from an exit.

(b) **Mechanical parking. -** Open parking structures with mechanical parking equipment shall be provided with at least one exit from each tier of parking. Such exit may be unenclosed, but shall have a minimum width of thirty-six inches. No point on any tier of parking shall be more than two hundred feet from an exit.

**§[C26-710.11] 27-470 Ramps. -**

Ramps used for the movement of motor vehicles and as required exits need not be enclosed when serving tiers above grade. Such ramps shall have a gradient not exceeding one in seven, with nonslip surfaces. A landing

having a minimum dimension of twenty feet shall be provided at the discharge point of all ramps at the street level, within the street line. Where a ramp is also used for the parking of motor vehicles, it shall be considered as a parking tier and may not serve as an exit for the occupants of the structure.

**§[C26-710.12] 27-471 Elevators. -**

Passenger elevators in open parking structures shall comply with the requirements of subchapter eighteen of this chapter, except that hoistways may be enclosed with noncombustible construction.

**§[C26-710.13] 27-472 Standpipes. -**

Open parking structures shall be provided with standpipe in accordance with the requirements of subchapter seventeen of this chapter.

**\*§27-472.1 Parking spaces for people having physical disabilities. -** Parking spaces for people having physical disabilities shall comply with the requirements of section 27-292.19 and reference standard RS 4-6.

*\*Local Law 58-1987.*

## ARTICLE 12 PRIVATE GARAGES

**§[C26-711.1] 27-473 Application. -**

This section shall apply to the construction, alteration, and use of buildings or spaces as private garages.

**§[C26-711.2] 27-474 Classification. -**

Private garages shall be classified in storage occupancy group B-2.

**§[C26-711.3] 27-475 Attached garages. -**

Private garages attached to, or located above or below, a dwelling shall have walls, partitions, floors, and ceilings separating the garage from the dwelling, having a fire-resistance rating of at least one hour, except that such fire-resistive construction shall not be required between a dwelling and a carport when such carport is open on at least two sides. Any openings to the dwelling in required walls or partitions shall be protected with one and three-quarter inch solid core wood doors or equivalent

**§[C26-711.4] 27-476 Connection by breezeway. -**

When a breezeway connects a garage with a dwelling, such a breezeway shall be firestopped at all points of connection to the garage.

**§[C26-711.5] 27-477 Floors. -**

Garage floors shall be of concrete or equivalent noncombustible material that will not absorb flammable liquids. The sills of all door openings connecting a garage with a dwelling shall be raised at least four inches above the garage floor.

**§[C26-711.6] 27-478 Ventilation. -**

No air used for heating, cooling, or ventilation shall be circulated through garages to dwellings.

## ARTICLE 13 OPEN PARKING LOTS

**§[C26-712.1] 27-479 Application. -**

This section shall apply to the construction, alteration, and use of open parking lots. Open parking lots shall be unobstructed and free of other uses. All driveways and open spaces used for the parking or storage of motor vehicles shall be surfaced with concrete asphalt, or equivalent durable, dustless material.

**§[C26-712.2] 27-480 Curb cuts. -** For the purpose of this section, a curb cut shall be defined as the total length of cut curb, including splays.

(a) For street frontages of one hundred feet or less, the amount of cut curb shall not exceed sixty percent of the frontage of the lot. No single curb cut shall exceed thirty feet in length, and there shall not be more than two curb cuts on any street frontage of one hundred feet or less. The minimum distance between two curb cuts shall be five feet.

(b) For additional street frontage over one hundred feet there may be an additional curb cut for each fifty feet of frontage.

(c) No curb cut shall commence within eight feet of a side lot line, except that on lots with street frontages of fifty feet or less, or on corner lots, the curb cut may commence two feet six inches from the side lot line.

(d) The distance of curb cuts from the intersection of street lines shall comply with the zoning resolution.

(e) Notwithstanding any of the above computations, no curb cut shall be less than ten feet.

**§[C26-712.3] 27-481 Protection of adjoining property. -**

**(a) Curbs and bumpers. -** Open parking lots shall be completely separated from adjoining land by curbs or bumpers of concrete, masonry, steel, heavy timber, or other similar and equally substantial materials, securely anchored so as to stop motor vehicles. Curbs and bumpers shall be at least eight inches high and eight inches wide. The only openings permitted in required curbs and bumpers shall be for drainage and for motor vehicle entrances and exits, and at pedestrian entrances.

**\*\* (b) Drainage. -** Where the surface paving of an open parking lot is non-porous, such lot shall be drained as required by subdivisions (b), (c) or (d) of section P110.2 of reference standard RS-16, as applicable. An asphaltic concrete surface, not to exceed one and one-half inches in thickness after compaction, shall be considered a porous surface provided such surface will pass an amount of water equivalent to one-half inch of rainfall per hour and provided such surface is underlaid by permeable soil, except that whenever an off-street

parking facility is constructed in connection with the construction of a new building, or whenever such parking facility falls within the definition of a substantial horizontal enlargement as set forth in subdivision (a) of section P110.2 of reference standard RS-16, all storm water falling or coming to rest on such parking facility shall be disposed of as provided in section P110.2 of reference standard RS-16.

*\*\* Local Law 103-1989.*

**§[C26-712.4] 27-482 Accessory uses and occupancies.** - Parking lot offices, attendant shelters, storage facilities, and similar structures used in conjunction with open parking lots may be provided for accessory use, but shall comply with all of the provisions of this code applicable to the specific use or occupancy.

Motor vehicle fuel pumps. - Fuel pumps for the servicing of motor vehicles may be provided for accessory use in conjunction with open parking lots when complying with the requirements for the storage and handling of volatile flammables as provided in chapter four of this title. Fuel pumps shall be at least thirty feet from any parking space or interior lot line.

**\*§27-483 Parking spaces for people having physical disabilities.** - Parking spaces for people having physical disabilities shall comply with the requirements of section 27-292.19 and reference standard RS-4-6.

