



NYC EXISTING BUILDING CODE

Future Changes:

Occupancy, Additions, and Relocation of Buildings

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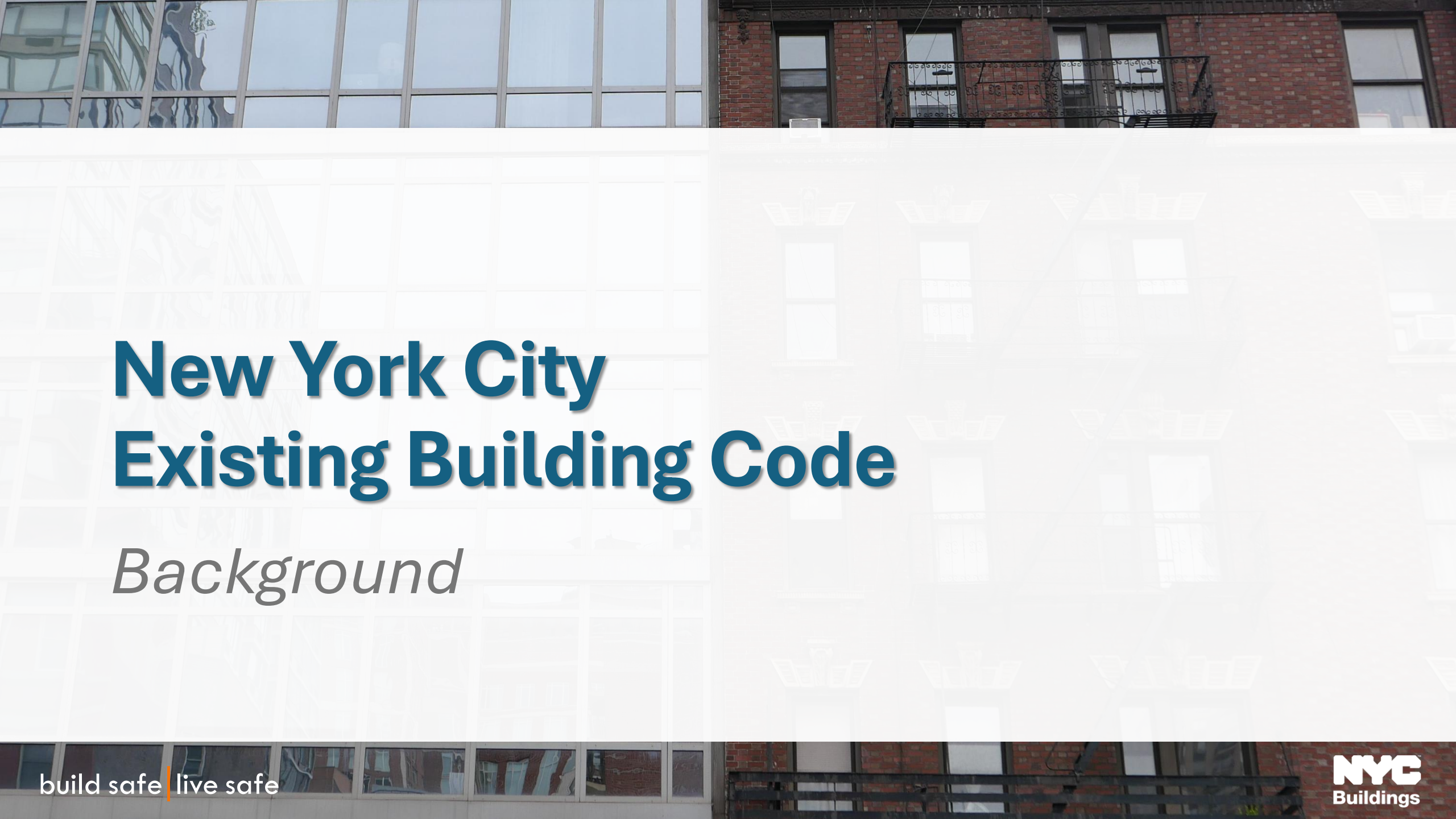
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New York City Existing Building Code

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
	10/9/2025 ✓ INTRO 1422-2025
	☐ 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

