



NYC EXISTING BUILDING CODE

Charting the Compliance Path:
Work Area Method and Levels of Alteration

build safe | live safe

MODULE C

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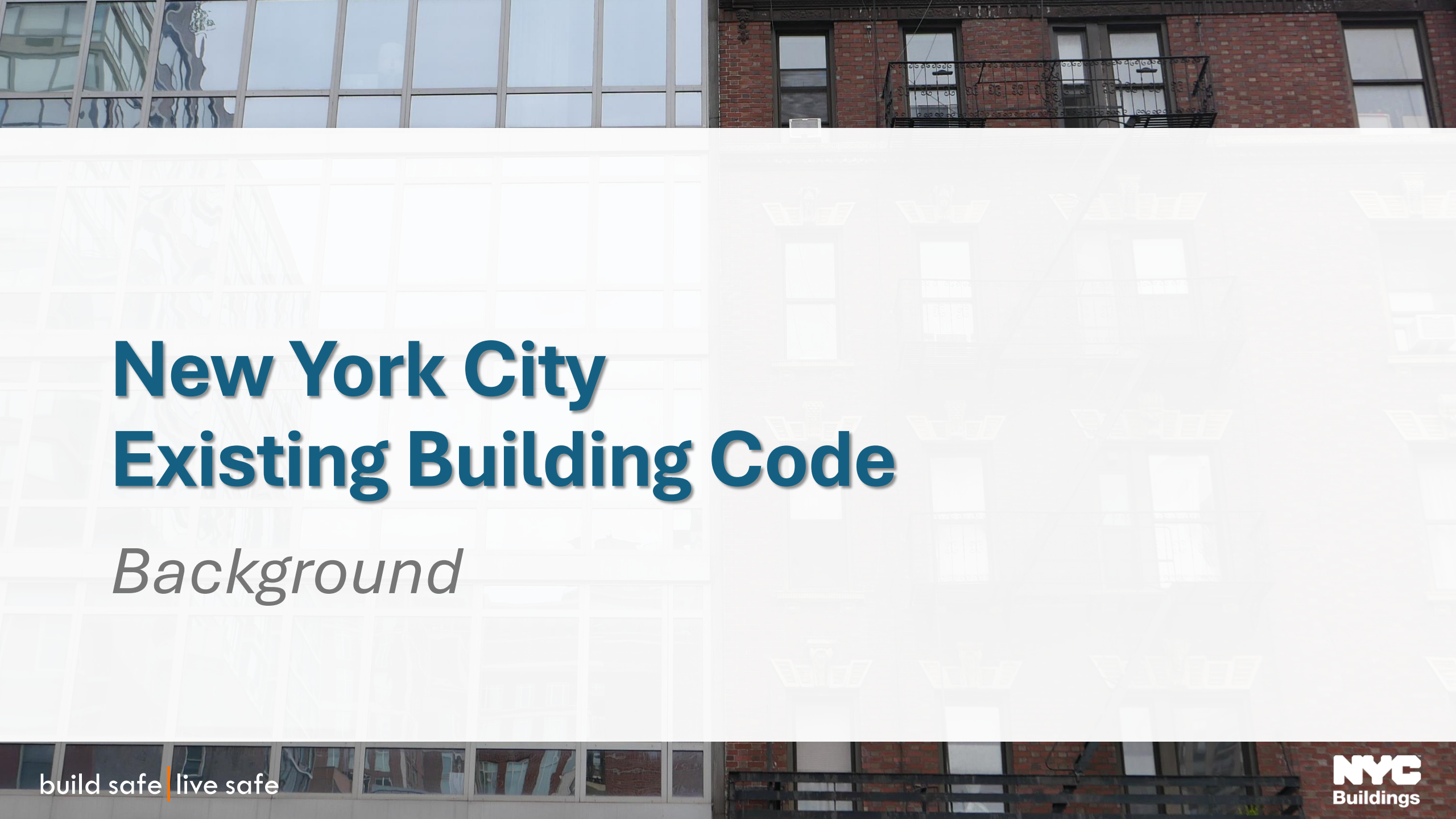
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New York City Existing Building Code

Background

Origins of the EBC

- DOB has been working toward an Existing Building Code since the development of the 2008 Construction Codes.
 - Current regulatory scheme has numerous shortcomings:
 - Multiple layers of requirements (2022, 1968, 1938, memos, ppns, plus NYS MDL)
 - Current triggers for upgrades to existing buildings are not incremental
 - Some requirements commonly require submission and review of variance requests
 - In combination, these result in longer approval and permitting processes
- DOB's goals for the EBC include:
 - Simplifying the regulatory structure
 - Bridging the gap between current and past codes
 - Clearer direction for 80,000+ annually filed alteration applications
 - Utilize the International Existing Building Code
 - A new addition to the family of NYC Construction Codes, with revision cycles
 - Remove barriers to rehabilitation of existing buildings
 - Facilitating updates, while maintaining acceptable safety

Status of the EBC

Phase 1	✓ CHARRETTES
Phase 2	✓ RESEARCH
Phase 3	✓ CODE DRAFTING
Phase 4	✓ COMMITTEE WORK
Phase 5	CITY COUNCIL
	6/11/2025 ✓ INTRO 1321-2025
	☐ HOUSING & BUILDINGS COMMITTEE HEARING
	☐ COUNCIL VOTE
	☐ ENACTMENT
	☐ EFFECTIVE DATE
Phase 6	IMPLEMENTATION, OUTREACH & TRAINING

INDUSTRY TRAINING PROGRAM

9/30/25 10-11:30	A module	All About the Existing Building Code: An Overview
10/9/25 10-11:30	B module	Beginning Chapters: Administration, General Requirements and Limited Alterations
10/16/25 10-11:30	C module	Charting the Compliance Path: Work Area Method and Levels of Alteration
10/22/25 10-11:30	D module	Everything Alterations: Level 1 (Chapter 8) and Level 2 (Chapter 9)
10/29/25 10-11:30	E module	Designing Structural Alterations: Chapter 7 and Related Appendices
11/5/25 10-11:30	F module	Future Changes: Occupancy, Additions, and Relocation of Buildings

Charting the Compliance Path

	EBC APPLICABILITY MAP
	CHAPTER 6: CLASSIFICATION OF WORK
	WORK AREA METHOD
	LEVELS OF ALTERATION
	CHAPTER APPLICABILITY FOR TYPICAL PROJECTS
	NEXT STEPS
	QUESTIONS & ANSWERS