*\*Local Law 58-1987.*

## ARTICLE 15 SWIMMING POOLS

### **§[C26-714.1] 27-488 Application.** -

This section shall apply to the construction, alteration and use of all indoor and outdoor pools intended for swimming or bathing purposes, except for pools that have less than eighteen inches in depth of water at every point. Pools above grade having a maximum water depth of forty-eight inches above grade and an area not exceeding five hundred square feet that are accessory to J-3 occupancies and that are privately used for noncommercial purposes shall be exempt from the provisions of this subchapter except that such pools shall comply with the requirements of section 27-493 of this article. All pools not exempt from the provisions of this subchapter shall comply with the applicable provisions of subchapter sixteen of this chapter. No building permit shall be required for pools exempted by this section.

Regardless of any contrary provision, any pool existing on January first, nineteen hundred sixty-nine, which is accessory to J-3 occupancies, and that is privately used for noncommercial purposes shall be exempt from the provisions of this subchapter except that such pools shall comply with the requirements of section 27-493 of this article.

### **§[C26-714.2] 27-489 Construction.** -

Pools shall be constructed so as to be water tight and easily cleaned. They shall be built of nonabsorbent materials with smooth surfaces and shall be free of open cracks and open joints.

**(a) Walls.** - The walls of pools shall be vertical for at least the top two feet six inches below the normal water level. The junctions between the side walls and the bottom shall be coved. A pool overflow shall be provided meeting the requirements of reference standard RS-16.

**(b) Bottom slopes.** - The bottom of any portion of a pool where the water is less than five feet six inches deep shall have a maximum slope of one foot vertically for every fifteen feet horizontally.

**(c) Ladders.** - There shall be a ladder or steps with handrails at the deep end and at the shallow end of every pool. Ladders and steps shall have nonslip treads.

**(d) Walkways.** - Every pool shall have a walkway at least five feet wide around its entire perimeter. The walkway shall have a nonslip surface and be so constructed that it does not drain into the pool.

**(e) Hand-holds.** - Every pool shall be constructed so that either the overflow gutter, if provided, or the top of the side walls afford a continuous hand-hold for bathers.

**(f) Markings.** - Permanent markings showing the depth of the shallow end, break points, diving depth, and deep end shall be provided so as to be visible from both inside and outside the pool.

**(g) Spectator area.** - Areas exclusively intended for spectators shall meet the applicable requirements of subchapter eight of this chapter for places of assembly.

**(h) Diving boards and towers.** - Diving towers shall be rigidly constructed and permanently anchored. The depth of the water below a diving board shall be at least eight feet six inches for boards one meter (3.28 ft.) or less above the water. For diving boards more than one meter and not more than three meters (9 ft. 10 in.) above the water, the depth below the board shall be at least twelve feet. For diving boards or platforms more than three meters above the water, the depth below the board shall be at least sixteen feet. Indoor pools shall provide at least twelve feet overhead clearance above all diving boards.

### **§[C26-714.3] 27-490 Dressing facilities.** -

Toilet rooms, shower rooms, and indoor dressing areas shall be constructed of nonabsorbent materials with smooth-finish walls and partitions. Floors shall have a nonslip surface impervious to moisture, free of cracks or open joints, and sloped to drains. The junctions between the side walls and floors shall be covered. Individual dressing rooms or cubicles within indoor dressing areas shall be excluded from the above requirements. Cabanas and dressing rooms that are not a part of any other occupancy shall also be excluded.

**Toilets and Showers.** - Toilets, lavatories, and showers, including piping, shall be provided in accordance with the requirements of subchapter sixteen of this chapter.

**§[C26-714.4] 27-491 Ventilation and heating. -**

Indoor pools, dressing rooms, toilets, and shower rooms shall be ventilated in accordance with the requirements of subchapter twelve of this chapter. Unless used only between May first and October thirty-first, such spaces shall be heated in accordance with the requirements of subchapter twelve of this chapter.

**§[C26-714.5] 27-492 Water circulation, water treatment, and drainage. -**

The supply, circulation, treatment, and drainage of water for pools shall meet the requirements of subchapter sixteen of this chapter and the health code.

**§[C26-714.6] 27-493 Safety precautions. -**

(a) No overhead electrical conductors shall be installed within fifteen feet of any swimming pool. All metal fences, enclosures, or railings that might become electrically charged as a result of contact with broken overhead conductors or from any other cause near, or adjacent to, a swimming pool shall be grounded in accordance with the provisions of lightning protection in the electrical code of the city of New York.

(b) Every outdoor swimming pool, fish pond, or other pool greater than eighteen inches deep at any point shall be protected by an enclosure, barrier or other means adequate to make such pool inaccessible to small children which including gates thereto shall be at least four feet high above the adjacent ground.

All gates shall be self-latching with latches located at least four feet high above the ground or otherwise made inaccessible to small children from the outside.

**\*§27-493.1 Facilities for people having disabilities. -**

Facilities for people having physical disabilities shall comply with the requirements of subarticle two of article two of subchapter four and of subchapter sixteen.

*\*Local Law 58-1987.*

## **ARTICLE 16 RADIO AND TELEVISION TOWERS**

**§[C26-715.1] 27-494 Application. -**

This section shall apply to the construction, alteration, and use of radio and television towers on buildings. Radio and television receiving antennas more than twenty feet high above a roof shall be deemed to be such towers and shall be subject to the requirements of this section.

**§[C26-715.2] 27-495 Location and access. -**

Towers shall be so located, and equipped with ladders or other devices, as to be readily accessible for inspection purposes. No guy wire or other accessories shall cross or encroach upon any street or pass over any electric power line.

**§[C26-715.3] 27-496 Construction. -**

Towers located on the roofs of buildings shall be constructed of noncombustible materials. Isolated towers less than one hundred feet high and supported directly from the ground may, when located outside of the fire districts, be constructed of timber meeting the requirements of construction class II-A. All towers shall be grounded for lightning protection in accordance with the provisions of the electrical code of the city of New York.