Occupancy, Additions, and Relocation of Buildings

CHAPTER 10: CHANGE OF OCCUPANCY

CHAPTER 11: ADDITIONS

CHAPTER 12: RESERVED

CHAPTER 13: BUILDING SAFETY PERFORMANCE AND SCORING METHOD

CHAPTER 14: RELOCATED, RAISED OR MOVED BUILDINGS

CHAPTER 15: ADDITIONAL SAFEGUARDS DURING CONSTRUCTION OR DEMOLITION FOR EXISTING BUILDINGS AND OCCUPIED BUILDINGS

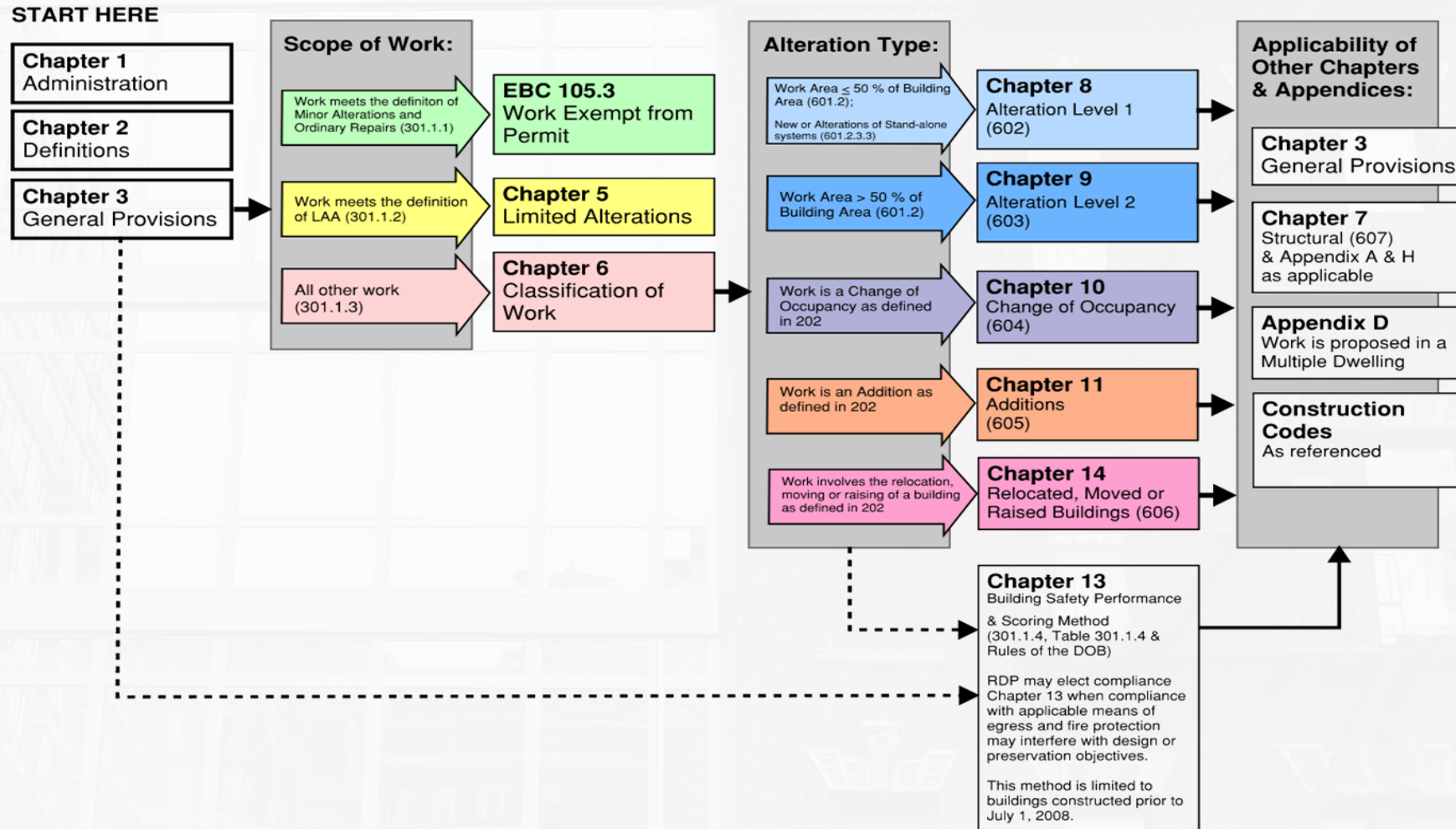
INFORMATION LEGEND

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



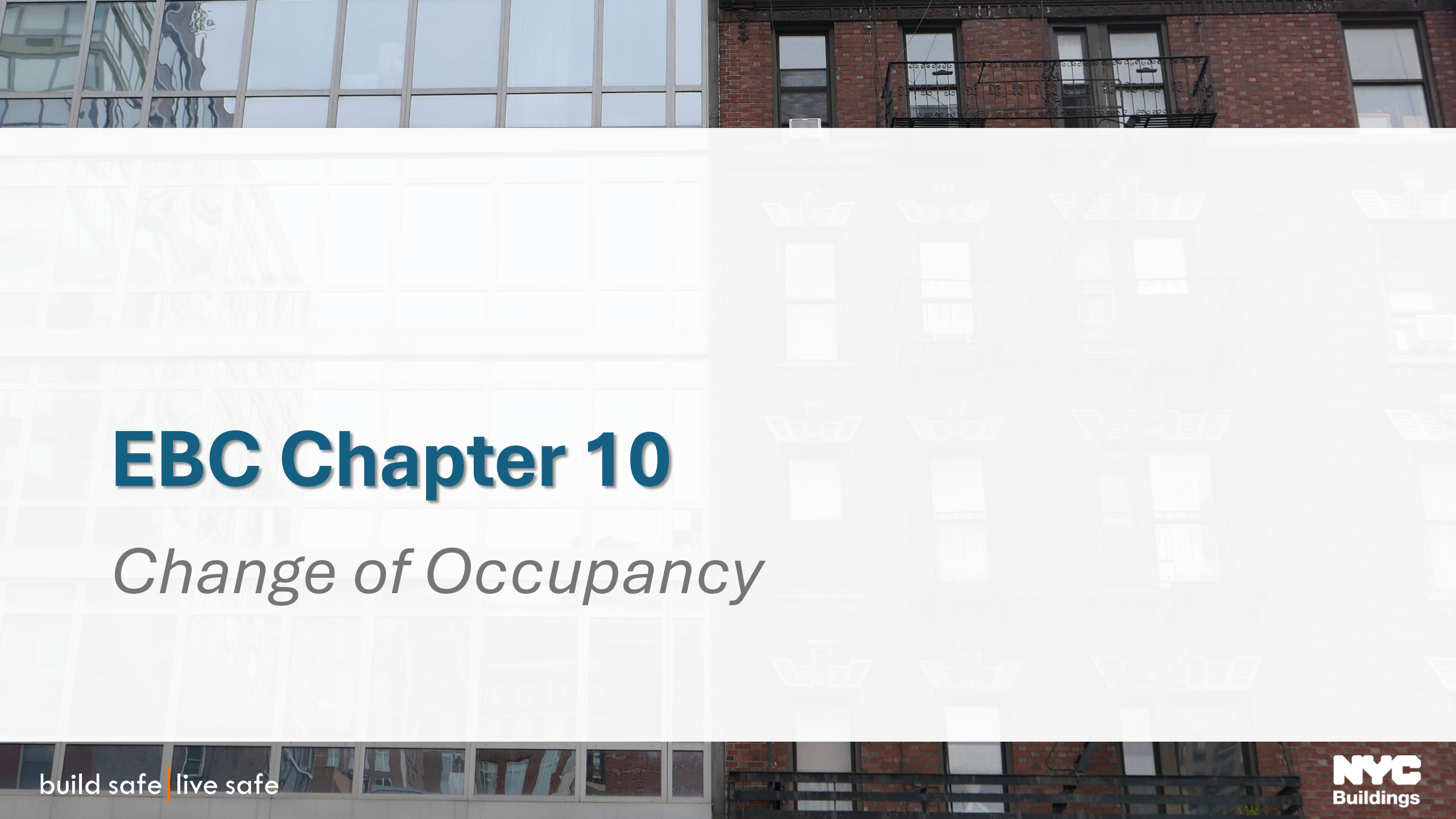
EBC Applicability Map

EBC Applicability Map



Code Structure

EBC Chapter	Building Systems									
	Fire Prot.	Egress	Access.	Struct.	Elec.	Mech.	Plumb.	Fuel Gas	Elevs.	Energy
3 General Req's	304	305	306	307	308	309	310	311	312	313
8 Alterations Level 1	804	805	806	807	808	809	810	811	812	813
9 Alterations Level 2	904	905	906	907	908	909	910	911	-	912
10 Change of Occupancy	1004	1005	1006	1007	1008	1009	1010	-	-	1011
11 Additions	1104	1105	1106	1103	1108	1108	1108	1108	1108	1107



EBC Chapter 10

Change of Occupancy

Table of Contents

1001	General
1002	Special Use and Occupancy
1003	Building Materials and Elements
1004	Fire Protection
1005	Means of Egress
1006	Accessibility
1007	Structural
1008	Electrical
1009	Mechanical
1010	Plumbing
1011	Energy Conservation
1012	Other Requirements

Key Concepts

A **Change of Occupancy** as a defined term where most of the requirements in Ch 10 apply to changes in classification.

A **change of use** within the same occupancy group includes three scenarios.

Three **Hazard categories** associated with different Occupancy Classifications based on risk.

- Heights and Areas Hazard Categories
- Exposure of Exterior Walls Hazard Categories
- Means of Egress Hazard Categories

Changes to higher hazard categories trigger more restrictive requirements while **changes to equal or lower hazard categories** may provide relief for existing buildings.

Applicability of Chapters 8 and 9 to Change of Occupancy.

Notable Provisions