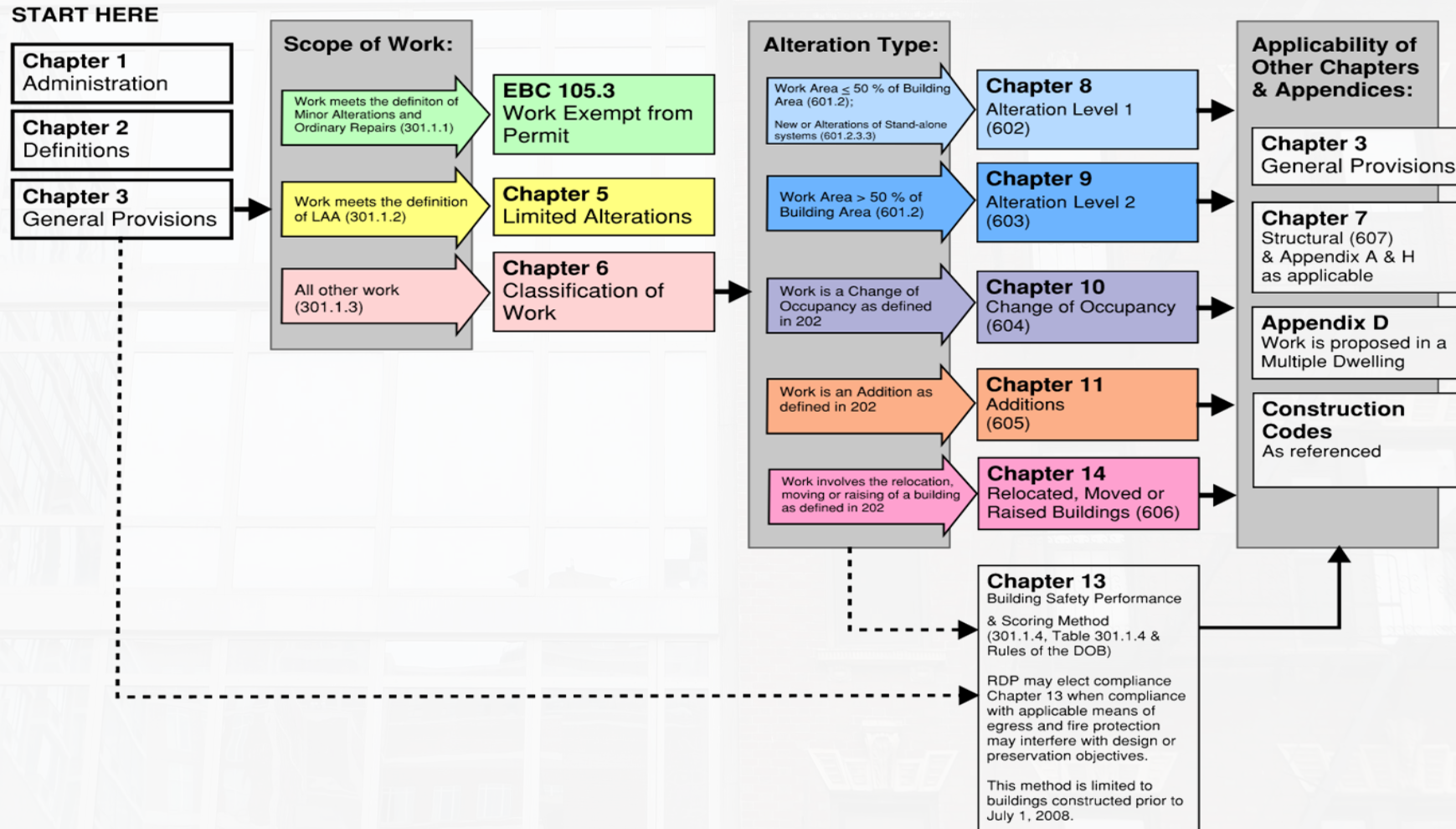
INFORMATION LEGEND

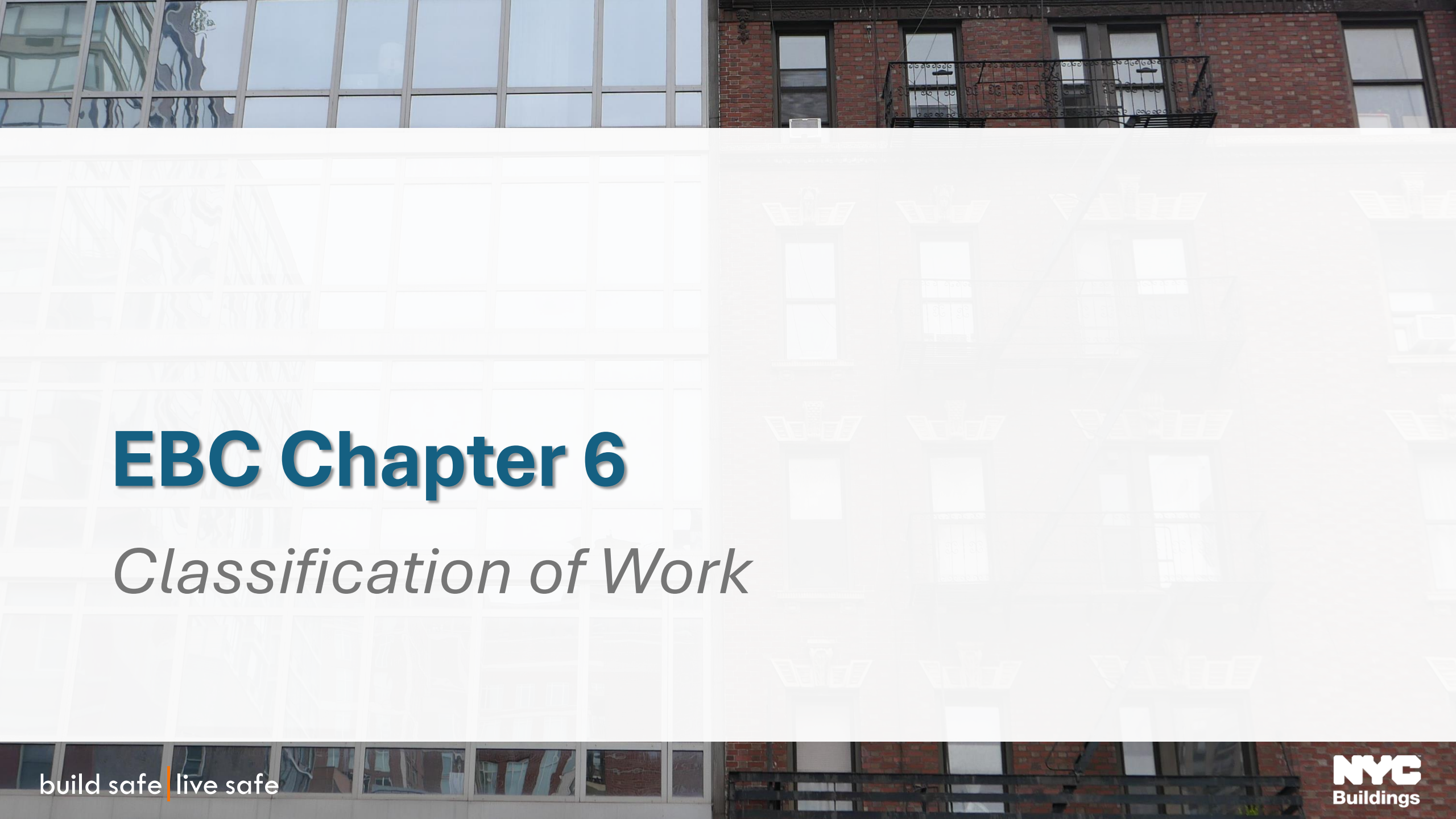
INDICATOR	DESCRIPTION
Prior	Prior Code ex. 1968 code; 1938 code, etc
Legislation	Current legislation ex. 2022 code; NYS MDL
Practice	Codifies current practice ex. Department Memos, Policy & Procedure Notices, etc
New	New
IEBC	IEBC 2015 edition of the International Existing Building Code



EBC Applicability Map

EBC Applicability Map





EBC Chapter 6

Classification of Work

Table of Contents

601	General
602	Alteration – Level 1
603	Alteration – Level 2
604	Change of Occupancy
605	Additions
606	Relocated, Moved or Raised Buildings
607	Structural

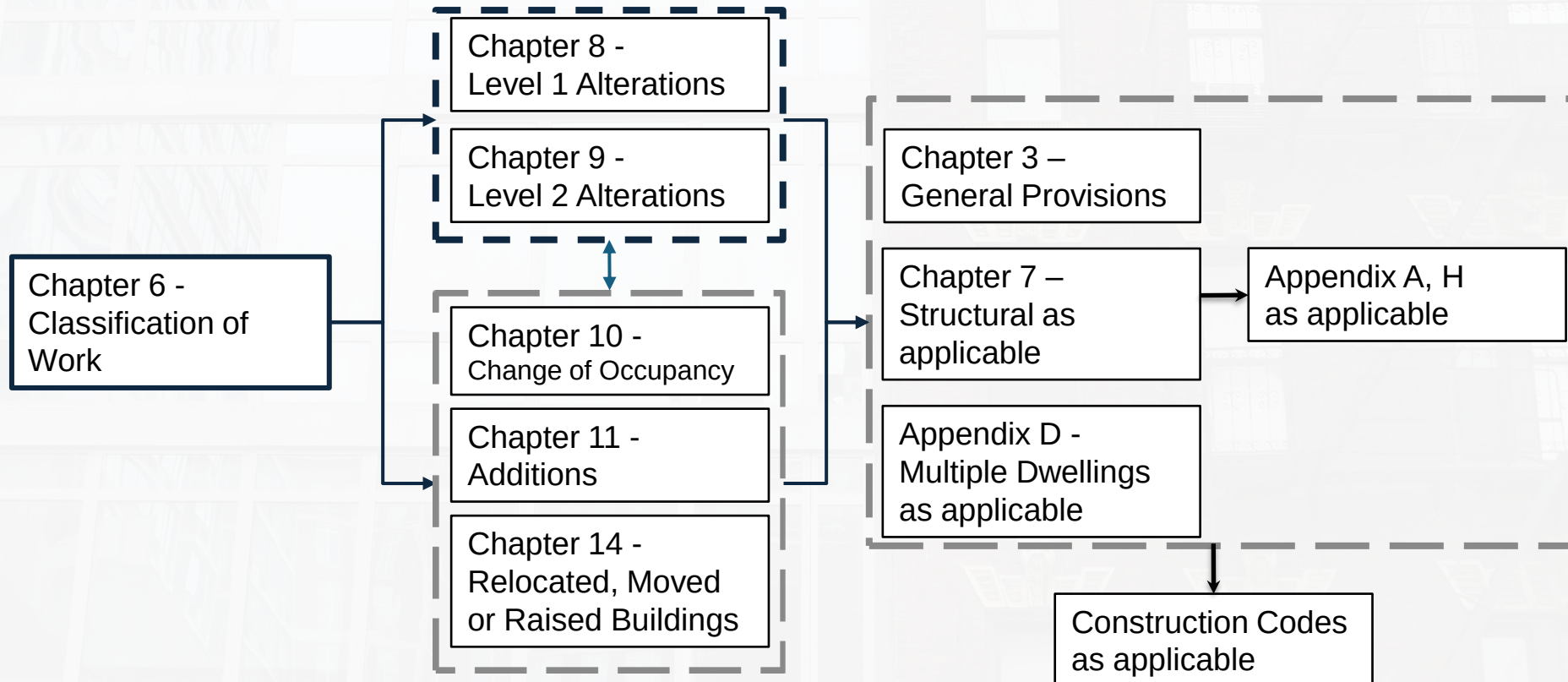
Key Concepts

- New Chapter describing the different types of alterations made to existing buildings and applicable chapters.
- Introduces “Work Area” as a new concept to measure extent of work and applicable level of alteration.
- Work Area may be cumulative across multiple applications filed after the effective date of the EBC, to trigger a Level 2 Alteration. (Not including signed off applications.)
- Clarifies the type of work that constitutes a “reconfiguration” of space by listing sample alteration work for ease of use and understanding of such new concept.
- Describes different types of Alterations; Level 1, Level 2, Change of Occupancy, Additions, Relocated, moved or raised buildings, Structural and the applicable EBC Chapters.

Notable Provisions

■ EBC 601 General.

- Applies to Level 1 and Level 2 alterations, changes of occupancy, additions, & relocated/ moved/ raised buildings.
- Used with Chapters 3 and 7–14.
- Chapter 13 may be used with Chapters 8–11 and 14 (optional).





WORK AREA METHOD

Notable Provisions

- **Section 601.2 Work area.**

Key Definitions (Chapter 2):

WORK AREA. That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents and described in Chapter 6.

AREA, BUILDING. For the purpose of calculating work area as a percentage of building area, building area shall be calculated to include the floor area of the entire building including above and below grade stories exclusive of vent shafts and courts. All measurements shall include thickness of exterior walls.

Notable Provisions

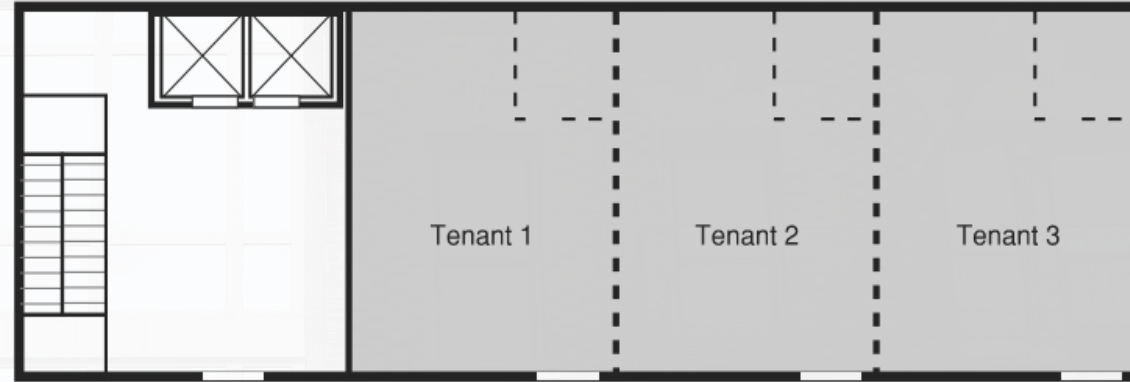
■ Section 601.2 Work Area.

