

**RESCINDED BY BUILDINGS
BULLETIN 2023-014**

City of New York
HOUSING AND DEVELOPMENT ADMINISTRATION
DEPARTMENT OF BUILDINGS

DIRECTIVE NO. 11/ 1970

TO: Borough Superintendents

Date: October 1, 1970

BY: Thomas V. Burke
Director of Operations

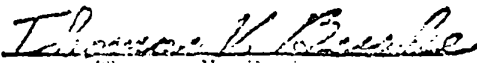
Subject: Modification of Certificate
of Occupancy by the Board of
Standards and Appeals pur-
suant to Fire Department
Applications.

The Board of Standards and Appeals has approved the request of the Fire Commissioner to modify the certificates of occupancies for various premises. The occupancy of some of the premises involved conforms with the last issued certificate of occupancy, and, in other instances is in violation thereof.

In regard to premises that are illegally occupied, this office has received Opinion No. 107,313 from the Corporation Council subsequent to issuance of Directive No. 20/70. The Corporation Council has indicated that the decision of the Board modifying the certificate of occupancy so as to require installation of a sprinkler or standpipe system is binding on this department. Accordingly, applications filed for the installation of standpipe systems, sprinkler systems or any other stated work may be approved for those premises illegally occupied. However, a record of the Board's modification is to be entered on the index cards, and no subsequent alteration application or change of use of any kind may be approved unless the Board Calendar No. and an indication that the particular service equipment is required, is entered on all new modification sheets, and on all certificates of occupancy issued thereafter. Until the illegal use is discontinued or legalized, the violation is to be diligently processed and judicial remedies instituted, if appropriate.

With respect to Board decisions modifying the certificate of occupancy for those premises lawfully occupied; so as to require the installation of a standpipe system or sprinkler system or the like, no application for such stated work shall be approved unless a simultaneous alteration application amending the legal use so as to specify the particular required system (standpipe, sprinkler, etc.) is simultaneously filed and approved. Proper plans to enable examination to exits shall be required to be filed with the alteration for the portion of the premises affected by the Board's decision; and, an amended certificate of occupancy will be required, specifying the required service equipment. The Board Calendar No. shall be entered on index cards, and the particular required system shall be noted as a required system on alteration modification sheets together with the Board Calendar No., and on new or amended certificates of occupancy thereafter.

This directive supersedes Directive No. 20/70.


Thomas V. Burke
Director of Operations

TS: IEM: ap

cc: Chairman Galvin, Bd. of Standards & Appeals
Fire Commissioner Lowery
Acting Commissioner Ferro
Executive Staff
Building Congress
Architectural & Professional Societies