■ Section 1001.2 - Certificate of Occupancy.

- **Certificate of Occupancy:** A certificate of occupancy shall be issued for a change of occupancy when required by Section 28-118 of Title 28 of the Administrative Code.
- **Note:** While a change of how a space is being used within a facility may constitute a change of occupancy as per 1001.3, it may not require the issuance of a CO. For example, combining two offices to create a conference room for 10 people or converting an office space to employees' pantry within the same office tenant, would not require a new CO unless the scope of work causes changes to the existing CO as per AC 28-118.

Key Concepts

■ Definitions as per EBC 202.

CHANGE OF OCCUPANCY. A change in the use of the building or a portion of a building. A change of occupancy shall include any change of occupancy classification, any change from one group to another group within an occupancy classification or any change in use within a group for a specific occupancy classification, subject to Chapter 10.

■ Section 1001.3 - Change of Occupancy.

The term “Change of Occupancy” shall include:

- 1. A change of occupancy classification** shall mean a change from one classification to another or from one Group to another Group in the same classification or a different classification such as: Business Group B to Educational Group E, Assembly A-2 to Offices B, Hotel Group R-1 to Class A Multiple dwelling R-2, etc.
- 2. A change of use within the same Occupancy Group** shall mean:
 - A change that requires compliance with different code requirements.
 - A change that triggers more restrictive fire protection requirements (for example: increasing the number of persons incapable of self-preservation to more than 4 in an ambulatory health care facility, per Section 903.2.2.1 of the New York City Building Code).
 - A change of how a space is being used within a facility (for example, combining two offices to create a conference room for 10 people or converting an office space to employees’ pantry).