- Must be identified in construction documents submitted to the Department
- Work area = all reconfigured spaces
- Work area / Building area = %
- The % determined is used to identify if the work is a Level 1 or Level 2 Alteration and apply Chapters 8 and/or 9

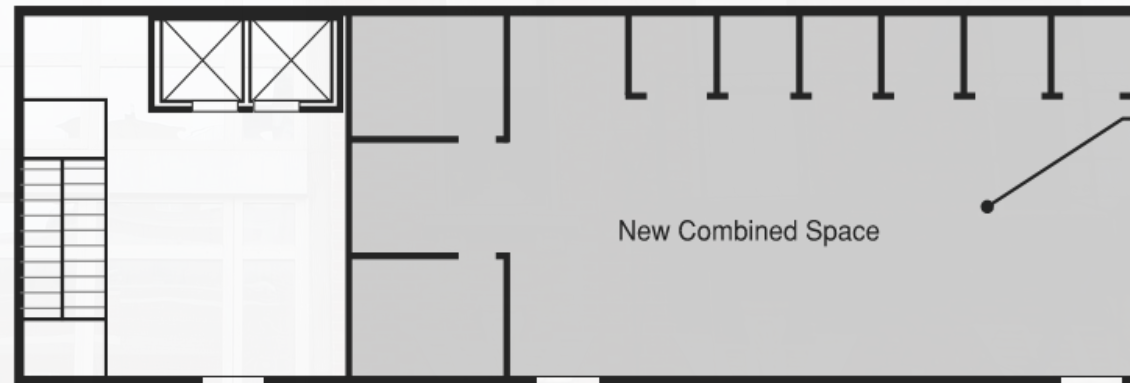
Notable Provisions

■ Section 601.2 Work Area.

Example: One application is filed to reconfigure a commercial space for a new tenant.



STREET LEVEL



Merge 3 tenant spaces into a single combined tenant space, the space that is reconfigured constitutes work area.

STREET LEVEL

Notable Provisions

■ Section 601.2.1.1 Cumulative Work Area.

All applications post-effective date of EBC, not signed off are included in work area. To avoid cumulative work area, open applications shall be regularly signed off as work is completed.

Work Area Calculation

Total building area: **8,000 sf**

Application A: **1,000 sf**

+

Open applications (post EBC): **3,500 sf**

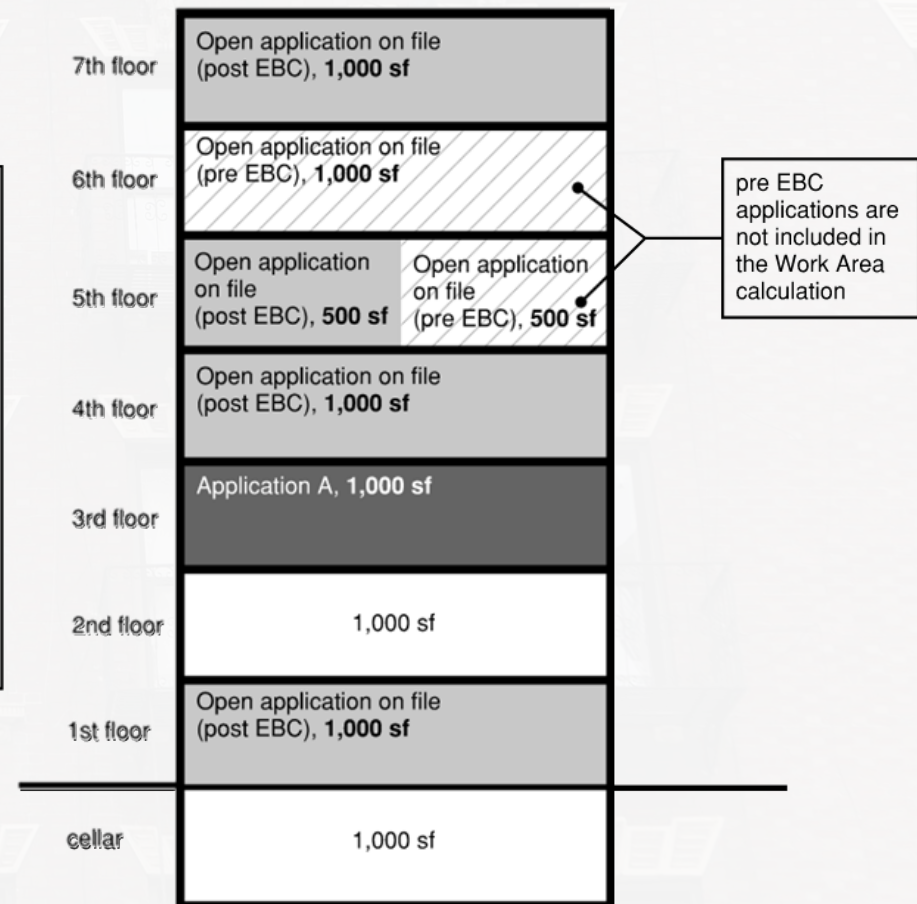
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Total: **4,500 sf**

Therefore, $4,500 \text{ sf} / 8,000 \text{ sf} =$
56.25% > 50%

Application A is a **Level 2 Alteration** and is
subject to Chapter 9.

The other open applications included in work
area do not need to be "re designed."



Notable Provisions

■ Section 601.2.1.2 Project-Specific Work Area.

- **Project-Specific Work Area:**
For major projects with work area exceeding 75% of building area, all work within the same project scope that is phased, are included to determine Work Area.
- It is recommended for major projects that the project team would present a master plan to the DOB showing all phases.

Work Area Calculation

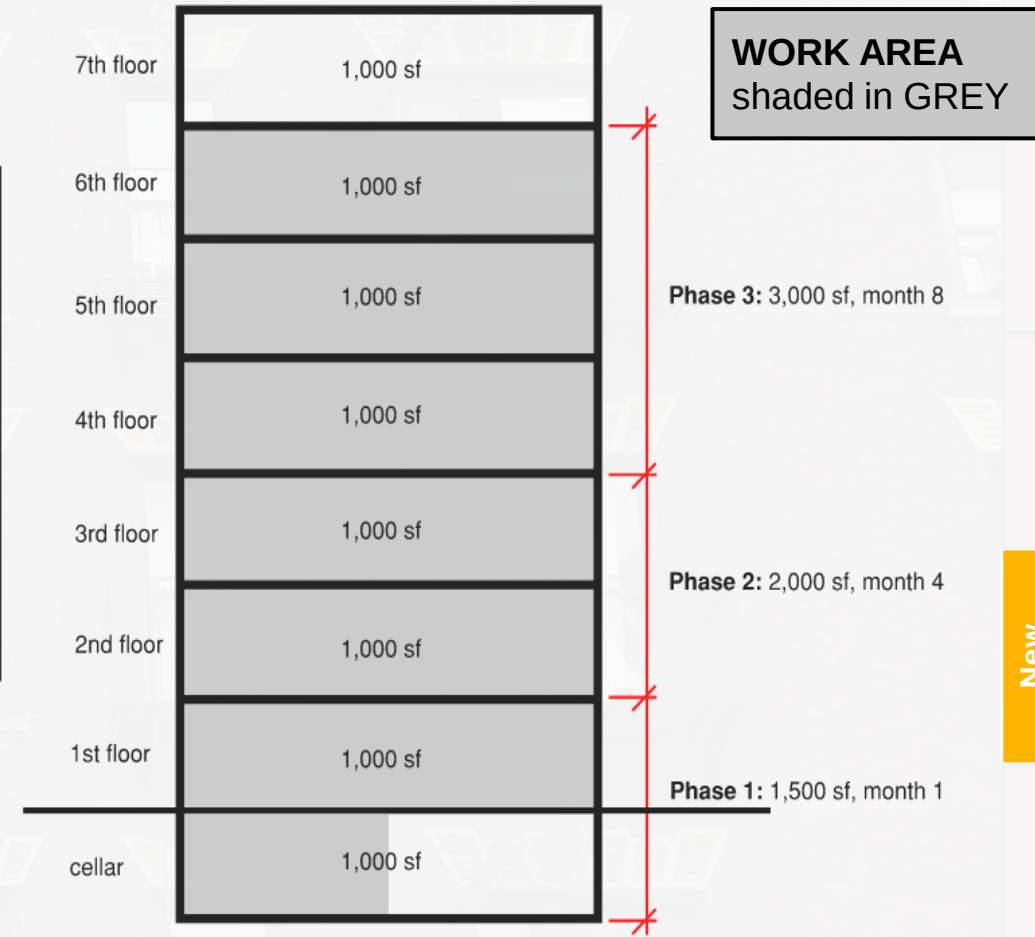
Total building area: **8,000 sf**

A single project permitted in three phases is considered jointly for Work Area calculations.

Phase 1 + 2 + 3 = **6,500 sf**

Therefore, $6,500 \text{ sf} / 8,000 \text{ sf} = 81.25\% > 75\%$

Phase 1 + 2 + 3 are collectively a **Level 2 Alteration** and exceeds the 75% threshold for additional requirements per Chapter 9



Notable Provisions

■ Sections 601.2.2-601.2.3 Determination of Work Area.

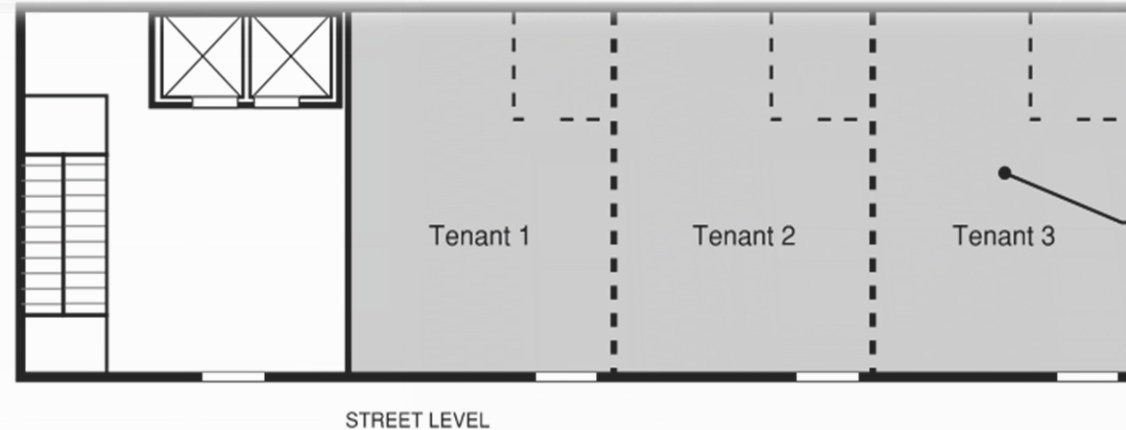
- Minor alterations, Ordinary Repairs, LAAs, when part of the same scope of a Level 1 Alteration, are included if contributing to Work Area
- Interior work contributing to work area: partitions, ceilings, stairs, shafts, etc.
- Exterior work to building envelope not included (except items 6 & 7 of 601.2.3.1)
- Stand-alone system changes not counted unless layout is impacted
 - (e.g., plumbing, boiler, mechanical, elevator, ...)