**§[C26-715.4] 27-497 Loads. -**

Towers shall be designed in accordance with the load requirements of subchapter nine of this chapter.

## **ARTICLE 17 OUTDOOR SIGNS AND DISPLAY STRUCTURES**

**§[C26-716.1] 27-498 Application. -**

This section shall apply to the construction, alteration, and use of all outdoor signs and display structures, together with their appurtenant and auxiliary devices.

(a) No sign may be hung or attached upon or on the outside of any building unless such work is performed by or under the supervision of a licensed sign hanger.

(b) No sign shall be erected until a permit therefor has been obtained from the commissioner in accordance with the provisions of article two of subchapter eleven of this chapter.

**§[C26-716.2] 27-499 Obstructions. -** No sign shall be erected so as to obstruct free ingress to, or egress from, a required door, window, stairs, or other required exits, or be placed so as to prevent free passage from one part of a roof to any other part. No sign shall be attached in any manner to a fire escape or exterior stair, or placed so as to interfere with any opening for light or ventilation required under the provisions of subchapter twelve of this chapter.

**§[C26-716.3] 27-500 Ground signs. -**

**(a) Location.** -No part of a ground sign shall be erected so as to project beyond the street line, except as specifically permitted by the provisions of subchapter four of this chapter.

**(b) Material** -Inside the fire districts, ground signs shall be constructed entirely of noncombustible materials, except as permitted in sections 27-506 and 27-507 of this article. Outside the fire districts, the structure of ground signs exceeding twenty-five hundred square feet in facing or display area shall be constructed of noncombustible materials, and the facing of such signs shall be noncombustible, except as permitted in sections 27-506 and 27-507 of this article. The bottom of the facing of all ground signs shall be at least thirty inches above the ground, which space may be filled with open lattice work or decorative trim.

**(c) Support.** -Ground signs shall be constructed and anchored to resist loads acting in any direction on the sign, in accordance with the provisions of subchapter nine of this chapter.

(1) Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pullout amounting to a force twenty-five percent greater than the required resistance to overturning. Anchors and supports shall penetrate to a depth of at least four feet.

(2) Whenever anchors or supports consist of wood embedded in the soil, the wood shall be treated under pressure as specified in subchapter eleven of this chapter before erection. This requirement shall not apply to signs, which are not to remain in place for more than six months.

(3) Members furnishing structural support for signs shall be designed in accordance with the requirements of subchapter ten of this chapter, and shall be of adequate thickness to meet the corrosion conditions.

#### §[C26-716.4] 27-501 Wall signs. -

**(a) Limitations.** - Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed unless meeting all the requirements of this code regulating roof signs, projecting signs, or ground signs as the case may be. Wall signs shall not project beyond street lines except as permitted in subchapter four of this chapter.

**(b) Materials.** -Inside the fire districts, wall signs shall be constructed entirely of noncombustible materials except as permitted in sections 27-506 and 27-507 of this article. Outside the fire districts, the framework of wall signs exceeding five hundred square feet in facing or display area shall be constructed of noncombustible materials, and the facing of such signs shall be noncombustible except as permitted in sections 27-506 and 27-507 of this article.

**(c) Supports.** -Wall signs shall be constructed and supported to resist loads acting in any direction on the sign in accordance with the provisions of subchapter nine of this chapter. Attachment shall be by means of metal anchors, bolts, or similar devices. Wooden blocks or anchorage with wood used in connection with screws or nails shall not be used, except in the case of wall signs attached to buildings having walls of wood.

**(d) Fire department access.** -Wall signs that are, or have been, erected to cover doors or windows required by this code for fire department access to existing buildings shall be provided with access panels as required by section 27-292 of article two of subchapter four of this chapter. Existing wall signs shall be altered or otherwise arranged to comply with this requirement on or before December sixth, nineteen hundred seventy.

#### §[C26-716.5] 27-502 Projecting signs. -

**(a) Location.** -Projecting signs, other than temporary signs, shall not be constructed on those streets and avenues listed in reference standard RS 7-2, and shall not be

constructed to project beyond the street line except as permitted in subchapter four of this chapter.

**(b) Limitations.** -Projecting signs whose width when measured at a plane parallel to the building wall, does not exceed two feet may extend not more than five feet above the main roof level of the building to which they are attached; except that for buildings thirty-five feet high or less, such projecting signs may be erected to a maximum height of forty feet above grade but in no case to a height of more than fifteen feet above the main roof level.

**(c) Materials.** -All projecting signs shall be constructed of noncombustible materials except as permitted in sections 27-506 and 27-507 of this article.

**(d) Supports.** -Projecting signs shall be constructed and supported to resist loads acting in any direction on the sign in accordance with the provisions of subchapter nine of this chapter. Attachment shall be by means of metal anchors, bolts, supports, chains, wire ropes, rods, or other similar devices. No staples or nails shall be used to secure any projecting sign to any building. Turnbuckles or other equivalent means of adjustment shall be placed in all chains, wire ropes, or rods supporting or bracing projecting signs. All chains, wire ropes, or rods, and their attachments, shall be galvanized or of corrosion-resistant material, and no such supports shall be attached to an unbraced parapet wall.

#### §[C26-716.6] 27-503 Roof signs. -

**(a) Location.** -Roof signs shall be set back a minimum of six feet from the face of the walls of the building on which they are erected.

**(b) Materials.** -Inside the fire districts, roof signs shall be constructed entirely of noncombustible materials except as permitted in sections 27-506 and 27-507 of this article. Outside the fire districts, the framework of roof signs exceeding fifteen hundred square feet in facing or display area or having any part more than sixty-five feet above grade shall be constructed of noncombustible materials, and the facing of such signs shall be noncombustible, except as permitted in sections 27-506 and 27-507 of this article.