Notable Provisions

■ Section 1001.4 – Compliance

- Every type of a change of occupancy will be subject to certain provisions of Ch 10 (Sections 1002 through 1012) and/or Chapters 8 or 9, as applicable.

Example #1 (1001.4.1): A change in Occupancy Classification:

A Hotel Group R-1 is converted to a Class A apartment building Group R-2. Such change will be subject to Sections 1003 through 1012.

1. The two occupancy groups fall within the same hazard categories for the purpose of applying Sections 1003 and 1005,
2. Sections 1004 and 1006 trigger full compliance, as new, with BC Chapter 9 and BC Chapter 11 for the entire building,
3. Sections 1007 through 1012 shall apply as applicable

Notable Provisions

■ Section 1001.4 – Compliance

Example #1 (1001.4.2): A change of Use within the same Occupancy Group:

A museum Group A-3 is changed to a courtroom Group A-3, such change is a change of occupancy and not a change in occupancy classification. Let's examine compliance with Sections 1002 through 1012:

1. Sections 1002 does not apply as the change does not trigger compliance with BC Ch 4.
2. Section 1003 does not apply as the change is not a change in occupancy classification.
3. Sections 1004 and 1006 trigger full compliance of the entire building with BC Chapters 9 and 11 as the change is in the main use and dominant occupancy of the building.
4. Section 1005 does not apply as the change is not a change in occupancy classification. However, area subject to change shall comply with EBC 905.
5. Sections 1007, 1008, 1009, 1010, 1011, and 1012 shall apply as applicable.

Notable Provisions

■ Section 1002 – Special Use and Occupancy.

- **Special Use and Occupancy:**

Where the change in the use or character of the building or portion thereof, is changed to a special use or occupancy categories addressed under BC Chapter 4, the building or portion thereof will be subject to BC Chapter 4.

Example #1 (1001.4.2):

A two-story commercial building occupied as Group B is being changed to a nursing home Group I-2, such change in occupancy classification shall comply with Chapter 10 and with all the requirements of **Section 407 of BC Chapter 4**. The special requirements of BC Section 407, unique to nursing homes and similar facilities, are designed to protect the occupants that are not capable of self-preservation because of age, health, and limited mobility.

Notable Provisions

- **Section 1003 – Building Elements and Materials.**

This section applies to **changes in occupancy classification.**

- **Section 1003.2 Heights and Areas Hazard Categories:**

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATIONS</u>
<u>1 (Highest Hazard)</u>	<u>H</u>
<u>2</u>	<u>A-1, A-2, A-3, A-4, I, R-1, R-2</u>
<u>3</u>	<u>E, F-1, S-1, M</u>
<u>4 (Lowest Hazard)</u>	<u>B, F-2, S-2, A-5, R-3, U</u>

Hazard categories for different Occupancy Groups ranges from 1 (Highest Hazard) to 4 (Lowest Hazard).

Notable Provisions

■ Section 1003 – Building Elements and Materials.

- Section 1003.2.1 Height and area for change to higher hazard category.

When the change in **occupancy classification** is made to a **higher hazard category**, the height and area of the building subject to change shall comply with BC Chapter 5.

EXAMPLE:

An existing unsprinklered 5 story, Storage Group S-2 (Hazard Category 4), 65 ft high, and of a construction Class IIIA, is changed to a Class A Apartment Building Group R-2 (Hazard Category 2). Such change to a higher hazard category (from 4 to 2) requires full compliance with BC Chapter 5 for height and area limitations of Tables 504.3, 504.4, and 504.6. **In order to comply, the building shall be fully sprinklered.**

Notable Provisions

■ Section 1003 – Building Elements and Materials.

- Section 1003.2.3 Height and area for change to equal or lesser hazard category.

When the change in **occupancy classification** is made to **an equal or lesser hazard category**, the height and area of the existing building shall be deemed acceptable.

The premise is that if it was lawfully constructed under previous codes, such “grandfathered” condition would be permitted to remain as the change does not introduce an occupancy with a higher hazard category.

Examples:

1. A change from a Hotel Group R-1 (Hazard Category 2) to Class A Apartment building Group R-2 (Hazard category 2). Such change is made to **equal hazard category**.
2. A change from a Storage Facility Group S-1 (Hazard Category 3) to a Factory Group F-2 (Hazard Category 4). Such change is made to a **lesser hazard category**.

Notable Provisions

- **Section 1003 – Building Elements and Materials.**

- **Section 1003.3 Exterior wall fire-resistance ratings.**

Table 1003.3
Exposure of Exterior Walls Hazard Categories

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
<u>1 (Highest Hazard)</u>	<u>H</u>
<u>2</u>	<u>F-1, M, S-1</u>
<u>3</u>	<u>A, B, E, I, R</u>
<u>4 (Lowest Hazard)</u>	<u>F-2, S-2, U</u>

- Exposure of Exterior Walls Hazard categories for different Occupancy Groups ranges from 1 (Highest Hazard) to 4 (Lowest Hazard).

Notable Provisions

■ Section 1003 – Building Elements and Materials.

- Section 1003.3.1 Exterior wall rating for change of occupancy classification to a higher hazard category.

When the change in **occupancy classification** is made to a **higher hazard category (lower number)**, fire rating of exterior walls and exterior opening protectives shall be subject to BC Table 602, BC Section 705, and Table 705.8.