New

Notable Provisions

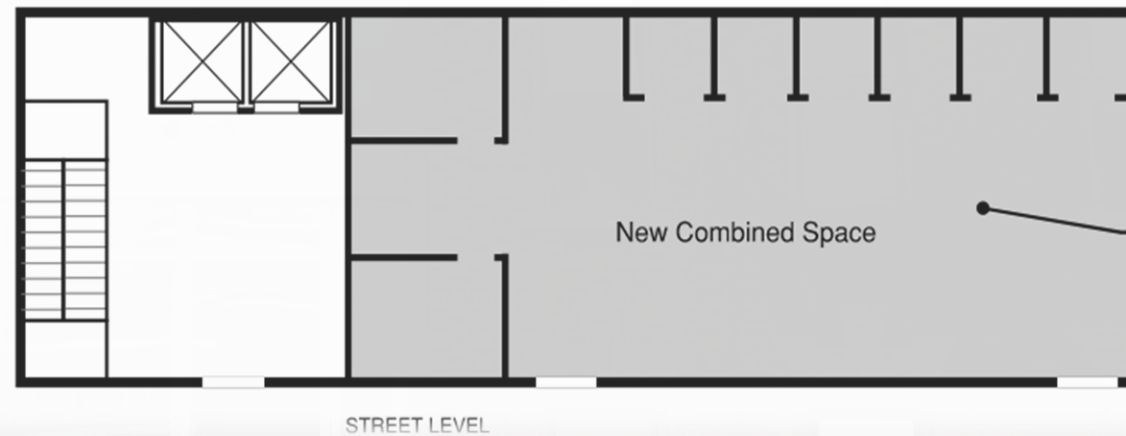
Example

- **Scenario:** An interior non-structural demo application is filed while the space is still being designed for the new tenant. The fit-out application is filed shortly thereafter and overlaps with the first filing.
- **Conclusion:** In this scenario, Work Area is counted once across both applications.



Application 1:
Interior
Non-structural
Demolition Work
Area of 3 tenant
spaces.

WORK AREA
shaded in GREY



Application 2:
Tenant Fit-out and
Reconfiguration of
space to one tenant
space. Work Area
shown in grey.

Notable Provisions

■ Section 601.2.3.1 Interior Work

The **installation, removal or alteration** of the following, shall be considered “reconfiguration” of spaces and shall be considered Work Areas:

1. Partitions, walls, ceilings
2. Stairs or ramps
3. Mezzanine levels
4. Ceiling height modifications
5. Openings & shafts between floors
6. Skylights required for ventilation (×10 rule if <10% of room)
7. Windows required for ventilation (×10 rule if <10% of room)
8. Vertical openings and shafts
9. Elevator hoistways

Exceptions:

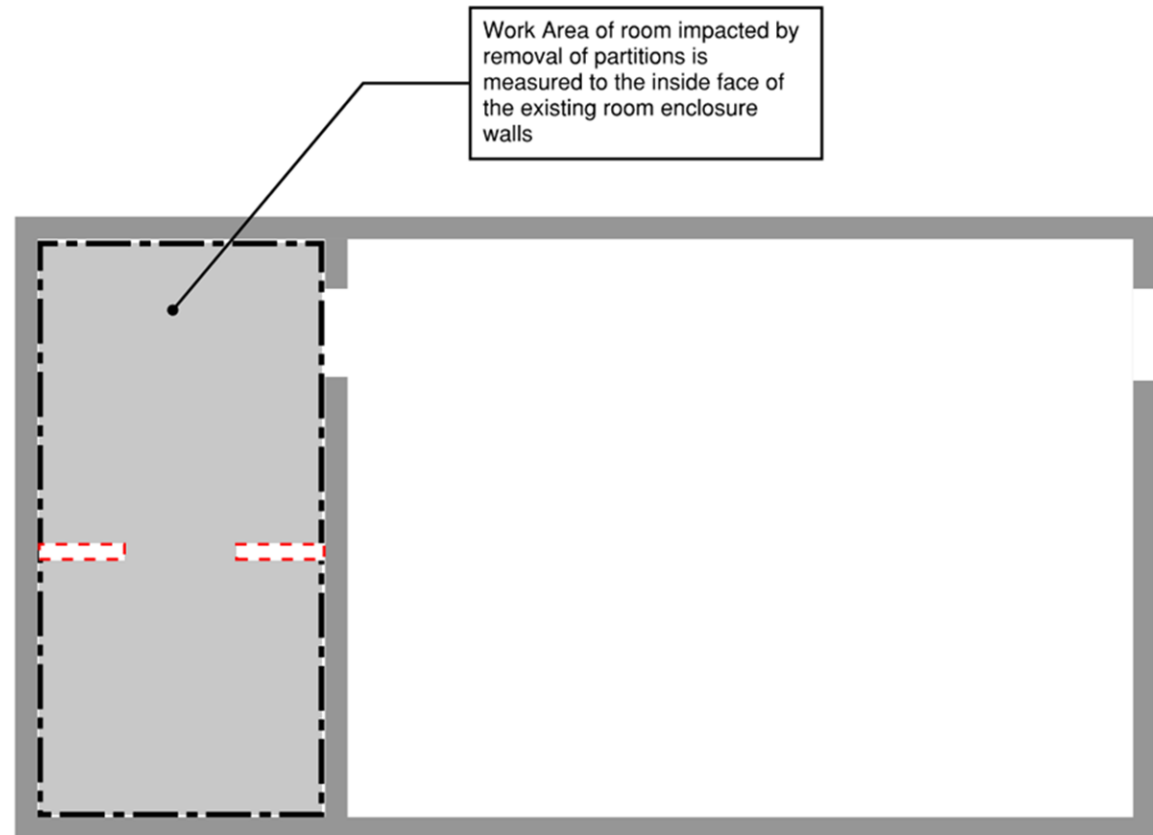
1. Incidental work to MEP or fire protection systems
2. Reconfiguration of <10% of space is limited to the actual area of work, except for windows and skylights

Notable Provisions

■ Section 601.2.3.1 Interior Work

Measurement of Work Area boundaries:

- inside face of existing walls for room that is reconfigured by removal of partitions

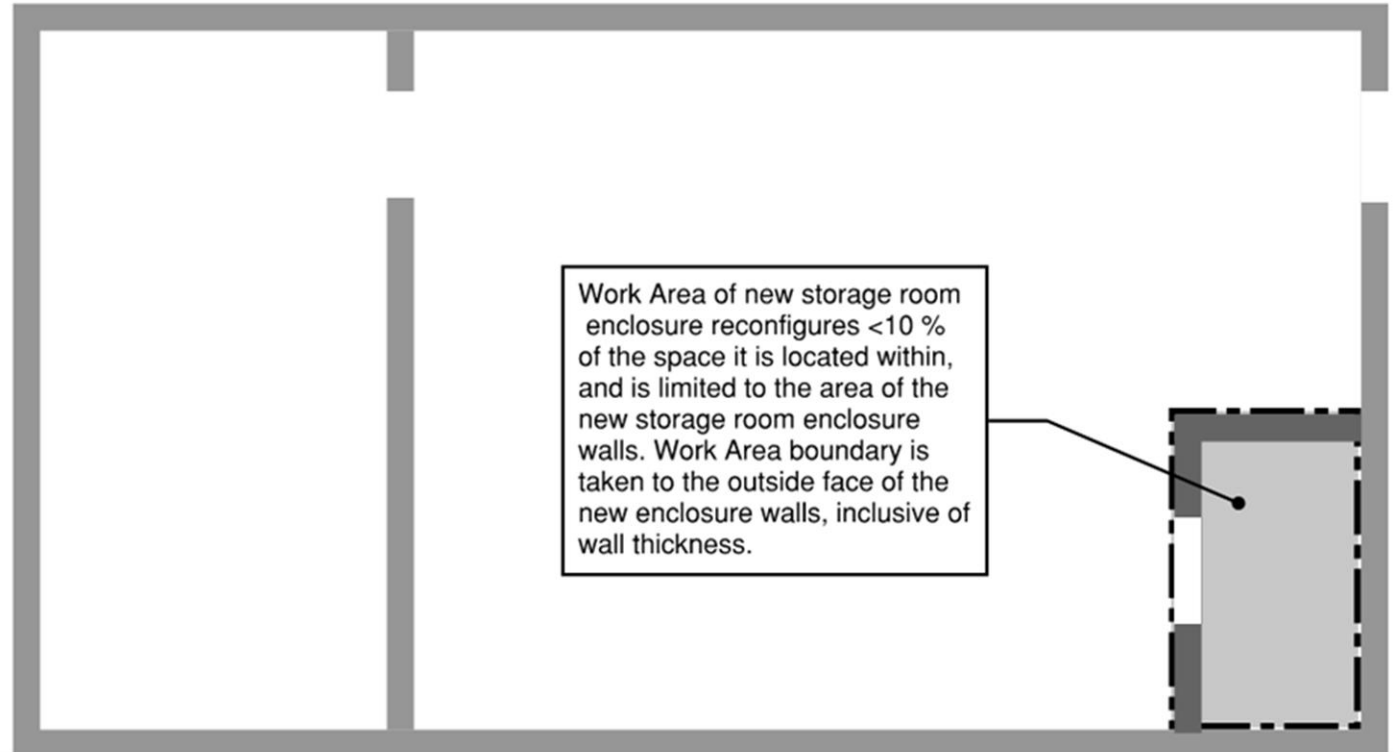


Notable Provisions

■ Section 601.2.3.1 Interior Work

Measurement of Work Area boundaries:

- outside face of walls of newly constructed storage room that is <10% of the space it is located within