**(c) Supports.** -Roof signs shall be constructed and anchored to resist loads acting in any direction on the sign in accordance with the provisions of subchapter nine of this chapter. Such signs shall be so constructed as to leave a clear space of at least seven feet between the roof and the lowest part of the sign, and at least five feet between the vertical supports thereof.

#### §[C26-716.7] 27-504 Marquee signs. -

**(a) Limitations.** -No part of a marquee sign shall project above or below the marquee fascia, except that in the case of theaters licensed under the provisions of subchapters one and three of chapter two of title twenty of the administrative code, marquee signs may project not more than eight feet above nor more than one foot below the fascia, provided that the total height of such

signs does not exceed nine feet and the lowest part of such signs is at least ten feet above the ground or sidewalk level. Marquee signs may extend the full length of the marquee on all sides, but in no case shall they project beyond the ends of the marquee.

**(b) Materials.** -All marquee signs shall be constructed of noncombustible materials except as permitted in sections 27-506 and 27-507 of this article.

**(c) Supports.** -Construction and anchorage of marquee signs shall conform to the requirements for projecting signs under subdivision (d) of section 27-502 of this article.

#### §[C26-716.8] 27-505 Illuminated signs. -

**General.** -All ground signs, wall signs, roof signs, projecting signs, and marquee signs may be lighted by internal or external sources when complying with the following requirements:

(1) **ILLUMINATION.** - No sign shall be illuminated by other than electrical means. All wiring and accessory electrical equipment shall conform to the provisions of the electrical code of the city of New York.

(2) **MATERIALS.** -Every illuminated sign shall be constructed of noncombustible materials except as permitted in section 27-507 of this article.

(3) **PERMISSIBLE PROJECTIONS.** -Lighting reflectors may project beyond the top or face of all signs, provided that every part of such reflector is at least ten feet above the ground or sidewalk level. In no case shall such reflectors project beyond a vertical plane two feet inside the curb line. Reflectors shall be constructed, attached, and maintained so that they shall not be, or become, a hazard to the public.

#### §[C26-716.9] 27-506 Temporary signs. -

**(a) Materials.** -Temporary signs not more than five hundred square feet in area may be constructed of combustible materials. Temporary signs more than one hundred square feet in area shall be made of rigid materials with rigid frames. Temporary signs shall be securely attached to their supports, and shall be removed as soon as they are torn or damaged, but in no case later than thirty days after their erection.

**(b) Limitations.** -Temporary signs of combustible materials shall not extend more than one foot over, or into, a street, except that when permitted by the department of transportation, temporary banners or signs of combustible materials may be suspended from buildings or poles to extend across streets, and except that temporary signs of combustible materials constructed without a frame may be attached flat against, or suspended from the fascia of a canopy or marquee, provided that the lowest part of any such sign is at least nine feet above the ground or sidewalk level.

#### §[C26-716.10] 27-507 Use of combustible materials. -

**(a) General.** -In all signs required to be constructed of noncombustible materials under the provisions of this code, wood or other materials of combustible characteristics similar to wood may be used for moldings, cappings, trim, nailing blocks, letters, latticing, and other purely ornamental features.

**(b) Slow-burning plastics.** -Slow-burning plastics may be used in sign construction subject to the following conditions and requirements.

(1) If all parts of the sign other than the letters and decorations are made from noncombustible materials, the display surface or sign facing may be made of slow-burning plastic, or may be occupied or covered by letters and decorations made from, or faced with, slow-burning plastics not exceeding a total area calculated from the values given in tables 7-2 and 7-3.

**TABLE 7-2 GROUND SIGNS AND WALL SIGNS  
(NONCOMBUSTIBLE MATERIALS)**

Area of Facing or Display Surface	Area Occupied or Covered by Plastics
150 sq. ft. or less	100 per cent of display surface area
Over 150 sq. ft. but not over 2,000 sq. ft.	150 sq. ft. plus 50 per cent of the difference between 150 sq. ft. and the area of the display surface
Over 2,000 sq. ft.	Not over 1,050 sq. ft. without permission of the commissioner

**TABLE 7-3 ROOF SIGNS, PROJECTING SIGNS,  
AND MARQUEE SIGNS  
(NONCOMBUSTIBLE MATERIALS)**

Area of Facing or Display Surface	Area Occupied or Covered by Plastics
150 sq. ft. or less	100 per cent of display surface area
Over 150 sq. ft. but not over 2,000 sq. ft.	150 sq. ft. plus 25 per cent of the difference between 150 sq. ft. and the area of the display surface
Over 2,000 sq. ft.	Not more than 575 sq. ft. without permission of the commissioner

(2) If combustible materials are permitted in the framework, moldings, cappings, trim, nailing blocks, latticing or other parts of the sign, the display surface or sign facing may be occupied or covered by letters and decorations made from or faced with slow-burning plastics not exceeding a total area calculated from the values given in tables 7-4 and 7-5.

**TABLE 7-4 GROUND SIGNS AND WALL SIGNS (COMBUSTIBLE MATERIALS)**

Area of Facing or Display Surface	Area Occupied or Covered by Plastics
300 sq. ft. or less	50 per cent of display surface area
Over 300 sq. ft. but not over 2,000 sq. ft.	150 sq. ft. plus 25 per cent of the difference between 150 sq. ft. and the total area of the display surface
Over 2,000 sq. ft.	Not more than 575 sq. ft. without permission of the commissioner

**TABLE 7-5  
ROOF SIGNS (COMBUSTIBLE MATERIALS)**

Area of Facing or Display Surface	Area Occupied or Covered by Plastics
1,000 sq. ft. or less	25 per cent of display surface area
Over 1,000 sq. ft. but not over 2,000 sq. ft.	250 sq. ft. plus 10 per cent of the difference between 1,000 sq. ft. and the total area of the display surface
Over 2,000 sq. ft.	Not more than 350 sq. ft. without permission of the commissioner

**§[C26-716.11] 27-508 Maintenance and inspection.-**

**(a) Maintenance.** -All signs, together with all supports, braces, guys, and anchors, shall be kept in good repair at all times, and when not adequately galvanized or constructed of corrosion-resistant materials, shall be painted periodically to prevent corrosion. It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a safe, clean, sanitary, and inoffensive condition and free and clear of all obnoxious substances.