- Section 1003.3.2 Exterior wall rating for change of occupancy classification to an equal or lesser hazard category.

When the change in **occupancy classification** is made to an **equal or lesser hazard category (higher number)**, fire rating of exterior walls and exterior openings shall be deemed acceptable.

Notable Provisions

- **Section 1003 – Building Elements and Materials.**

- **Section 1003.4 Enclosure of Vertical Shafts.**

- **Section 1003.4.1 Minimum requirements.**

- **Section 1003.4.2 Stairways.** This section uses the hazard categories of Table 1005.2 for means of egress when the change is made to a higher hazard category (lower number). Stairway enclosure shall meet *NYC Building Code* with an exception for prior code buildings.

- **1003.4.3 Other Vertical shafts.** Other than egress stairs, when the change is made to a higher hazard category (lower number) as per Table 1005.2, shafts shall be enclosed as required by NYC BC Chapters 6 and 7. Exception is made for sprinklered prior code buildings with one hour shaft enclosure.

- **1003.4.4 Openings.**

- **1003.4.4.1 Window openings on lot line air shafts.**

- **Section 1003.5 Interior finish.** A change in occupancy classification triggers compliance with BC Chapter 8 for the new occupancy.

Notable Provisions

■ Section 1004 – Fire Protection.

- **Section 1004.1 Change of Occupancy Classification or change of use within the same Occupancy Group.**

- **Section 1004.1.1 Change in the main use or dominant occupancy of the building.**

Entire building to comply with BC Chapter 9 as hereafter erected.

Example 1: An existing 7 story Group B building is undergoing a change of occupancy classification to residential Group R-2, such building will be subject to all the requirements of BC Chapter 9 as new construction.

Example 2: Where only 5 floors of the above 7 story building is being changed, BC Chapter 9 applies to the entire building as such change will be considered a change in the main use or dominant occupancy of the building.

Change involving **more than 50% of the building area** shall be considered a change in **the main use or dominant occupancy**.

Notable Provisions

■ Section 1004 – Fire Protection.

- **Section 1004.1.2 Partial change of occupancy classification or a change in use that triggers more restrictive fire protection requirements in Chapter 9 of the New York City Building Code.**

The change requires compliance with BC Chapter 9 for the portion of the building subject to the change when separated by fire barriers or compliance will be extended to the entire unseparated area, see Sections 1004.1.2.1 and 1004.1.2.2.

The nonseparated condition is common in food courts of shopping centers where food preparation areas are open to the seating arrangements and the shopping center circulation areas.

Notable Provisions

- **Section 1005 – Means of Egress.**

Section applies to **Change of Occupancy Classification** only.

- **Section 1005.2 Hazard Categories.**

Table 1005.2
Means of Egress Hazard Categories

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATIONS</u>
<u>1 (Highest Hazard)</u>	<u>H</u>
<u>2</u>	<u>I-2, I-3, I-4</u>
<u>3</u>	<u>A, B, E, I-1, M, R-1, R-2</u>
<u>4</u>	<u>F-1, R-3, S-1</u>
<u>5 (Lowest Hazard)</u>	<u>F-2, S-2, U</u>

Means of Egress Hazard categories for different Occupancy Groups ranges from 1 (Highest Hazard) to 5 (Lowest Hazard).

Notable Provisions

■ Section 1005 – Means of Egress.

- **Section 1005.2.1 Means of egress for change to higher hazard category.**
- The basic premise here is for the means-of-egress requirements to be the same as required for new construction pursuant to BC Chapter 10 when the change of occupancy is made to a higher (lower number) hazard category.
- Exceptions are made to accommodate and provide relief for prior code buildings.
- Change of occupancy from one- and two-family dwellings Group R-3 to Class A multiple dwellings Group R-2 are also subject to Appendix D for “Converted Dwellings”.

Notable Provisions

■ Section 1005 – Means of Egress.

- Section 1005.2.2 Means of egress for change to equal or lower hazard category.
- When a change of occupancy classification is made to an equal or lesser hazard category (higher number), existing means of egress elements shall comply with EBC Section 905 and other means of egress elements that are detailed in Section 305 and 805. New, or reconfigured means of egress shall comply with BC Chapter 10.
- **Prior code buildings:**
 - Means of egress are allowed to comply with EBC 305.5.
 - Buildings with **existing scissor stairs** may be changed to Group B or R when protected with a sprinkler system and the height does not exceed 75 ft.

Notable Provisions

- **Section 1005 – Means of Egress.**

- **Section 1005.6 Additional requirements for prior code buildings**

- **1005.6.1 Replacement of combustible stairs**

- Where the area subject to the change of occupancy is more than 50% of the building area in prior code Group R-1 and R-2 buildings, existing combustible stairs shall be replaced with non-combustible construction.
 - An exception waives this requirement for fully sprinklered buildings that comply with all other applicable fire protection systems of BC Chapter 9.

- **Example:**

- An existing 5 story Class B hotel, Group R-1 is undergoing a change of occupancy of the top 3 floors to Class A apartments, Group R-2. The primary means of egress from this building is an existing combustible stair. Since the change of affects more than 50% of the building area, Section 1005.6.1 requires the full replacement of this stair with a noncombustible stair from the stair bulkhead to the exit discharge. The exception allows the stair to remain when the building is fully sprinklered and complies with BC Ch 9. See figure 1005.6.1 next slide.

