



ISSUANCE # 473

DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013

JOEL A. MIELE, SR., P.E., Commissioner

SATISH K. BABBAR, R.A.
Assistant Commissioner
Technical Affairs
(212) 312-8324

**TECHNICAL
POLICY AND PROCEDURE NOTICE # 1/95**

TO: Distribution

FROM: Satish K. Babbar, R.A.
Assistant Commissioner

DATE: March 10, 1995

SUBJECT: Minor Alterations in Reference to Certain Local Law 58/87 and ADA
Compliance Work

EFFECTIVE: April 17, 1995

SUPERSEDE: Technical Policy and Procedure Notices #11/92 and #4/93.

PURPOSE: In connection with efforts to comply with the Americans with Disabilities Act (ADA) and the New York City Human Rights Law, questions have been raised as to whether certain minor alteration work requires the procuring of a permit from the Department of Buildings.

An owner, tenant, contractor or other person contemplating minor work is responsible for consulting with a licensed architect or professional engineer to determine whether such work would affect building loading or structure or exit requirements or other conditions noted below and whether the work complies with Local Law 58/87 as amended by Local Law 65/88, as well as the requirements of any other authority of law.

SPECIFICS: The following work, under the conditions noted below, is "minor alteration" work pursuant to Section 27-124, does not involve a change of any egress pursuant to Section 27-126 and therefore, no permit is required pursuant to Section 27-147:

RESCINDED

1. Conversion of steps not exceeding a total cumulative height of 18 inches into ramps, provided the ramps do not project more than 44 inches beyond the street line and do not require revocable consent from the Department of Transportation. Concrete shall be the only material used for construction of ramps permitted under this policy and procedure notice. Handrails and parapets may be built of metal or masonry.
2. The movement of a nonload-bearing wall, a partition or the enlargement of a door in a nonloading-bearing wall or partition, provided it results in compliant accessibility.
3. A change in elevator cab control and hall call buttons. The cost of the work, when added to the cost of any other elevator work at the premises, shall not exceed \$10,000 per cab over a twelve-month period.

The work being undertaken as a minor alteration shall comply with Local Law 58/87, as amended by Local Law 65/88, other pertinent provisions of the Building Code, as well as the conditions set forth below. Where work cannot be done in strict compliance with Local Law 58/87, an application for the work and for a waiver must be made to the Borough Office pursuant to Sections 27-292.6 and 27-292.7 of "the Code."

1. The work does not involve the rearrangement or cutting of any floors, roofs, bearing walls, beams or structural supports.
2. The fire rating of any moved or reconstructed nonload-bearing wall, partition or door and frame complies with the original rating.
3. All required exits, exit stairs and access facilities are maintained and not diminished, and remain clearly visible and kept readily accessible and unobstructed. Conversion of steps not exceeding a cumulative total of eighteen (18) inches in height into Building Code compliant ramps pursuant to this TPPN shall not be considered as diminishing or failing to maintain the required exit, exit stairs or access facilities being so converted. A new ramp or side by side ramp and steps combination must maintain required exit width individually and in the combination. However, in such a combination, the ramp cannot be accessible from the part of the landing serving the steps unless an application is filed and a waiver of RS 4-5, Section 4.8.7 is obtained pursuant to Administrative Code Section 27-292.6(1)(d).
4. The work in no way affects the Certificate of Occupancy or a Special Permit from the City Planning Commission or the Board of Standards and Appeals.
5. All plumbing and/or electrical work subject to filing will be filed and the work performed by a licensed master plumber and/or electrician, as applicable.

RESCINDED

6. In the case of elevator work, the work is limited to wiring for cab control and hall call buttons, does not involve a change or alteration of the elevator's operation and is performed by a Certified Elevator Inspection Agency.

The cost of the proposed work, when added to the cost of any other elevator work at the premises, does not exceed \$10,000 per cab over a twelve-month period and does not require Phase II In-Car Operation per RS 18-1, Section 211, Rule 211.3c(6)(a).

7. If the work is done in a building individually designated or in a historic district, any required permits shall be secured from the Landmarks Preservation Commission.

BOROUGH OFFICES: In the event a Department inspection reveals that the work performed exceeds the limitations of minor alteration work contained herein, the borough office shall issue a violation(s) for work without a permit and any other violation that is deemed appropriate.

RESCINDED³