

COMMISSIONER'S CORNER

By next summer, the Department of Buildings will fully implement the first municipal **Existing Building Code** in our City's history. This landmark achievement will significantly impact the construction, development, and real estate industries by creating a modern framework for work on existing buildings.

[READ THE FULL MESSAGE ON PAGE 6](#)

ORIENTING TO THE NEW YORK CITY EXISTING BUILDING CODE

What Changed & Why It Matters

Local Laws 33 and **42 of 2026** usher in a fundamental shift for New York City's design and construction community. With the repeal of the 1968 Building Code and the formal adoption of the **New York City Existing Building Code (EBC)** – effective July 17, 2027 – every alteration project will now operate under a unified, modernized regulatory framework. This transition reshapes scoping, documentation, and compliance strategy across the life cycle of existing buildings, affecting everything from early feasibility studies to DOB submittals and construction administration.

What Changed & Why It Matters

For decades, the 1968 Code functioned as a parallel compliance path, offering flexibility for older buildings and often serving as the default choice for interior renovations and moderate scale alterations. Its elective nature allowed project teams to navigate around certain modern requirements, particularly in buildings where existing conditions made upgrades difficult or cost-prohibitive. That era is now ending. When the EBC becomes effective on July 17, 2027:

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The EBC Monthly Newsletter provides practical guidance for Design Professionals, Property Owners, and Building Managers.

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- all alteration applications must comply with the EBC, regardless of the age of the building, occupancy history, or Prior Code status
- the 1968 Code compliance path will be eliminated; and
- existing conditions may still be retained, unless the EBC triggers improvements based on the scope of work.

This is not simply a Code update; it is a structural realignment of how NYC regulates existing buildings. The shift eliminates the dual-Code environment that has shaped NYC practice for more than half a century and replaces it with a single, comprehensive framework. Project Teams should consult the [Alteration Pathways](#) diagram on the DOB's website and be mindful key concepts, including:

1. A Single, Predictable Framework for Existing Buildings

The EBC consolidates requirements for repairs, alterations, additions, changes of occupancy, and building relocations into a single Code book modeled on the 2015 International Existing Building Code, but adapted specifically for New York City. For design teams, this consolidation means:

- more predictable scoping, with clearer triggers for upgrades
- fewer interpretation gaps, reducing reliance on informal precedent or DOB consultations
- a more direct relationship between the extent of work and the required improvements.

The ambiguity of 'Prior Code' decision-making, where teams often weighed the benefits of the 1968 Code against the modern Code, is replaced with a transparent, rules-based structure that applies uniformly across all existing buildings.

2. Work Area Method & the 50% Threshold

The EBC's work area method becomes the backbone of alteration classification and a critical early-stage scoping tool:

Level 1 Alteration: Work area $\leq$ 50% of the building; limited triggered upgrades, primarily focused on maintaining or improving existing conditions.

Level 2 Alteration: Work area $>$ 50%; broader requirements for egress, fire protection, accessibility, and certain system upgrades.

Because these thresholds directly influence project scope, cost, and schedule, design teams must quantify work areas at the concept stage. The EBC makes the work area calculation a central part of feasibility analysis rather than a late-stage technicality.

3. Structural Stability & Increased Demand Checks

The EBC introduces a standardized approach to structural evaluation that applies to all alterations. Designers must now:

- assess structural stability for the existing building under current and proposed conditions

- perform increased demand analyses when loads rise due to new equipment, occupancy/layout changes, or rooftop installations.
- document compliance using DOB-defined methodologies rather than relying on discretionary engineering judgment

This represents a significant shift from the 1968 Code environment, where structural assessments were often more flexible and less prescriptive.

4. Change of Occupancy: Clearer Triggers

Conversions like *office-to-residential*, *industrial-to-assembly*, or *storage-to-educational*, now follow a more explicit upgrade matrix. Designers should expect:

- Fire protection and egress upgrades tied to occupancy risk category
- Accessibility improvements aligned with the new use
- Energy Code compliance based on new occupancy classification

The EBC reduces ambiguity but increases the need for early multidisciplinary coordination, especially when evaluating feasibility for adaptive reuse projects.

