

BUREAU OF BUILDINGS
BOROUGH OF MANHATTAN, CITY OF NEW YORK

HVC

CERTIFICATE OF OCCUPANCY No. 13300 192,

Supersedes Certificate of Occupancy No.

To the owner or owners of the building:

New York Nov. 21, 1927

THIS CERTIFIES that the building located on Block 840, Lot 70

known as **40 West 39th Street**
25' front

under a permit, Application No. 747 Alt. of 1927 conforms to the approved plans and specifications accompanying said permit and any approved amendments thereto, and to the requirements of the building code and all other laws and ordinances and to the rules and regulations of the board of standards and appeals, applicable to a building of its class and kind, except that in the case of a building heretofore existing and for which no previous certificate of occupancy has been issued and which has not been altered or converted since March 14, 1916, to a use that changed its classification as defined in the building code, this certificate confirms and continues the existing uses to which the building has been put; and

CERTIFIES FURTHER that the building is of **non-fireproof** construction within the meaning of the building code and may be used and occupied as a **business** building as hereinafter qualified, in a **business** district under the building zone resolution, subject to all the privileges, requirements, limitations, and conditions prescribed by law or as hereinafter specified.

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED			USE
		MALE	FEMALE	TOTAL	
Cellar					Storage
1st Story	120			30	Stores
2nd to 5th Story	60 on each			30 on each	Offices and factory
					Not more than 25% of floor area of building to be used for manufacturing purposes.

This certificate is issued to **Walter M. Mason, Architect**
70 East 45th Street, City. for the owner or owners.

The superimposed, uniformly distributed loads, or their equivalent concentrated loads in any story shall not exceed the live loads specified above; the number of persons of either sex in any story shall not exceed that specified when sex is indicated, nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

Unless specifically stated above, the building or any part thereof, if certified as a public building, shall not be used as a building in which persons are harbored to receive medical, charitable or other care or treatment, such as a hospital, asylum, etc., or in which persons are held or detained under legal restraint, such as a police station, jail, etc.; nor shall it be used as a motion picture theatre as defined in section 30, chapter 3, Code of Ordinances; nor as a theatre or opera house or other building intended to be used for theatrical or operatic purposes, or for public entertainment of any kind, for the accommodation of more than 300 persons.

Unless specifically stated above, the building or any part thereof, if certified as a residence building, shall not be used as a tenement house as defined in the tenement house law; nor shall it be used as any form of residence building having more than 15 sleeping rooms; nor shall it be used as a lodging house within the meaning of Sec. 1305 of the Greater New York Charter.

Unless specifically stated above, the building or any part thereof, if certified as a business building, shall not be used as a garage, motor vehicle repair shop or oil selling station as defined in section 1, chapter 10, Code of Ordinances; nor shall it be used for the generation or compression of acetylene; nor as a factory building as defined in the labor law; nor as a grain elevator; nor as a coal pocket; but, if approved as a factory building for less than twenty-five persons, it shall not be used for any other purpose.

Except as otherwise noted above, the building, or any part thereof, if located elsewhere than in an unrestricted district, shall not be used for any of the purposes enumerated in paragraph (a) of section 4 of the building zone resolution; nor for any trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise; nor for any kind of manufacturing not already prohibited, except that, if located in a business district, not more than twenty-five per cent. of the total floor space may be so used, or space equal to the area of the lot in any case.

Except as otherwise noted above, the building, if certified as a garage, may not be used for more than five cars on any portion of a street between two intersecting streets, in which portion there exists an exit from or an entrance to a public school, or in which portion there exists any hospital maintained as a charitable institution; and in no case within a distance of 200 feet from the nearest exit from or entrance to a public school; nor within two hundred feet of any hospital maintained as a charitable institution.

If the building has, at any time previous to the issuance of this certificate, been the subject of an appeal to the board of appeals or of a petition to the board of standards and appeals resulting in modification or variation of law or any lawful requirement, the construction and arrangement of the building as specified in the resolution granting such modification or variation, must be maintained, and all conditions imposed by either board must be observed.

No change or re-arrangement in the structural parts of the building, or affecting the lighting or ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located, until an approval of the same has been obtained from the superintendent of buildings.

This certificate supersedes each and every previously issued certificate of occupancy for this building or any part thereof, and each and every such previously issued certificate shall be null and void; and this certificate in turn becomes null and void upon the issuance of any new lawful certificate.

This certificate does not in any way relieve the owner or owners, or any other person or persons in possession or control of the building, or any part thereof, from obtaining such other permits or licenses as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

This certificate does not authorize the use or operation of any elevator in the building without the special certificate required by section 563 of the building code.

If the building is or is required to be equipped with standpipes or other fire extinguishing or gas shut off appliances, this certificate is not complete until such standpipes or other appliances have been inspected by the fire department (or by the Tenement House Department, in the case of a gas shut off in a tenement house) and approved in writing, either in a separate certificate or by endorsement upon this certificate. (Space for such endorsement is provided on page 4 of this certificate.)

If this certificate is marked "Temporary," it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to a tenement house unless also approved by the tenement house commissioner; and it must be replaced by a full certificate as soon as the entire building is completed according to law and ready for occupancy.

The word "class" as used in this certificate refers to the classification of buildings in the building code (section 70).

This certificate is issued in accordance with the provisions of section 411-a of the Greater New York Charter and of section 5 of chapter 5 (Building Code) of the Code of Ordinances of the City of New York.

Examined

Superintendent of Buildings, Borough of Manhattan.

Additional copies of this certificate will be issued, upon written request, to persons having a proprietary interest in the building.