**(b) Annual inspection.** - Every sign for which a permit is required shall be inspected at least once in every calendar year.

**\* ARTICLE 17-A****YOUTH PROTECTION AGAINST TOBACCO ADVERTISING AND PROMOTION ACT****§ 27-508.1 Short title. -**

This article shall be known and may be cited as the "Youth Protection Against Tobacco Advertising and Promotion Act."

**§ 27-508.2 Definitions. -**

For the purposes of this article, the following terms shall be defined as follows:

a. "Amusement arcade" means any enclosed business establishment, open to the public, whose primary purpose is the operation of coin-operated amusement devices within the meaning of subchapter three of chapter two of title 20 of this code.

b. "Child day care center" means (I) any child care arrangement, public, private or parochial child care center, school-age child care program, day nursery school, kindergarten, play school or other similar school or service operating pursuant to authorization, license or permit of the city or state, (ii) any facility that provides child care services as defined in section four hundred ten-p of the New York State social services law, or (iii) any child day care center as defined in section three hundred ninety of the New York State social services law. The definition of "child day care center" applies whether or not care is given for compensation but does not include child day care centers located in private dwellings and multiple dwelling units.

c. "Cigarette" means any product which consists of (i) any roll of tobacco wrapped in paper or in any substance not containing tobacco or (ii) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling is offered for use or purchase by consumers as a cigarette described in (i) of this subdivision.

d. "Cigarette tobacco" means any product that consists of loose tobacco and is intended for use by consumers in a cigarette.

e. "Multiple dwelling" means any building or structure that may lawfully be occupied as the residence or home of three or more families living independently of each other.

f. "Multiple dwelling unit" means any unit of residential accommodation in a multiple dwelling.

g. "Person" means any natural person, partnership, co-partnership, firm, company, corporation, limited liability corporation, agency as defined in section eleven-hundred fifty of the New York City charter, association, joint stock association or other legal entity.

h. "Playground" means any outdoor premises or grounds owned or lawfully operated by or on behalf of, the board of education, the department of parks and recreation, or any public, private or parochial school, any child day care center or any youth center, which contains any device, structure or implement, fixed or portable, used or intended to be used by persons under the age of eighteen for recreational or athletic purposes including, but not limited to, play equipment such as a sliding board swing, jungle gym, sandbox, climbing bar, wading pool, obstacle course, swimming pool, see-saw, baseball diamond, athletic field, or basketball court.

i. "Private dwelling" means any building or structure or portion thereof that may lawfully be occupied for residential purposes by not more than two families,

including the grounds of such building or structure.

j. "School building" means any building or structure or any portion thereof, owned, occupied by, or under the custody or control of any public, private or parochial institution and lawfully used for the primary purpose of providing educational instruction to students at or below the twelfth grade level.

k. "Smokeless tobacco" means any product that consists of cut, ground, powdered, or leaf tobacco that is intended to be placed by the consumer in an oral cavity.

l. "Tobacco product" means a cigarette, smokeless tobacco or cigarette tobacco.

m. "Tobacco product advertisement" means any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of tobacco product, or any combination thereof, the purpose or effect of which is to promote the use or sale of a tobacco product through such means as, but not limited to, the identification of a brand of a tobacco product, a trademark of a tobacco product or a trade name associated exclusively with a tobacco product.

n. "Tobacco product promotion" means (i) any item or service marketed, licensed, sold or distributed, whether indoors or outdoors, which is not a tobacco product but which bears the brand of a tobacco product, a trademark of a tobacco product or a trade name associated exclusively with a tobacco product, alone or in conjunction with any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with those used for any brand of a tobacco product, or (ii) any gift or item other than a tobacco product offered or caused to be offered to any person purchasing a tobacco product in consideration of the purchase thereof, or to any person in consideration of furnishing evidence, such as credits, proofs-of-purchase, or coupons, of such purchase; provided, however, that a tobacco product promotion shall not include any gift or item provided through the exchange or redemption through the mail of any such credits, proofs-of-purchase, coupons or other evidence of the purchase of a tobacco product.

o. "Youth center" means any building or structure or portion thereof, lawfully occupied by any person for the primary purpose of operating a trade school (including those conducting after-school, vocational, remedial, tutorial, educational assistance programs) or an indoor recreational center (including recreational, cultural, physical fitness, or sports programs) for persons under the age of eighteen years, and which has been certified as such to the department in accordance with the procedure to be set by

the department. Such certification shall be accepted by the department but nothing in this subdivision shall prevent the commissioner from removing a certified youth center from consideration as a youth center if she or he determines it does not meet the criteria of a youth center.

**§ 27-508.3 Tobacco product advertisement restriction. -**

a. It shall be unlawful for any person to place, cause to be placed, to maintain or to cause to be maintained, a tobacco product advertisement within one thousand feet, in any direction, of any school building, playground, child day care center, amusement arcade or youth center, in any outdoor area including, but not limited to, billboards, roofs and sides of buildings, rolling shutters or gates, any enclosures into which rolling shutters or gates retract, water tanks and towers and free-standing signboards; provided, however, that any tobacco product advertisement on an awning projecting from the outside of a premises as of July 1, 1997 where tobacco products are sold or offered for sale may be retained until two years from the effective date of this law.

b. It shall be unlawful for any person to place, cause to be placed, to maintain, or cause to be maintained, a tobacco product advertisement in the interior of a building or structure which is within one thousand feet, in any direction, of any school building, playground, child day care center, amusement arcade or youth center, when such advertisement is within five feet of any exterior window or any door which is used for entry or egress by the public to the building or structure; provided, however, that tobacco product advertisements may be placed or maintained in the interior of any such premises where such advertisements are (I) parallel to the street and face inward, or (ii) affixed to a wall panel or similar fixture that is perpendicular to the street regardless of whether such advertisements are illuminated or not illuminated.