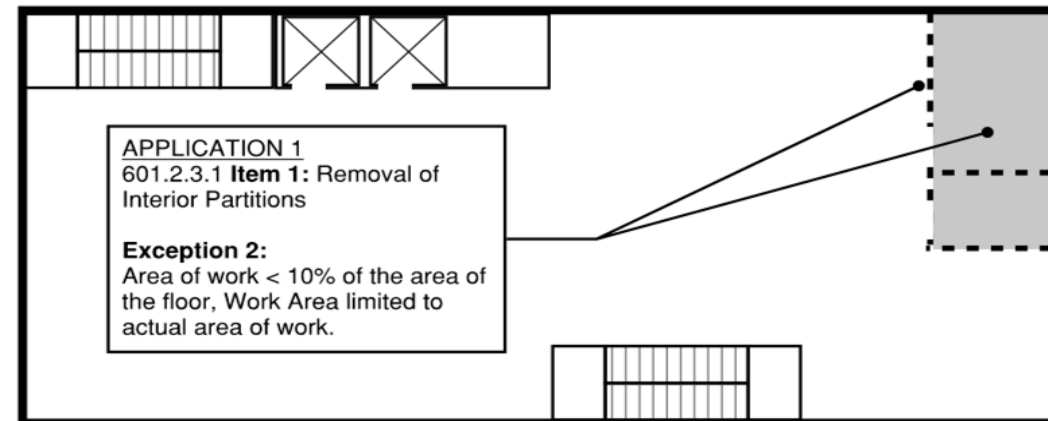


Notable Provisions

■ Section 601.2.3.1 Interior Work

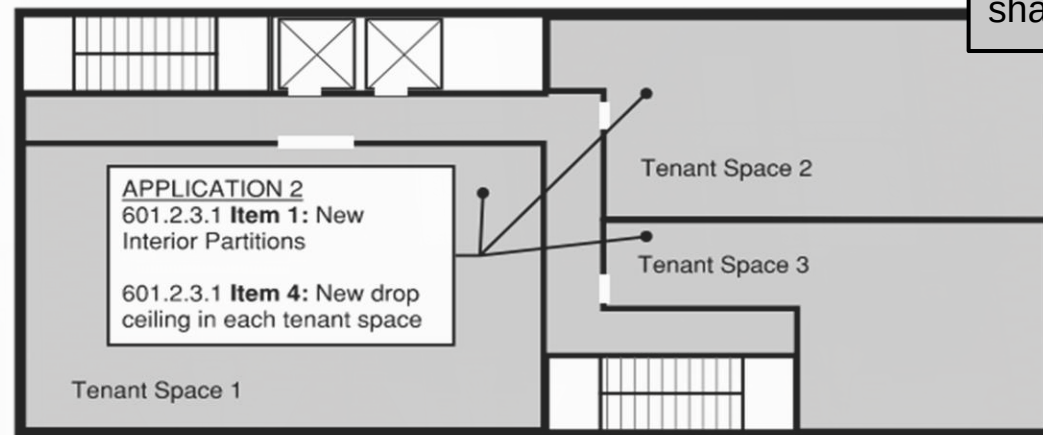
Scenario: A single tenant floor is being subdivided into three tenant spaces with a new common corridor. Work includes an APPLICATION 1 for interior demo of partitions, where work is completed and signed off, and then APPLICATION 2 for installing interior partitions to demise the tenant spaces and to install a new drop ceiling grid in each tenant space.

Conclusion: In this scenario, the work for the APPLICATION 1 is less than 10% of the area of the floor, and Work Area is limited to the actual area of work. APPLICATION 2 involves reconfiguring area all spaces on the floor except for the elevator and stair shafts are reconfigured, and count as work area. Work area is calculated separately for each application since there is no overlap.



APPLICATION 1

WORK AREA
shaded in GREY

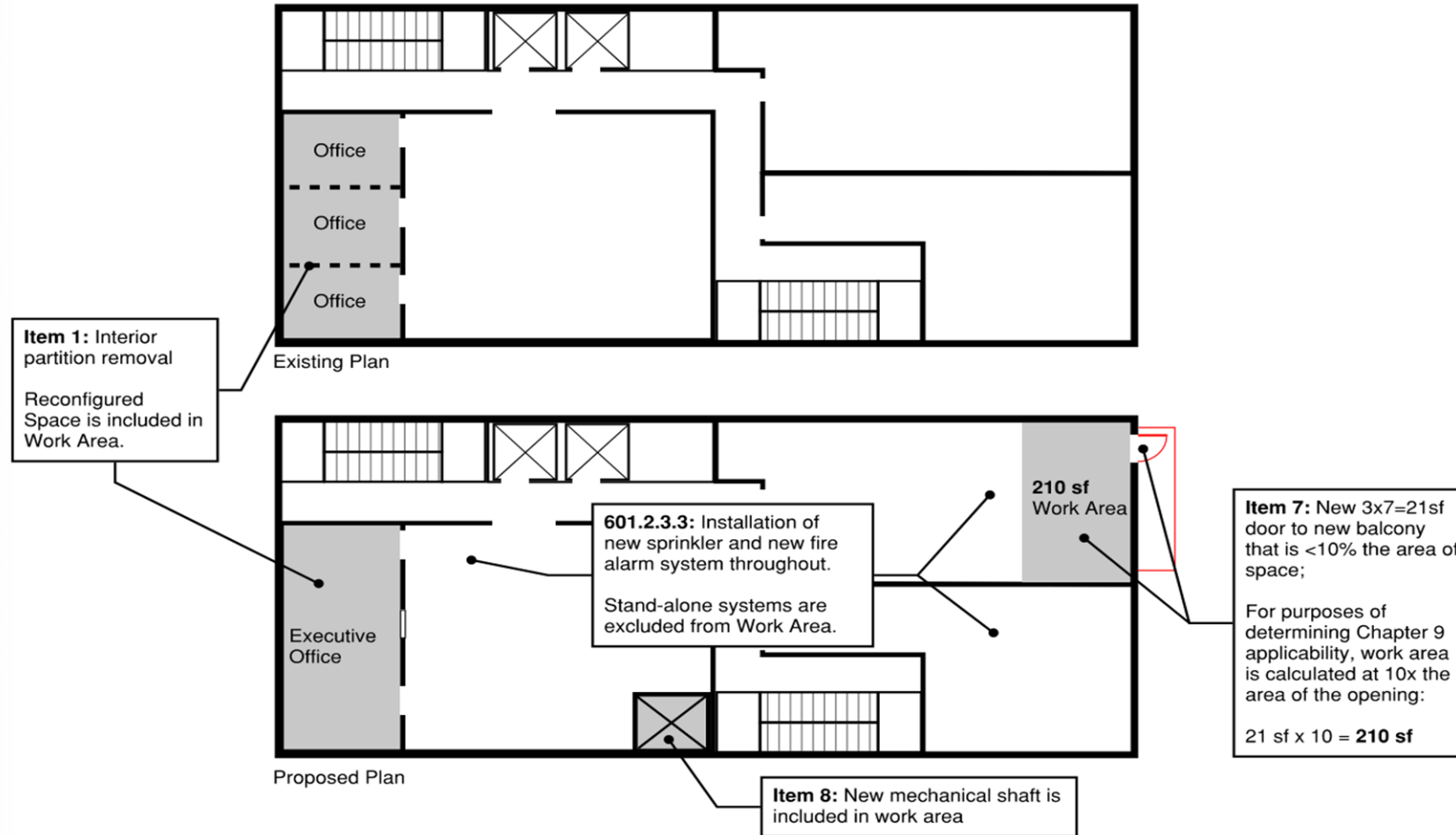


APPLICATION 2

Notable Provisions

■ Section 601.2.3.1 Interior Work

Example



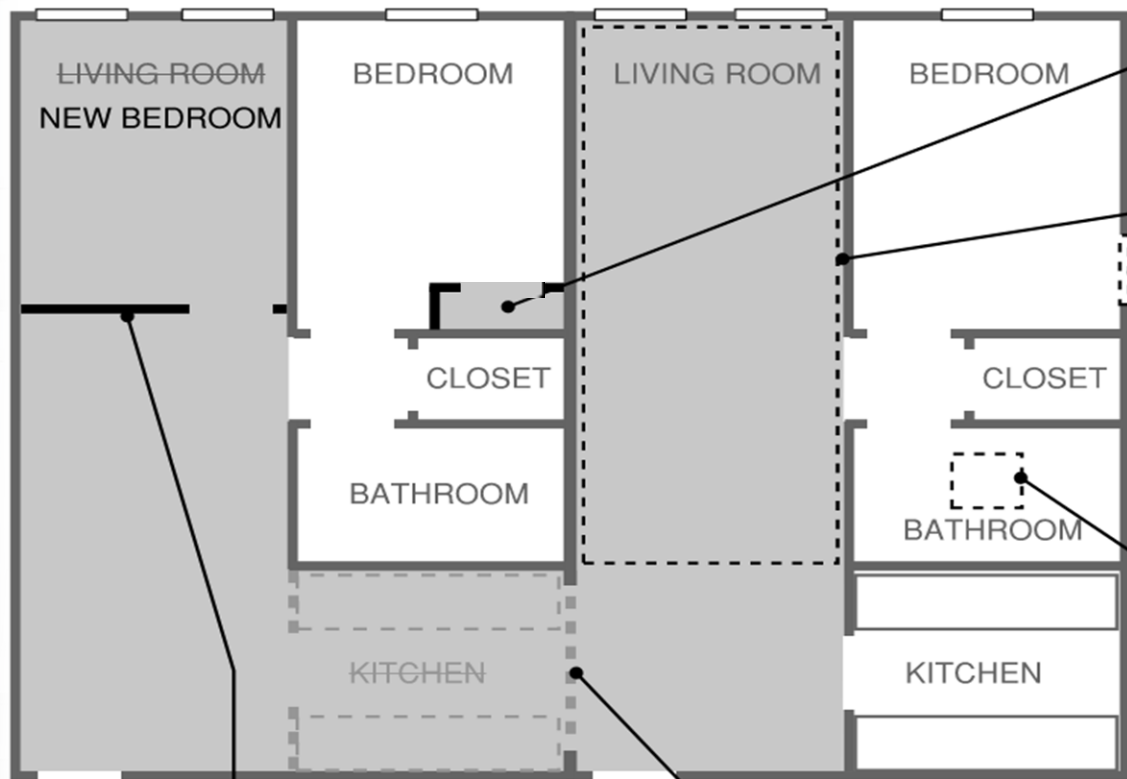
WORK AREA
shaded in GREY

New

Notable Provisions

■ Section 601.2.3.1 Interior Work

Example: COMBINING APARTMENTS



Item 1: New partition installation causes spaces on both sides of wall to be included in Work Area

Item 5: New opening between spaces causes the spaces on either side of the opening to be included in Work Area

Exception 2: New closet constitutes less than 10 percent of the reconfigured room it is part of, and only the closet space is included in Work Area

Item 4: Removal of dropped ceiling increases clear ceiling height and causes area to be included in Work Area

Item 7: New 12 sf window opening is not required and supplemental only, and therefore does NOT cause bedroom area to be included in Work Area

Item 6: New skylight opening is not required and voluntary only, and does NOT cause entire bathroom area to be included in Work Area

WORK AREA
shaded in GREY

New

Notable Provisions

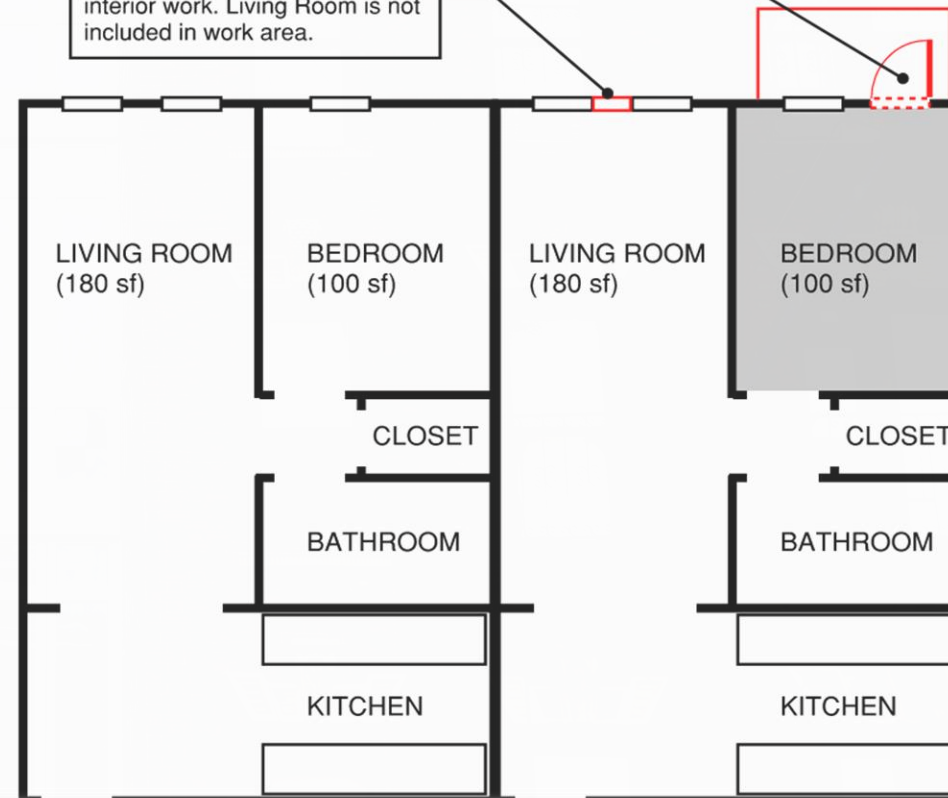
- **Section 601.2.3.2.1 Changing the size of windows, skylights or doors that are required for ventilation.**

Where there is no interior work, the interior spaces impacted by such change in size of windows, skylights or doors are not included in work area.