5. New Categories for Limited Work

The EBC introduces new Limited Alteration Applications (LAAs), including Limited Home Improvements. These pathways streamline permitting for narrowly defined scopes that do not require a Registered Design Professional.

What the Industry Should Expect

As the effective date approaches, project teams should anticipate more rigorous pre-design scoping to determine alteration levels and upgrades. Similarly, the EBC will prompt more detailed submissions on structural and occupancy-related changes. Ultimately, the EBC will provide a more coherent, modern framework.

FAQs YOU CAN USE . . .

Q: What is an *existing building*?

A: The term is defined in §28-101.5 of the Administrative Code provisions as, a *completed building or structure* that is in existence at the time of an applicable reference in this Code.

Q: How does the NYC EBC differ from the IEBC?

A: While the NYC EBC is modeled on the IEBC, it uses a modified chapter organization and contains many provisions that are unique to NYC that don't exist in the IEBC.

FAQs (CONTINUED)

Q: How does EBC differ in structure, from the NYC Building Code?

A: The EBC addresses existing buildings and is organized by type of alteration, while the NYC Building Code largely addresses new construction and is organized by building systems. However, in many instances, the EBC requires compliance with other Construction Codes.

Q: What is a *Work Area*?

A: EBC Section 202 defines work area as, 'That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents and described in Chapter 6.' See Section 601.2 to determine Work Area and the type of work that is considered a reconfiguration of space. (refer to EBC 202)

CASE STUDY: OFFICE FIT-OUT



Scope of Work

Partial renovation of the 6th floor and a full renovation of the 7th floor within a Prior Code (1968 Code) building.

Mechanical, electrical, plumbing, sprinkler, and fire alarm modifications limited to the tenant work areas, with no change in use, occupancy classification, or egress capacity.

ASSUMPTION No work is related to Fire Pump, Generator, and Parking Area.

EBC Level 1 Requirements

801.3	New & replacement materials, details and assemblies	806.3	Alt.s affecting an area containing a primary function
803.2	Shafts and vertical openings	813.1	Minimum requirements (energy conservation)
803.4	Interior finish		
803.1	Architectural condition assessment		
805.4	Egress doorways		
805.5	Openings in corridor walls		
805.7	Means of egress lighting		
805.8	Exit signs		
805.9	Handrails		
805.11	Guards		
806.2	Compliance (accessibility)		

Relevant Building Information

- Fully sprinklered
- High-rise Building (9 stories + cellar)
- Building classified as Occupancy Group B (Business)
- Originally constructed in 1971, under the 1968 Building Code

Key Takeaways

For a standard office fit-out in an existing building, Level 1 Alterations under EBC Chapter 8 focus on replacing or updating finishes, equipment, and building systems without reconfiguring space or altering the overall layout. Existing egress components, fire-protection features, and rated enclosures may remain if they are not made less safe and are unaffected by retroactive requirements. All new work must comply with current Code, including proper fire-stopping, smoke-tightness, and continuity of rated assemblies at penetrations or system modifications. Accessibility elements serving the work area must be preserved or improved. Mechanical, electrical, and plumbing replacements cannot reduce capacity, performance, or required functionality. Documentation must clearly demonstrate that the scope avoids Level 2 triggers, expanded life-safety upgrades, or any change of occupancy, ensuring the project remains within the Level 1 classification.



CODE SPOTLIGHT

707.1 General. Methods of design and properties of in-place structural materials, components, and assemblies, including archaic structural systems, shall be determined according to Appendix H or other requirements specified in this Code.



This section directs that accepted engineering practices should be used to evaluate existing structural systems, along with the EBC. This can be a change in practice depending on the age and type of building systems being reviewed. Along with the incorporation of older existing structural systems data in EBC Appendix H, this section provides a more uniform and efficient standard of care from engineers and architects. Owners and the Department will also benefit by better understanding the older structural systems in buildings and the basis for modifying, repairing, or keeping them.