c. Nothing in this section shall prevent a person from placing, causing to be placed, maintaining, or causing to be maintained, a single sign, poster, placard or label no larger than six square feet and containing only black text, in any language, not exceeding eight inches in height on a white background stating "TOBACCO PRODUCTS SOLD HERE" or such words translated into any language, within ten feet of an entrance to the premises where tobacco products are sold or offered for sale.

d. Nothing in this section shall prevent a tobacco product manufacturer, distributor or retailer from placing, causing to be placed, maintaining, or causing to be maintained, its corporate or other business name on a building or structure, in any location, where such building or structure or a portion thereof is owned, operated or leased by such manufacturer, distributor or retailer and that building or structure is the principal place of business of such manufacturer, distributor or retailer in the city of New York; provided, however, that the corporate or other

business name of such manufacturer, distributor or retailer is registered or filed in the United States or such manufacturer, distributor or retailer is authorized to do business in any state, and the corporate or business name of such manufacturer, distributor or retailer does not include any brand name or trademark of a tobacco product, alone or in conjunction with any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of a tobacco product.

e. This section shall not apply to any tobacco product advertisement on a motor vehicle. Nothing in this subdivision shall be construed to authorize the placement of a tobacco product advertisement in a location where such placement is otherwise prohibited by the rules of the department of transportation or other applicable law.

**§ 27-508.4 Non-compliant advertisements to be removed.** - The owner, operator or lessee of any location or premises where a tobacco product advertisement is prohibited or restricted pursuant to the requirements of section 27-508.3 of this article shall have thirty days from the effective date of the local law that added this section to remove any non-compliant tobacco product advertisements.

**§ 27-508.5 Sponsorship of and at events. -**

Nothing in this article shall prevent a tobacco products manufacturer, distributor, or retailer who sponsors, in whole or in part, any athletic, musical, artistic, or cultural event, or team or entry in a competition or exhibition in any location from displaying or causing to be displayed the corporate or other business name of such sponsor; provided, however, that the corporate or other business name of such sponsor is registered or filed in the United States or such sponsor is authorized to do business in any state, and the corporate or other business name of such sponsor does not include any brand name or trademark of a tobacco product, alone or in conjunction with any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of a tobacco product.

*\*Local Law 3-1998.*

**\*\*\*§27-508.6 Injunctive relief. -**

Whenever any person has engaged in any act or practice which constitutes a violation of any provision of this article or of chapter thirteen of title eleven of this code, or of subchapter one of chapter two of title twenty of this code, or of any rule promulgated thereunder, the

city may make application to a court of competent jurisdiction for an order enjoining such act or practice.

*\*\*\*Local Law 2-2000; Local Law 3-1998.*

**\*\*§27-508.7 Penalties. -**

Notwithstanding the provisions of sections 26-122, 26-125 and 26-248 of this code, a violation of this article shall not subject any person to liability for a criminal offense.

*\*\*Local Law 10-1998.*

## ARTICLE 18 FENCES

**§[C26-717.1] 27-509 Permitted heights. -**

In other than residence districts as established by the zoning resolution, fences may be erected throughout the city to a maximum height of ten feet. In residence districts, no fences, whether of masonry, steel, wood, or any other materials shall be erected to a height of more than six feet above the ground, except that fences used in conjunction with nonresidence buildings and public playgrounds, excluding buildings accessory to dwellings, may be erected to a height of fifteen feet. Higher fences may be permitted by the commissioner where required for the enclosure of public playgrounds, school yards, parks, and similar public facilities.

## ARTICLE 19 TENTS AND AIR-SUPPORTED STRUCTURES

**§[C26-718.1] 27-510 Location and height. -**

Tents or air-supported structures may be erected inside or outside of the fire districts provided they are not more than one story high above the ground, or above a roof that meets the requirements of subchapter five of this chapter for fire divisions.

**§[C26-718.2] 27-511 Separation. -**

No tent or air-supported structure shall be erected closer than twenty feet to any interior lot line nor closer than thirty feet in any direction to an unprotected opening, required exterior stairway or corridor, or required exit door, on the same level or above the level of the tent or air-supported structure. A tent or air-supported structure may abut another building on the same lot if there are no unprotected openings or exits above or within thirty feet as above stipulated, if there is no door between them that is a required exit, and if the exterior wall separating them meets the requirements of subchapter five of this chapter for fire divisions.

**Exceptions.** - Requirements for separation from other buildings on the site shall be waived where a tent or air-supported structure is used for on-site temporary shelter for construction work, or incidental fabrication of construction elements to be used on the site of construction.

**§[C26-718.3] 27-512 Fire protection. -**

The ground enclosed by a tent or air-supported structure, and the ground for a distance of at least ten feet outside of same, shall be cleared and maintained clear of all combustible material or vegetation. No open flame of any kind shall be employed within the structure, or closer than twenty feet to any part of the enclosure fabric. Fire extinguishing facilities shall be provided in accordance with the requirements of chapter four of this title.

**§[C26-718.4] 27-513 Exits. -**

Notwithstanding any other requirements of subchapters six and eight of this chapter, travel distance to an exit from any point within a tent or air-supported structure shall not exceed seventy-five feet. Exit doors in air-supported structures shall close automatically against normal operational pressures. Opening force at the edge of such doors shall not exceed fifteen pounds, with the structure at operational pressure. Exit doors shall be located in frames so constructed that they will remain operative and support the weight of the structure in a state of total collapse.

