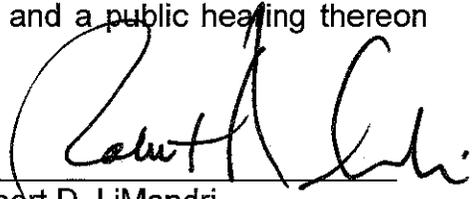


NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter and Section 28-103.19 of the New York City Administrative Code, that the Department of Buildings hereby amends Section 3616-01 of Subchapter Q of Chapter 3600 of Title 1 of the Official Compilation of the Rules of the City of New York and adds a new Section 3616-02 to the same, relating to National Fire Protection Association 13 amendments.

This rule was first published on August 10, 2009 and a public hearing thereon was held on September 14, 2009.

Dated: 9/24/09
New York, New York


Robert D. LiMandri
Commissioner

Section 1. The title of Section 3616-01 of Subchapter Q of Chapter 3600 of Title 1 of the Rules of the City of New York is amended to read as follows:

§3616-01 National Fire Protection Association (“NFPA”) 13 amendment relating to elevator hoistways and machine rooms.

§ 2. Subchapter Q of Chapter 3600 of Title 1 of the Rules of the City of New York is amended by adding a new Section 3616-02 to read as follows:

§3616-02 National Fire Protection Association (“NFPA”) 13 amendment relating to closets and pantries. Pursuant to Section 28-103.19 of the New York City Administrative Code, Section 8.14.8.2 of reference standard NFPA 13 is hereby deleted and a new section 8.14.8.2 is added, to read as follows:

8.14.8.2* Closets and Pantries. Sprinklers are not required in clothes closets, linen closets, and pantries within:

- (1) Dwelling units in hotels and motels where the area of the closet or pantry does not exceed 24 ft² (2.2 m²), the least dimension does not exceed 3 ft (0.9 m), and the walls and ceilings are surfaced with noncombustible or limited-combustible materials; and
- (2) Dwelling units in Group R occupancies other than hotels and motels where the area of the closet or pantry does not exceed 12 ft² (1.1 m²), the room or space upon which the closet or pantry opens is equipped with sprinklers designed to afford protection to the opening of the closet or pantry, and the walls and ceilings of the closet or pantry are surfaced with noncombustible or limited-combustible materials.

STATEMENT OF BASIS AND PURPOSE

This rule is promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043 of the New York City Charter.

The rule makes corrections and additions to the referenced standard NFPA 13, as identified in Appendix Q of the Building Code. This rule promotes public safety with respect to fire protection systems by providing design standards for the proper installation of sprinkler system components within buildings and benefits the public by requiring proven safety practices based upon nationally recognized standards.

This rule specifically permits the omission of sprinklers from small residential closets in accordance with nationally recognized standards and practices established under the 1968 Building Code, though to a more restrictive degree in terms of size of exempted areas.

Note that an asterisk (*) found within the foregoing rule, following the number or letter designating a paragraph, indicates that explanatory material on the paragraph can be found in Annex A of NFPA 13.