601.2.3.1 Item 7: Create new 3x7=21 sf door to access new balcony. 21sf > 10% of the 100 sf bedroom, Work Area includes space impacted by new door.

601.2.3.2.1: Enlarge windows required for ventilation, no interior work. Living Room is not included in work area.

WORK AREA
shaded in GREY



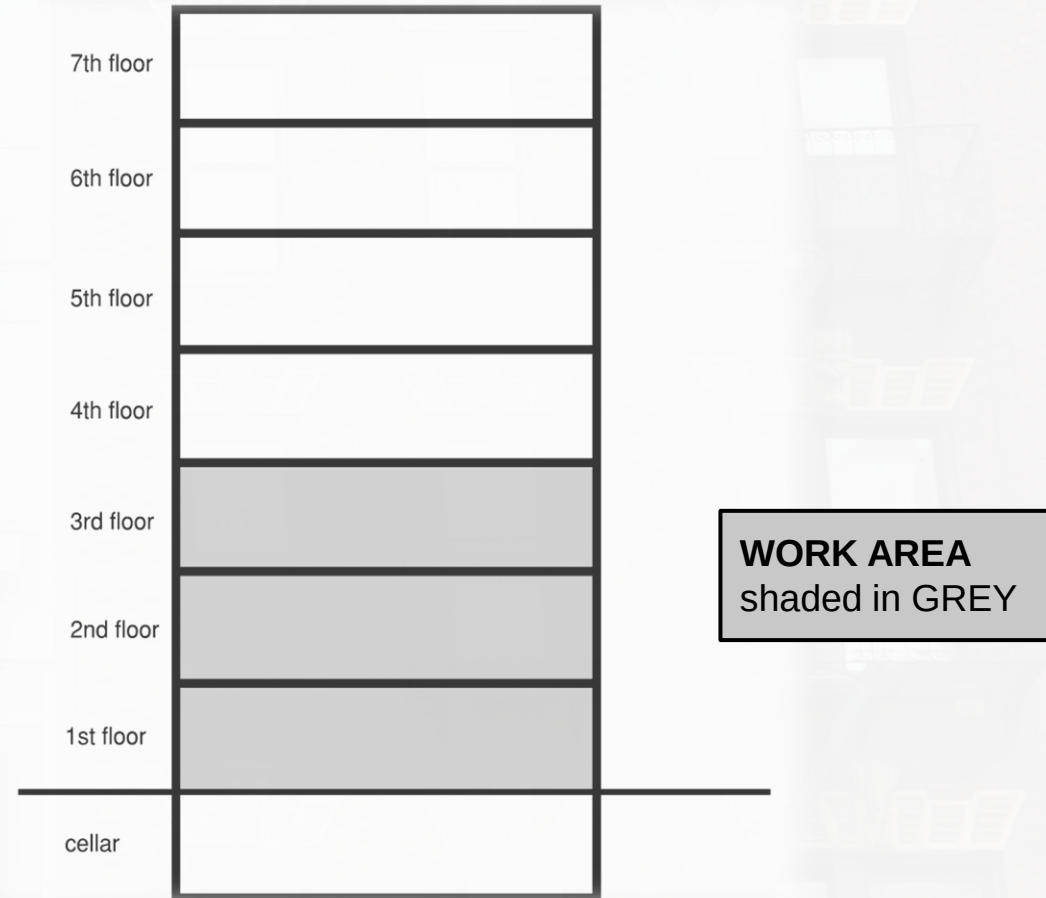


LEVELS OF ALTERATION

Notable Provisions

■ Section 602 Alteration Level 1.

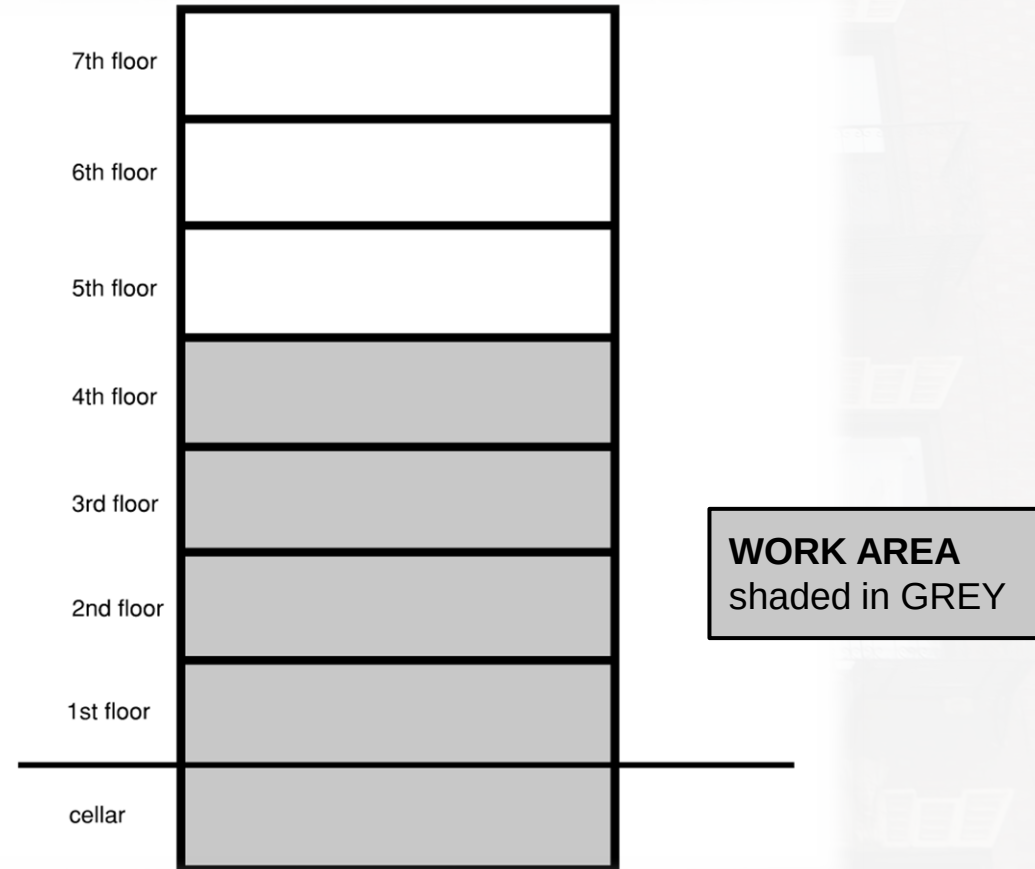
- Work area $\leq$ 50% of building area
- Includes MEP, fire protection, elevators
- Comply with Chapters 8, 3 & 7



Notable Provisions

■ Section 603 Alteration Level 2.

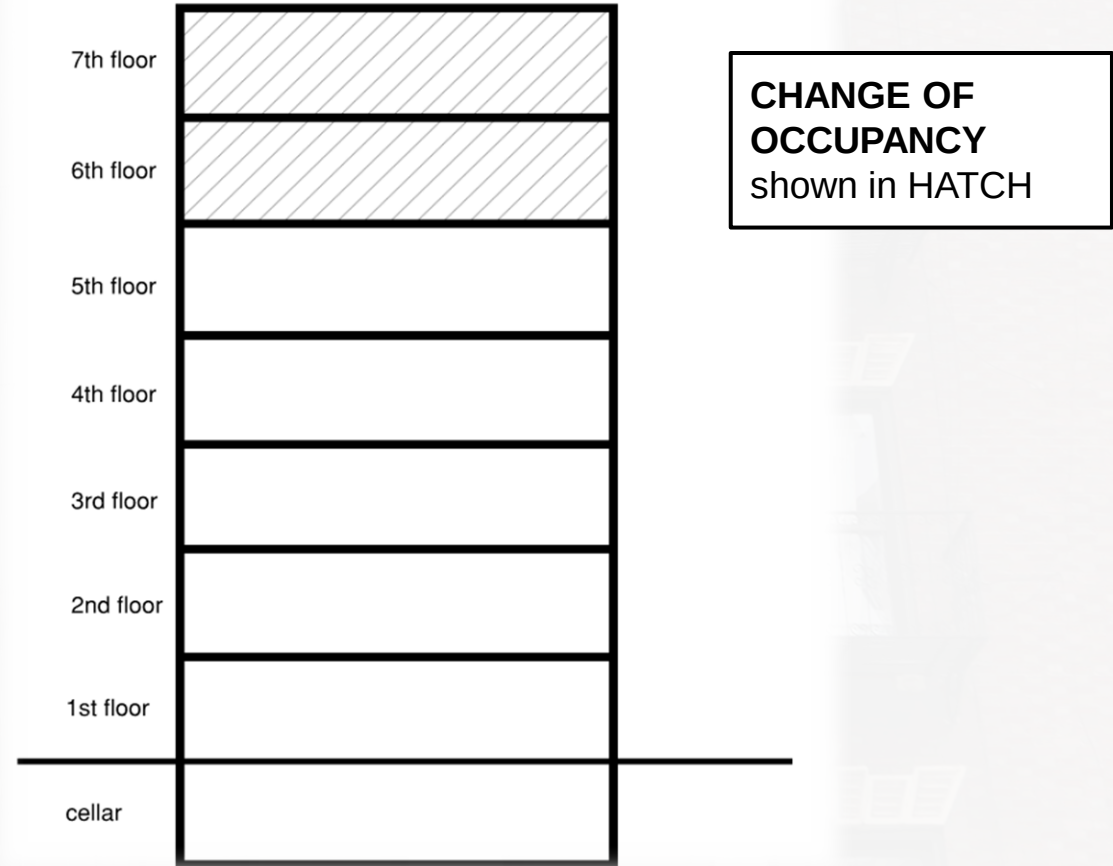
- Work area > 50% of building area
- Cumulative work areas of open applications may contribute to the determination of Level 2 Alteration (601.2)
- Comply with Chapters 9, 8, 3 & 7



Notable Provisions

■ Section 604 Change of Occupancy.