**§[C26-718.5] 27-514 Structural requirements. -**

**(a) Tents. -** Tents shall be guyed, supported, and braced to withstand a wind pressure of ten pounds per square foot of projected area of the tent. The poles and their supporting guys, stays, stakes, fastenings, etc. shall be of sufficient strength and attached so as to resist wind pressure of twenty psf of projected area of the tent.

**(b) Air-supported structures. -**

(1) Air-supported structures shall be anchored to the ground or supporting structure by either ballast distributed, and adequate to resist the inflation lift load, the aerodynamic lift load, and the drag (shear) load due to wind impact. The latter factors shall be based on a wind velocity of at least seventy miles per hour, and an estimated stagnation of not less than  $0.5q$  for structures on grade whose height is equal to, or less than, the width of the structure. For greater heights, or for elevated structures, increased anchorage shall be provided, justified by analytical and/or experimental data.

(2) The skin of the structure shall be of such strength, and the joints so constructed, as to provide a minimum dead load strip tensile strength at seventy degrees F of four times the seventy mph design load (inflation and aerodynamic loading). The joints shall provide a dead load strip tensile strength of one hundred sixty degrees F of twice the seventy mph design load (i.e., a factor of safety of four and two respectively). In addition, the material shall provide a trapezoidal tear strength of at least fifteen percent of the maximum design tensile load. Material and joint strengths shall be so certified by the manufacturer, justified by analytical and/or experimental data.

**§[C26-718.6] 27-515 Flame resistance. -**

**(a) Tents. -** All materials used for tents shall be

treated to be flameproofed and shall remain flameproofed in accordance with chapter four of this title.

**(b) Air-supported structures.** All fabrics that have a base fabric weight of 6.4 oz. per square yard or less or that are used to enclose spaces classified in occupancy group C, E, F, G, H or J shall have an extinction time of not more than two seconds when tested under the small scale test method of reference standard RS 7-3. All other fabrics shall have a flame extinction time of not over one minute and/or a flame spread of not over one inch per minute when tested in accordance with the provisions of reference standard RS 7-4.

**§[C26-718.7] 27-516 Pressurization system. -**

Air-supported structures shall be inflated and shall remain inflated during all periods of occupancy to a minimum differential pressure of 0.88 in. and a maximum differential pressure of 1.50 in. of water. Ventilation flow per occupant, either through vents or anticipated leakage, shall comply with the requirements of subchapter twelve of this chapter.

**Occupied spaces. -** Where the net floor area per occupant is one hundred fifty square feet or less, the structure shall be provided with at least two blowers, each of which shall have adequate capacity to maintain the required inflation pressure. In addition, an auxiliary engine-generator set capable of powering one blower, or a supplementary blower powered by an internal combustion engine, either of which shall have the capacity to run continuously for four hours, shall be located outside the structure, shall be weather protected, and shall be arranged to automatically operate the blower within twenty seconds upon failure of the normal source. Heat shall be provided from a source outside the structure so arranged as to prevent the spread of fire to the structure. The temperature within the air-supported structure shall be maintained at the temperature required by subchapter twelve of this chapter, but not less than fifty degrees Fahrenheit during periods of snowfall.

**§[C26-718.8] 27-517 Certificate of occupancy. -**

Certificates of occupancy for tents or air-supported structures shall be issued for a period not exceeding one year, and such certificates may be renewed for one year periods thereafter if the tent or air-supported structure complies with all laws, rules and regulations in effect at the time of request for renewal.

**ARTICLE 20 OCCUPANCIES INVOLVING STORAGE OF NITRIC ACID**

**§[C26-719.1] 27-518 Application. -** This article shall apply to the construction, alteration and use of buildings or spaces wherein nitric acid is stored.

**§[C26-719.2] 27-519 Location. -**

Carboys containing nitric acid shall be stored in storage vaults.

**§[C26-719.3] 27-520 Construction requirements. -**

(a) Vaults shall be constructed of incombustible acid-resistant material with a fire resistance of at least one hour.

(b) Doors opening into such storage vaults shall be self-closing, noncombustible fire doors with a fire-protection rating of at least three-quarters of an hour.

(c) Vault floors shall be constructed of acid-resistant brick, concrete treated with sodium silicate or other acid-proof material and shall incorporate a dike constructed of the same material, whose height shall be adequate to contain the acid plus the neutralizing substance that would be necessary to neutralize said acid plus six inches.

(d) The floor shall be provided with a valved drain, which shall be connected to the drainage system in accordance with the requirements of subchapter sixteen of this chapter.

**§[C26-719.4] 27-521 Ventilation. -**

Mechanical ventilation systems for storage vaults shall be adequate to effect ten complete air changes per hr. Exhaust shall be taken from within twelve inches above the level of the top of the dike. The exhaust system shall be independent of exhaust systems serving other parts of the building and the openings to the outdoors shall be located in accordance with the provisions of subchapter thirteen of this chapter for system conveying vapors.

## ARTICLE 21 ATRIUMS

**§[C26-720.1] 27-521.1 Applicability. -**

This article shall apply to the construction, alteration and use of atriums.

**§[C26-720.2] 27-521.2 Classification.-** An atrium shall be classified in occupancy group F-3.

**§[C26-720.3] 27-521.3 Construction. -**

(a) Atriums may be constructed only in buildings in noncombustible construction groups 1-A, 1-B and 1-C.

(b) An atrium shall be fully enclosed except that openings of any size into the two lowest levels of an atrium shall be permitted if such openings are provided with opening protectives having a fire-resistance rating of at least one and one-half hours or are provided with sprinklers no more than six feet apart.

(c) The minimum horizontal clear dimension of an atrium shall be forty feet, provided, however that this dimension can be reduced to twenty feet where sprinkler spacing on the occupied side adjacent to glass panels authorized by subdivision (d) of this section is no more than four feet or the minimum atrium area is twelve hundred square feet.

(d) Atrium enclosing walls shall be of at least two hour fire-resistant construction or of glass that is wired, laminated, or tempered and is provided with sprinklers on the occupied side spaced no more than six feet apart, except

as otherwise permitted by subdivision (c) of this section.