Notable Provisions

■ Section 1005 – Means of Egress.

- 1005.6.1 Replacement of combustible stairs (cont'd)

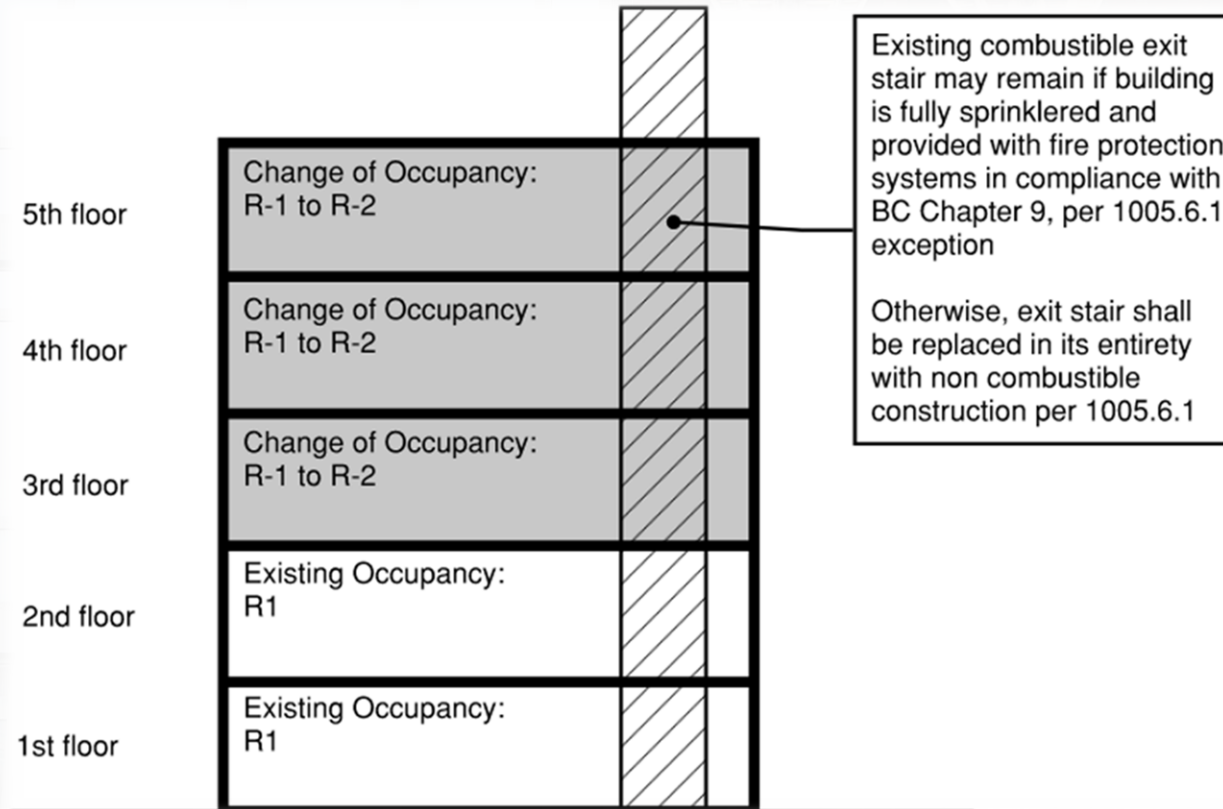


Figure 1005.6.1 Replacement of Combustible Stairs

Notable Provisions

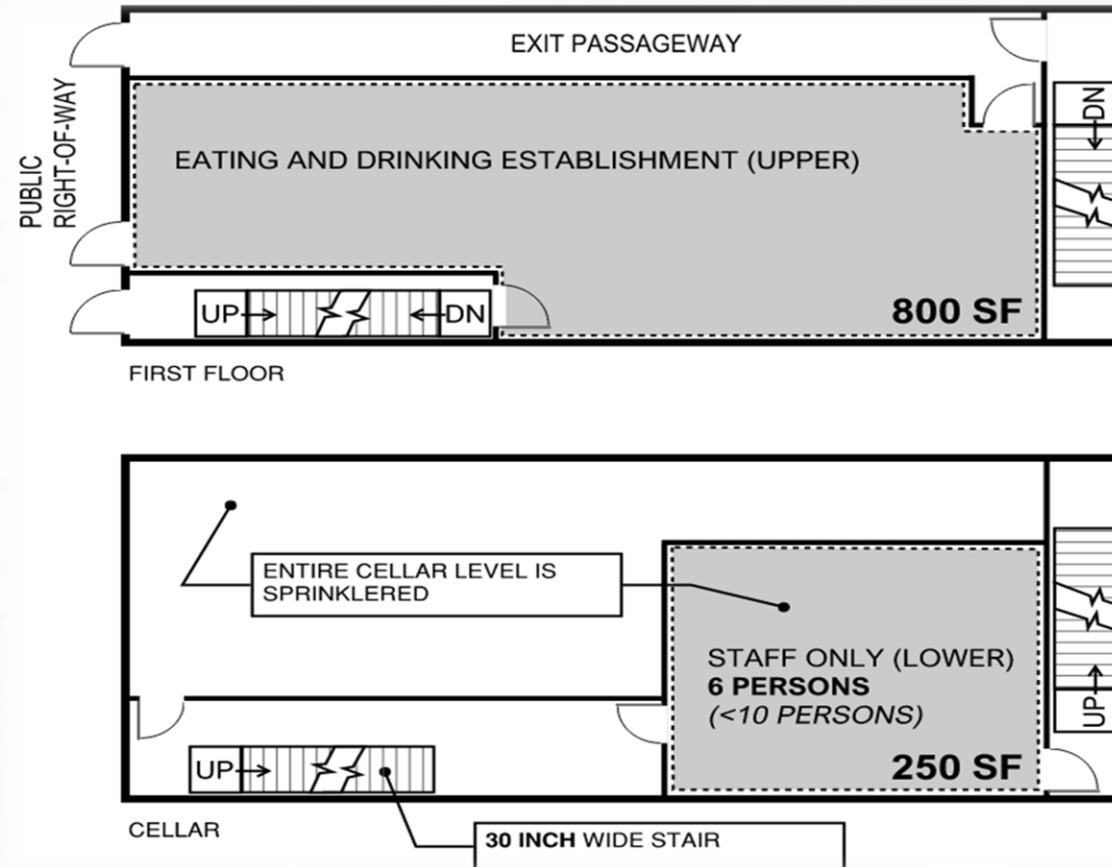
■ Section 1005 – Means of Egress.