Relevant provisions of other Codes: None

EBC RESOURCES TRAINING & FAQs

*Use the qr-code to learn more about the upcoming NYC Existing Building Code. For questions, contact us at **ebc@buildings.nyc.gov***





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from the desk of **AHMED TIGANI**

By next summer, the Department of Buildings will fully implement the first municipal Existing Building Code in our City's history. This landmark achievement will significantly impact the construction, development, and real estate industries by creating a modern framework for work on existing buildings.

With one year remaining until the Code takes effect on July 17, 2027, we are launching this newsletter as part of a broader outreach effort to help industry professionals, property owners, and the public prepare for these important changes. Through this series, we will provide clear, practical information about how the NYC Existing Building Code (EBC) will affect project planning, design, permitting, and construction.

The EBC was years in the making and reflects the dedication of hundreds of DOB professionals and volunteer subject matter experts from across the industry. I would also like to thank the New York City Council, particularly Chair Pierina Sanchez, the members of the Housing & Buildings Committee, and their staff, whose partnership and support were instrumental in advancing this initiative.

Within DOB, this effort was led by our Technical Affairs & Code Development and Code & Zoning Interpretation teams under the leadership of Deputy Commissioner Constadino 'Gus' Sirakis, PE, and Assistant Commissioners Joseph Ackroyd, PE, and Keith Wen, RA. To everyone who contributed to this effort, including the many stakeholders and members of the public who provided valuable input, thank you.

The Existing Building Code aligns closely with Mayor Zohran Mamdani's *Block by Block* housing agenda. By creating clearer and more flexible requirements for work on existing buildings, the EBC will make it easier and more cost-effective to repair, renovate, and preserve housing across all five boroughs.

Alongside the recommendations of the Affordable and Efficient Code Reform (AECR) Task Force, the Streamlining Procedures to Expedite Equitable Development (SPEED) Task Force, and ongoing efforts to implement recent zoning and charter reforms, the EBC represents another important step toward a more efficient and responsive city government. Together, these initiatives will help modernize our regulatory framework, support housing production and preservation, and better position New York City to meet the needs of future generations.

Regards,

A stylized, handwritten signature in black ink, appearing to read 'Ahmed Tigani'.

Ahmed Tigani, Commissioner

CODED CROSSWORD

ACROSS

5. Referenced standards include other laws and _____ of city/state/federal agencies.
6. Owners must obtain the required _____ before regulated work begins.
7. The Code's intent; minimum _____ to safeguard life, health, property, welfare.
10. The Code's applicability, along with alteration and change of occupancy.
14. Construction documents may require submittals about availability/feasibility of _____.
15. Into the public right of way: these are governed by NYC Building Code Chapter 32.
19. Change of _____ is specifically listed in the code's scope.
21. Const. documents may require submittals on discharge/management of _____ runoff.
22. Buildings not previously occupied might comply based on _____ date of original permit.
23. Section EBC 308 heading: _____.
24. These (and conveying systems) must be maintained, inspected, and tested.

DOWN

1. Section EBC 119 heading keyword: _____ requirements.
 2. Section EBC 118 focuses on _____ of buildings and periodic inspections.
 3. Construction work covered includes related _____ (safeguards during construction apply).
 4. Administration and _____ actions are in accordance with the Code and Administrative Code.
 8. Section EBC 109 heading: _____.
 9. Chapter 11 topic: alterations and changes must comply with _____ provisions.
 11. Section EBC 310 heading: _____.
 12. All work on _____ piping/appliances is governed by applicable provisions.
 13. The commissioner may grant a _____ of certain accessibility requirements under criteria.
 16. Section EBC 309 heading: _____.
 17. Abbrev.: The Code may be cited as the NYC Existing Building Code, _____ or EBC.
 18. Chapters 5 through 15 govern this type of work on existing buildings.
 20. The _____ of a building must be maintained in a safe condition.
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