**§[C26-720.4] 27-521.4 Fire protection equipment. -**

(a) Smoke detectors. - In all spaces opening onto an atrium, a smoke detecting system shall be installed in accordance with the requirements of reference standard RS 17-5E.

(b) Standpipes. - At least one standpipe outlet in addition to a riser or risers within required stairways, shall be installed in every atrium.

(c) Sprinklers. -

(1) Every story or mezzanine within an atrium that overhangs another story or mezzanine within fifty feet shall have the overhang sprinklered in accordance with section 27-956 of article four of subchapter seventeen of this chapter, except that atrium ceilings less than fifty feet above the atrium floor but more than thirty feet above the floor may alternatively be provided with smoke detectors, which shall be of the central supervisory type connected to an approved central station. Every room or space opening onto the atrium shall be sprinklered, no matter where located.

(2) Except as otherwise permitted by subdivision (c) of section 27-521.3 of this article, at glass panels permitted by subdivision (d) of such section, sprinklers on the occupied side at all levels shall be spaced six feet apart parallel to the glass and that distance away from the glass panels so as to insure complete glass wetting upon activation. No obstructions to such wetting capability shall be permitted.

(3) Every sprinkler system for an atrium shall be provided with sources of water supply in accordance with article four of subchapter seventeen of this chapter.

**§[C26-720.5] 27-521.5 Means of egress. -**

(a) No vertical exits shall discharge into an atrium at any level.

(b) Atrium corridors shall have a width equal to or greater than one hundred fifty per cent of that required by either table 6-1 of subchapter six or table 8-1 of subchapter eight, as applicable.

(c) An unenclosed path of travel to a required exit shall be permitted, except that access to one of the required vertical exits shall be only through an enclosed passageway or corridor conforming to the requirements for exits of subchapter six.

**§[C26-720.6] 27-521.6 Fire alarm and communication system. -**

An interior fire alarm and communication system shall be installed in accordance with the requirements of reference standard RS 17-3.

**§[C26-720.7] 27-521.7 Signs. -**

Atriums shall be provided with all signs required by articles seven and nine of subchapter six of this chapter, regardless of the occupant load of the atrium.

**§[C26-720.8] 27-521.8 Smoke control. -**

(a) In all atriums there shall be provided a system of mechanical ventilation of sufficient capacity to exhaust at least six air changes per hour of the combined volumes of the atrium and all spaces with an open connection to the atrium, or 1 cfm/sq. ft. from all such spaces, whichever is greater, using either dedicated fan equipment or the building ventilation system arranged to shut down automatically, with manual override capability. Make-up air shall be supplied at the lowest level of an atrium at a rate equal to seventy-five percent of exhaust.

(b) All atriums shall have a gravity ventilation system equipped with remote manual controls to remove smoke if the mechanical exhaust system fails.

(c) A ventilation system serving an atrium shall not be interconnected with any other system serving another space.

(d) Ventilation systems supplying occupied spaces shall not be interconnected with the general atrium supply.

**§[C26-720.9] 27-521.9 Emergency power. -**

All atriums shall be provided with an emergency power system meeting the requirements of article eleven of subchapter six of this chapter.

## ARTICLE 22 MALLS

**§[C26-721.1] 27-521.10 Applicability. -** This article shall apply to the construction, alteration and use of malls.

**§[C26-721.2] 27-521.11 Classification. -**

A mall shall be classified in occupancy group C.

**§[C26-721.3] 27-521.12 Construction; General. -**

(a) A mall may be constructed only in buildings in noncombustible construction groups I-A, I-B and I-C.

(b) The minimum horizontal clear dimension at any level in a mall shall be twenty feet.

(c) Where different tenancies have openings to a mall the tenancies shall be separated in accordance with section 27-341 of article five of subchapter five of this chapter.

(d) All openings between a mall and other spaces shall be provided with a noncombustible draft curtain that shall extend downward a minimum of twenty-four inches below the lowest ceiling adjacent to such draft curtain or shall meet the requirements of clause three of subparagraph d of paragraph three of subdivision (h) of section 27-370 of article five of subchapter six of this chapter relating to show windows.

**§[C26-721.4] 27-521.13 Fire protection equipment. -**

(a) Smoke detectors. - Smoke detectors meeting the specifications of section 27-981 of article six of subchapter seventeen shall be located at the ceiling and adjacent to each return air intake.

(b) Standpipes. - At least one standpipe outlet shall be installed in every mall.

(c) Sprinklers. - An automatic wet sprinkler system shall be installed in every mall.

(1) All spaces with openings between such spaces and a mall shall be fully sprinklered in accordance with subchapter seventeen of this chapter and reference standard RS 17-2 regardless of floor area or occupancy classification.

**§[C26-721.5] 27-521.14 Egress. -** The exits for a mall shall be of sufficient capacity to accommodate the aggregate occupant load of the mall and all spaces opening onto the mall.

**§[C26-721.6] 27-521.15 Smoke control . -**

(a) In all malls there shall be provided a system of mechanical ventilation of sufficient capacity to exhaust at least six air changes per hour of the combined volumes of the mall and all spaces with an open connection to the mall, or 1 cfm/sq. ft. from all such spaces, whichever is greater, using either dedicated fan equipment or the building ventilation system arranged to shut down automatically, with manual override capability. Make-up air shall be supplied at the lowest level of a mall at a rate equal to seventy-five per cent of exhaust.

(b) All malls shall have a gravity ventilation system equipped with remote manual controls to remove smoke if the mechanical exhaust system fails.

(c) A ventilation system serving a mall shall not be interconnected with any other system serving another space.

(d) Ventilation systems supplying occupied spaces shall not be interconnected with the general mall supply.

**§[C26-721.7] 27-521.16 Signs. -**

Malls shall be provided with all signs required by articles seven and nine of subchapter six of this chapter, regardless of occupant load of the mall.