- **Section 1005.6 Additional requirements for prior code buildings**
 - **Section 1005.6.2 Means of egress from cellar level used in connection with small establishments classified as Occupancy Groups B, M or A-2 in prior code buildings.**
- The section sets the requirements for the means of egress and fire protection of these cellars based on three conditions related to the occupancy and size of the commercial establishment, and how the cellar will be used.
- Such conditions are:
 1. the commercial establishment is occupied as Group B, M, or A-2,
 2. its area is limited to a maximum floor space of 2000 Sq.ft., and
 3. the cellar will be used in accordance with one of the three scenarios addressed in Sections 1005.6.2.1, 1005.6.2.2, or 1005.6.2.3.
- See sample plans on next slides illustrating Sections 1005.6.2.1, 1005.6.2.2, and 1005.6.2.3.

Notable Provisions

■ Section 1005 – Means of Egress.

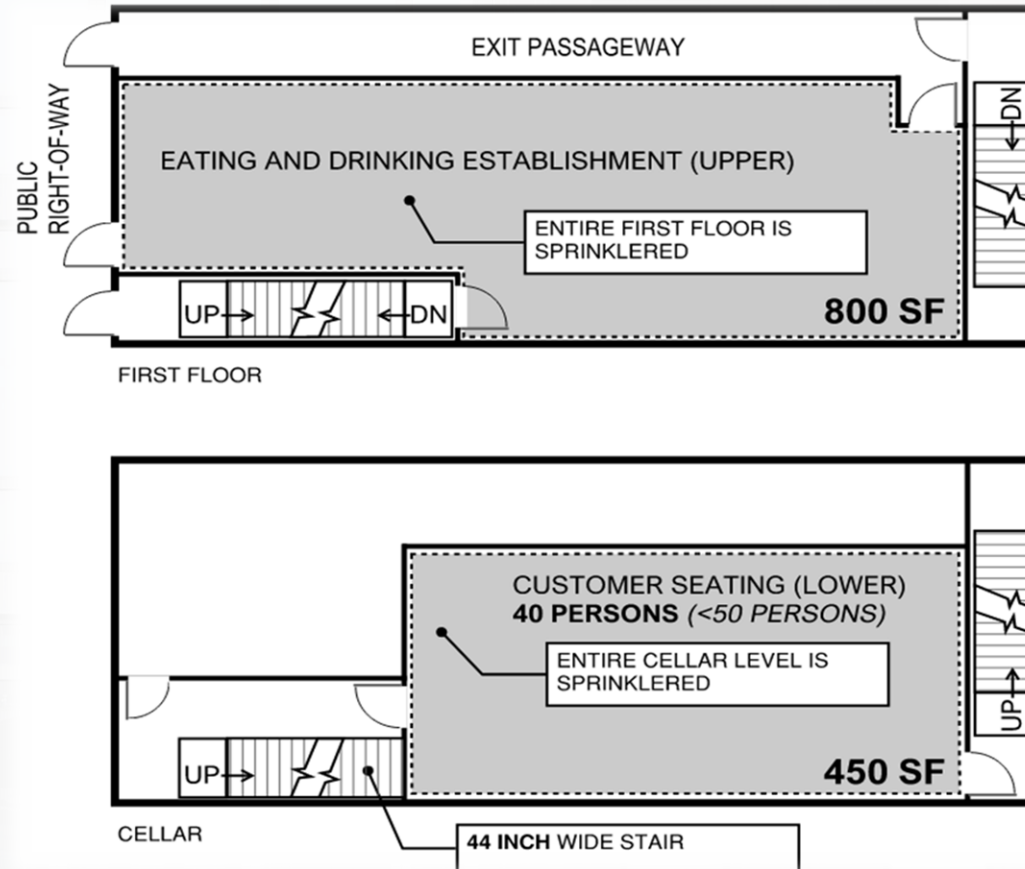
- Section 1005.6.2.1 Cellar space is used by employees of the establishment.



Notable Provisions

■ Section 1005 – Means of Egress.