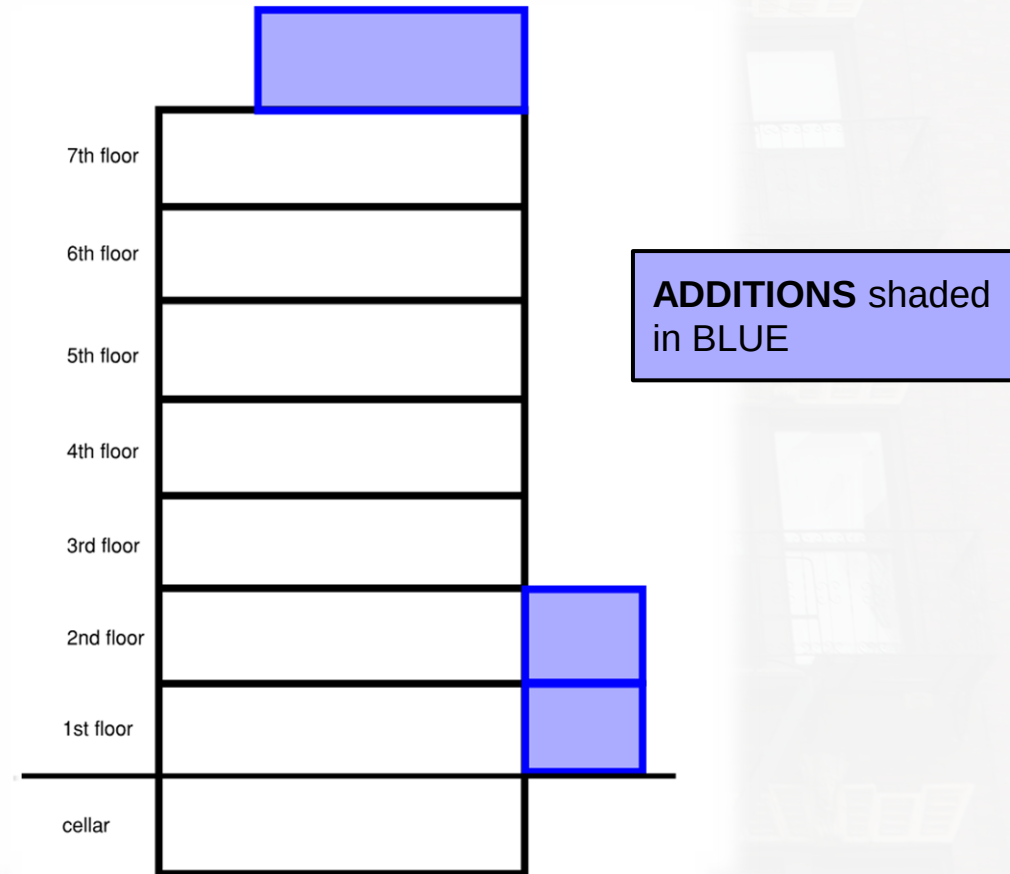
- Applies to Change of Occupancy (Chapter 2 definitions)
- Comply with Chapter 10 and Chapters 3, 8, 9 & 7 as applicable.



Notable Provisions

■ Section 605 Additions.

- Applies to new construction added to existing buildings
- Comply with Chapter 11 and Chapters 3 & 7



Notable Provisions

■ Section 605 Additions.

- Adding a BC 505.2 “mezzanine” is NOT an addition. The work may be considered a Level 1 or Level 2 alterations depending on work area. See example on next slide.

SECTION BC 505 MEZZANINES AND EQUIPMENT PLATFORMS

505.1 General. Mezzanines shall comply with Section 505.2. Equipment platforms shall comply with Section 505.3.

505.2 Mezzanines. A mezzanine or mezzanines in compliance with Section 505.2 shall be considered a portion of the story below. Such mezzanines shall not contribute to either the building area or number of stories as regulated by Section 503.1. The area of the mezzanine shall be included in determining the fire area. The clear height above and below the mezzanine floor construction shall be not less than 7 feet (2134 mm).

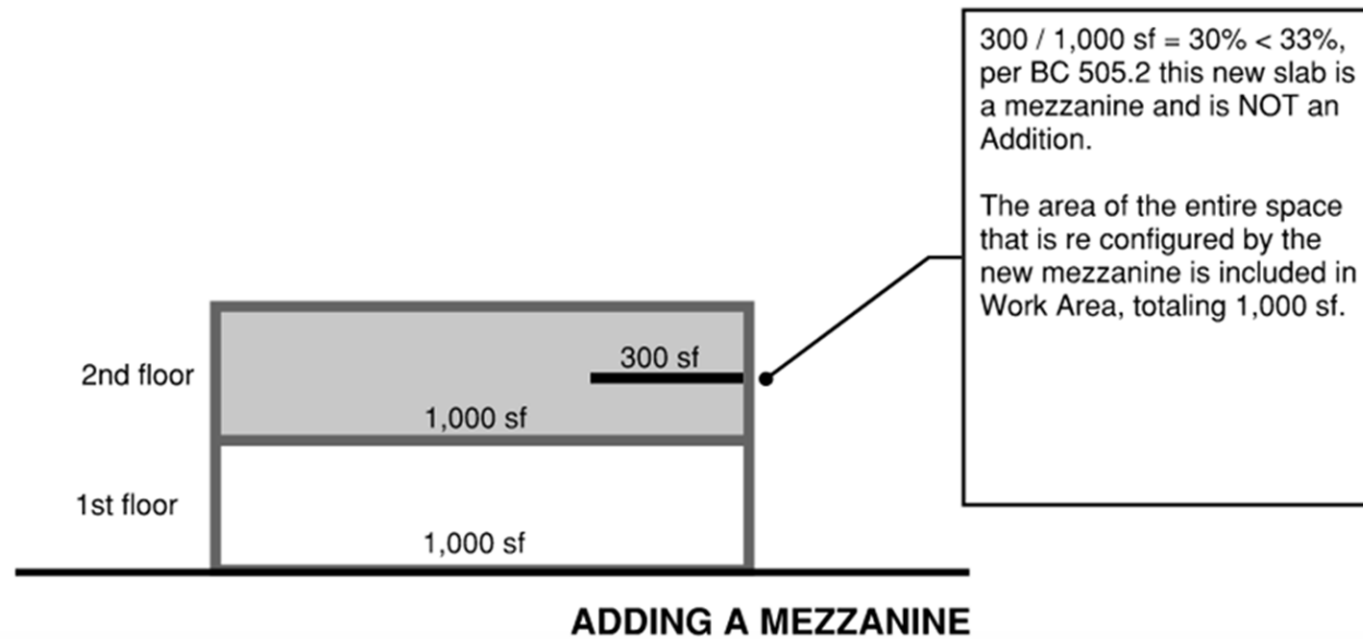
Exception: The clear height of habitable spaces above or below mezzanines within dwelling units shall be not less than 8 feet (2438 mm).

505.2.1 Area limitation. The aggregate area of a mezzanine or mezzanines within a room or space shall be not greater than one-third of the floor area of that room or space in which they are located. The enclosed portions of a room or space shall not be included in determining the permissible floor area of the mezzanine. In determining the

Notable Provisions

■ Section 605 Additions.

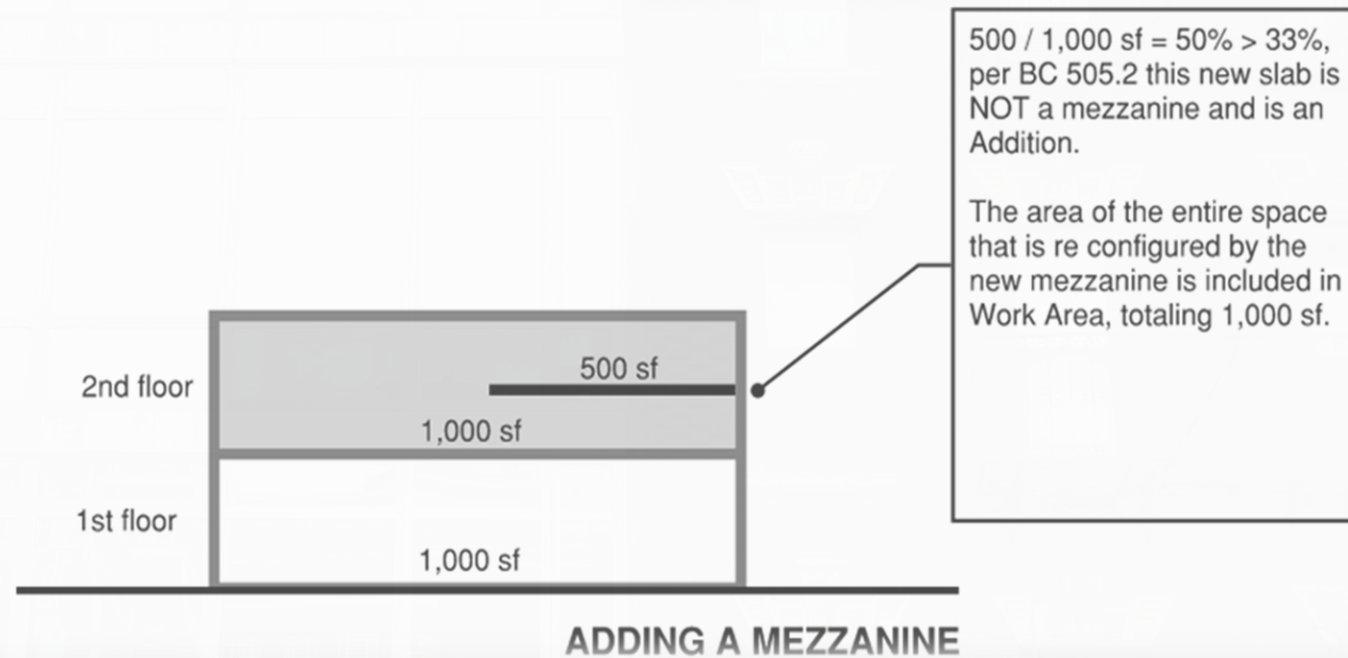
- **Example:** Adding a BC 505.2 “mezzanine” is NOT an addition.



Notable Provisions

■ Section 605 Additions.

- **Example:** Adding a slab $> 33 \frac{1}{3}\%$ of the space it is in IS an Addition.



Notable Provisions

■ Section 606 Relocated, Moved, or Raised Buildings.

- Applies to relocated/moved/raised buildings
- Comply with Chapter 14 and Chapters 3 & 7
- Any alterations within the building are still subject to Ch 8 / 9 / 10 depending on work area, and Chapter 10 for changes of occupancy.



Notable Provisions

- **Section 607 Structural Compliance.**

- Work in Sections 602–606 must comply with Chapter 7
 - See Module E for details



CHAPTER APPLICABILITY FOR TYPICAL PROJECTS

CHAPTER APPLICABILITY FOR TYPICAL PROJECTS

Where to start?

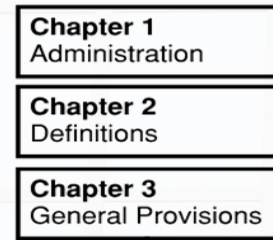
- Identify if the scope of work falls under:

- EBC 105.3
 - exempt from permit,
- Chapter 5
 - Limited Alterations
- Chapter 6
 - Level 1,
 - Level 2,
 - Change of Occupancy
 - Additions
 - Relocated, moved or raised buildings.

- If minor alterations and ordinary repairs, per EBC 105.3:

- Work may be performed by:
 - building owner, or
 - Contractor
- No DOB permit is required
- No architect or engineer is required to develop plans.

START HERE



Scope of Work:

Work meets the definition of Minor Alterations and Ordinary Repairs (301.1.1)

Work meets the definition of LAA (301.1.2)

All other work (301.1.3)

EBC 105.3
Work Exempt from Permit

Chapter 5
Limited Alterations

Chapter 6
Classification of Work

Alteration Type:

Work Area $\leq$ 50 % of Building Area (601.2);
New or Alterations of Stand-alone systems (601.2.3.3)

Work Area > 50 % of Building Area (601.2)

Work is a Change of Occupancy as defined in 202

Work is an Addition as defined in 202

Work involves the relocation, moving or raising of a building as defined in 202

Chapter 8
Alteration Level 1 (602)

Chapter 9
Alteration Level 2 (603)

Chapter 10
Change of Occupancy (604)

Chapter 11
Additions (605)

Chapter 14
Relocated, Moved or Raised Buildings (606)

Chapter 13
Building Safety Performance & Scoring Method (301.1.4, Table 301.1.4 & Rules of the DOB)

RDP may elect compliance Chapter 13 when compliance with applicable means of egress and fire protection may interfere with design or preservation objectives.

This method is limited to buildings constructed prior to July 1, 2008.

Applicability of Other Chapters & Appendices:

Chapter 3
General Provisions

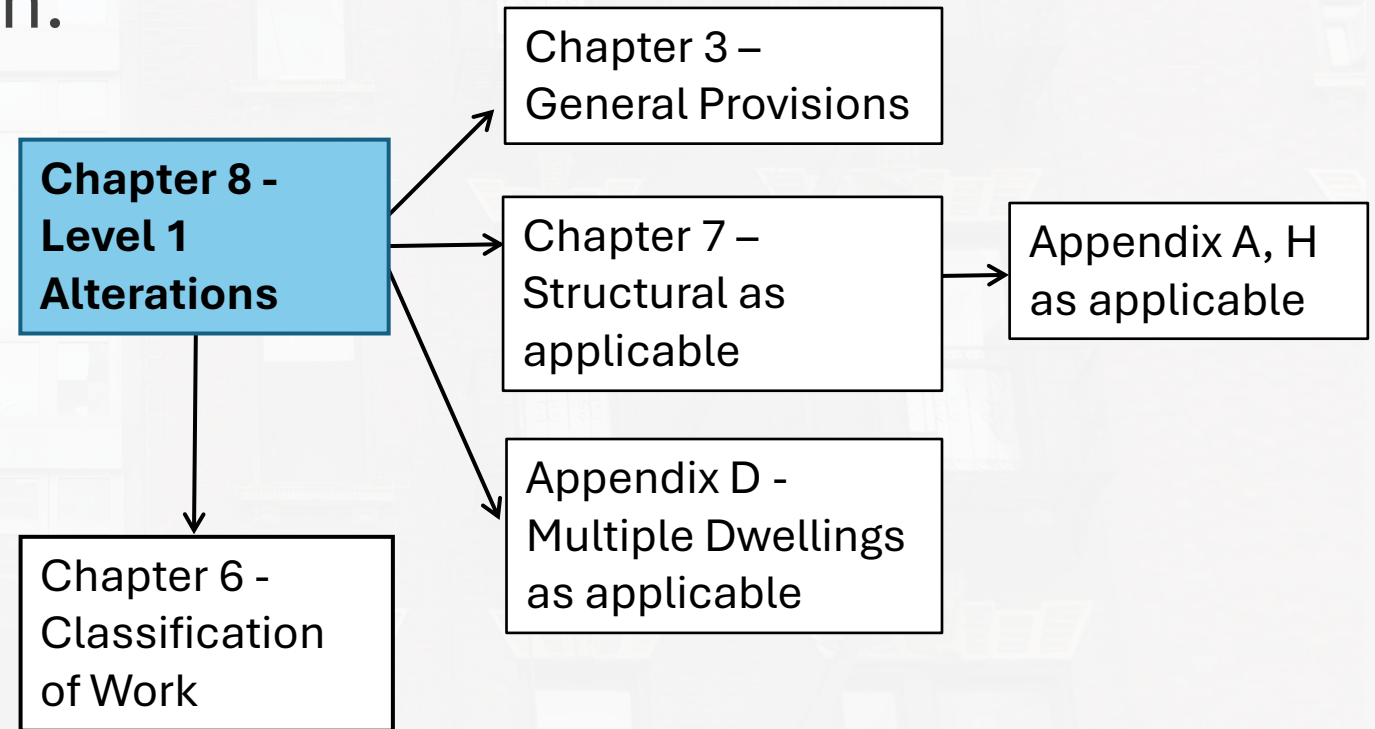
Chapter 7
Structural (607) & Appendix A & H as applicable

Appendix D
Work is proposed in a Multiple Dwelling

Construction Codes
As referenced

CHAPTER APPLICABILITY FOR TYPICAL PROJECTS

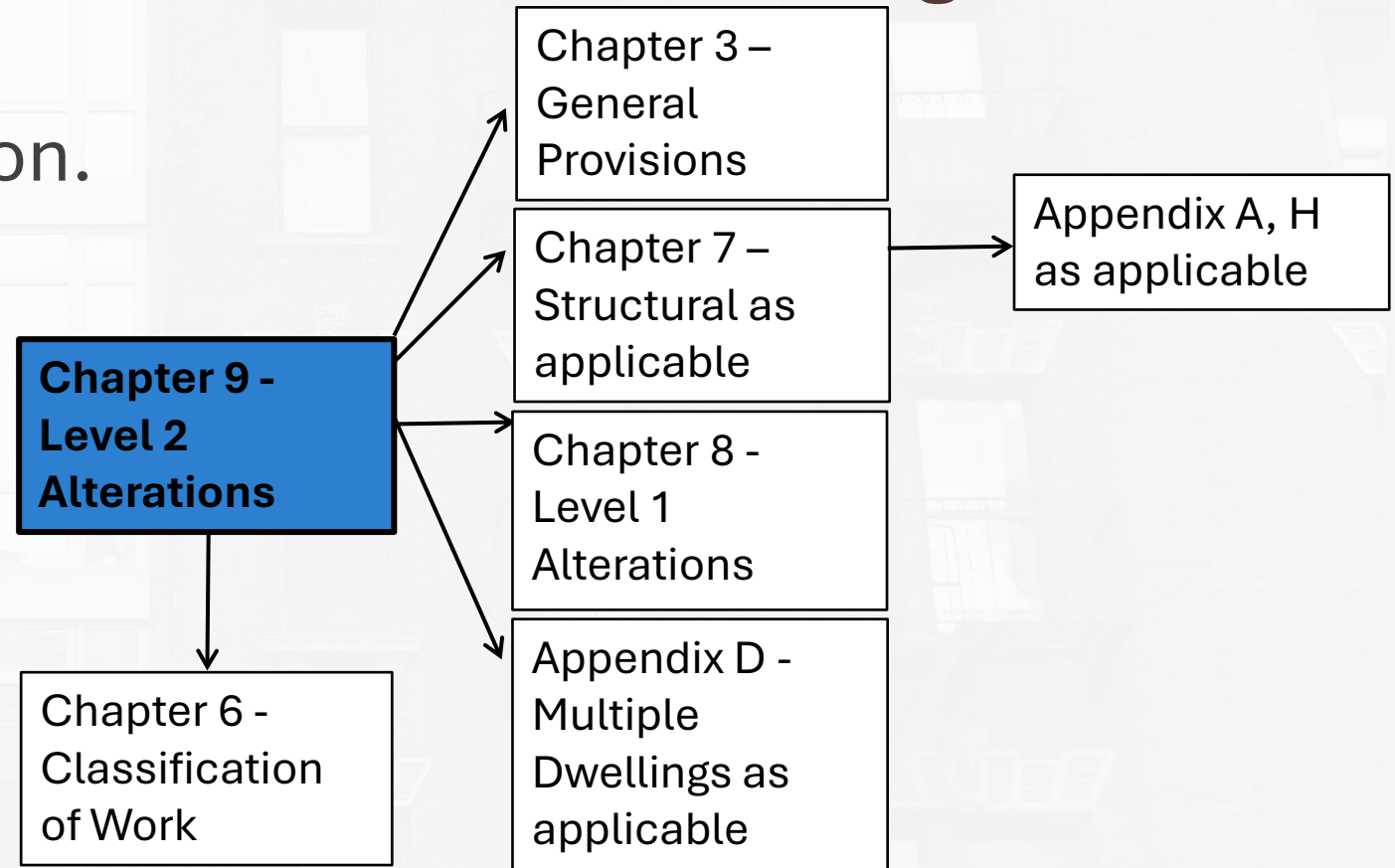
- When the work area is not more than 50% of building area (EBC 601.2).
 - Work is a Level 1 Alteration.
 - Governed by Chapter 8.



CHAPTER APPLICABILITY FOR TYPICAL PROJECTS

■ When the work area is more than 50% of building area (EBC 601.2)

- Work is a Level 2 Alteration.
- Governed by Chapter 9.





Next Steps

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The image features a large, bold, white logo for 'NYC Buildings' centered over a photograph of a city street. The left side of the photo shows a modern glass-walled building with multiple floors of windows reflecting the sky and other buildings. The right side shows a traditional red brick building with several windows, some with decorative lintels, and a black metal fire escape running vertically along its side. The logo consists of the letters 'NYC' in a very large, thick, sans-serif font, with a small 'TM' trademark symbol to the upper right of the 'C'. Below 'NYC' is the word 'Buildings' in a slightly smaller, bold, sans-serif font.

NYCTM Buildings