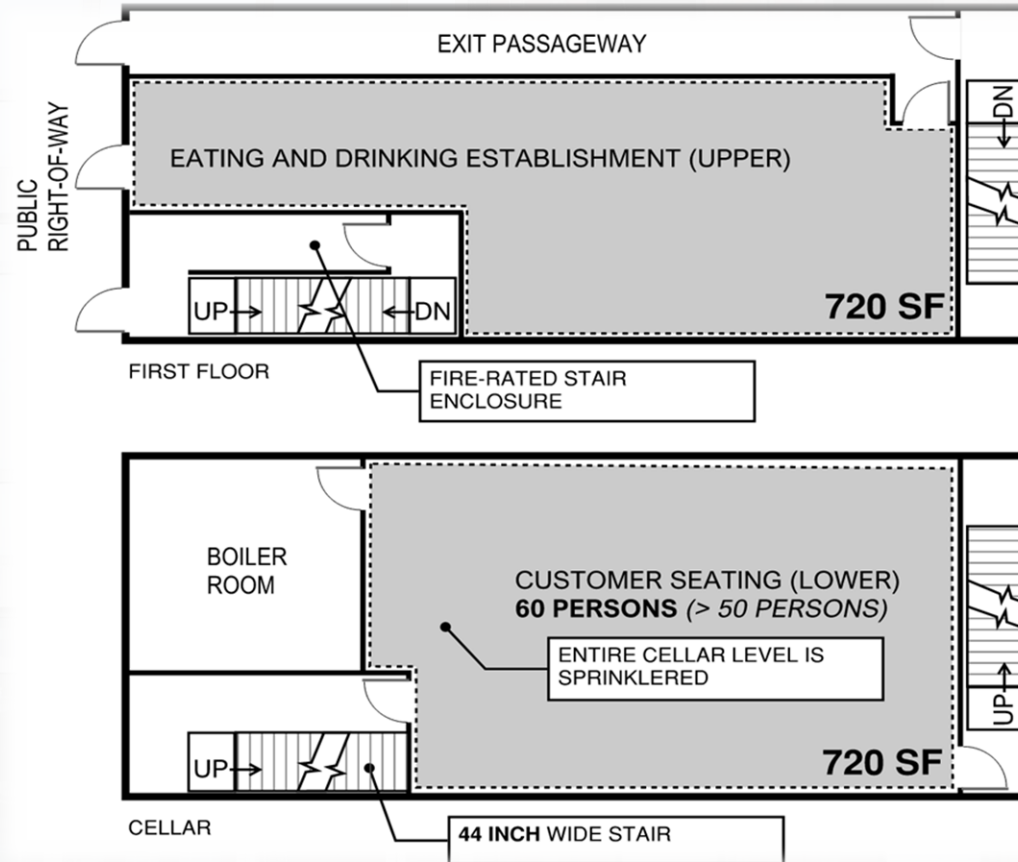
- Section 1005.6.2.2 Cellar level is used by patrons or customers of the establishment.



Notable Provisions

■ Section 1005 – Means of Egress.

- Section 1005.6.2.3 Cellar level is occupied by customers or patrons in excess of the limits of Sections 1005.6.2.1 and 1005.6.2.2.



Notable Provisions

■ Section 1006 – Accessibility.

- **Section 1006.1 Requirements based on change of occupancy classification or a change of use.**
 1. Entire building to comply with BC Ch 11 where the change is made in the main use or dominant occupancy of such building.
 2. Compliance of BC Ch 11 is limited to the space where:
 - A change in occupancy classification of the space,
 - A change in how a space being used, or
 - A change in the zoning use group.

Notable Provisions

- **Section 1007 – Structural.**

- **Section 1007.2 Structural condition assessment.**
- A change of occupancy requires an initial structural condition assessment.
- When structural alteration is associated with the change of occupancy, a detailed structural condition assessment is required.

Notable Provisions

■ Section 1008 – Electrical.

- **Section 1008.1 Special occupancies.** A list of 13 uses, spaces, and occupancies requires compliance with *NYC Electrical Code* whether or not a change of occupancy group is involved.
- **Section 1008.2 Unsafe conditions.** All unsafe conditions shall be corrected.
- **Section 1008.3 Service upgrade.** Electrical service to be upgraded for the new occupancy.
- **Section 1008.4 Quantity and location of required electrical outlets.** Number and location of outlets to comply with *NYC Electrical Code* for the new occupancy.

Notable Provisions

■ Section 1009 – Mechanical.

- **Section 1009.1.1 Change in occupancy classification.** Compliance with the *NYC Mechanical Code* is required for the change of occupancy classification for the area subject to change.
- **Section 1009.1.2 A change of use within the same Occupancy Group.** Compliance with Sections 809 or 909 is required for the new use with the higher mechanical ventilation demand.

Notable Provisions

■ Section 1010 – Plumbing.

- **Section 1010.1.1 Change in occupancy classification.** Compliance with the *NYC Plumbing Code* is required for the change of occupancy classification for the area subject to change.
- **Section 1010.1.2 A change of use within the same Occupancy Group.** 6 conditions, uses, and occupancies are addressed under Sections 1010.1.3 through 1010.1.8 such as: Increase demand, Food-handling occupancies, Interceptors, Oil separators, Chemical wastes, and Group I-2.

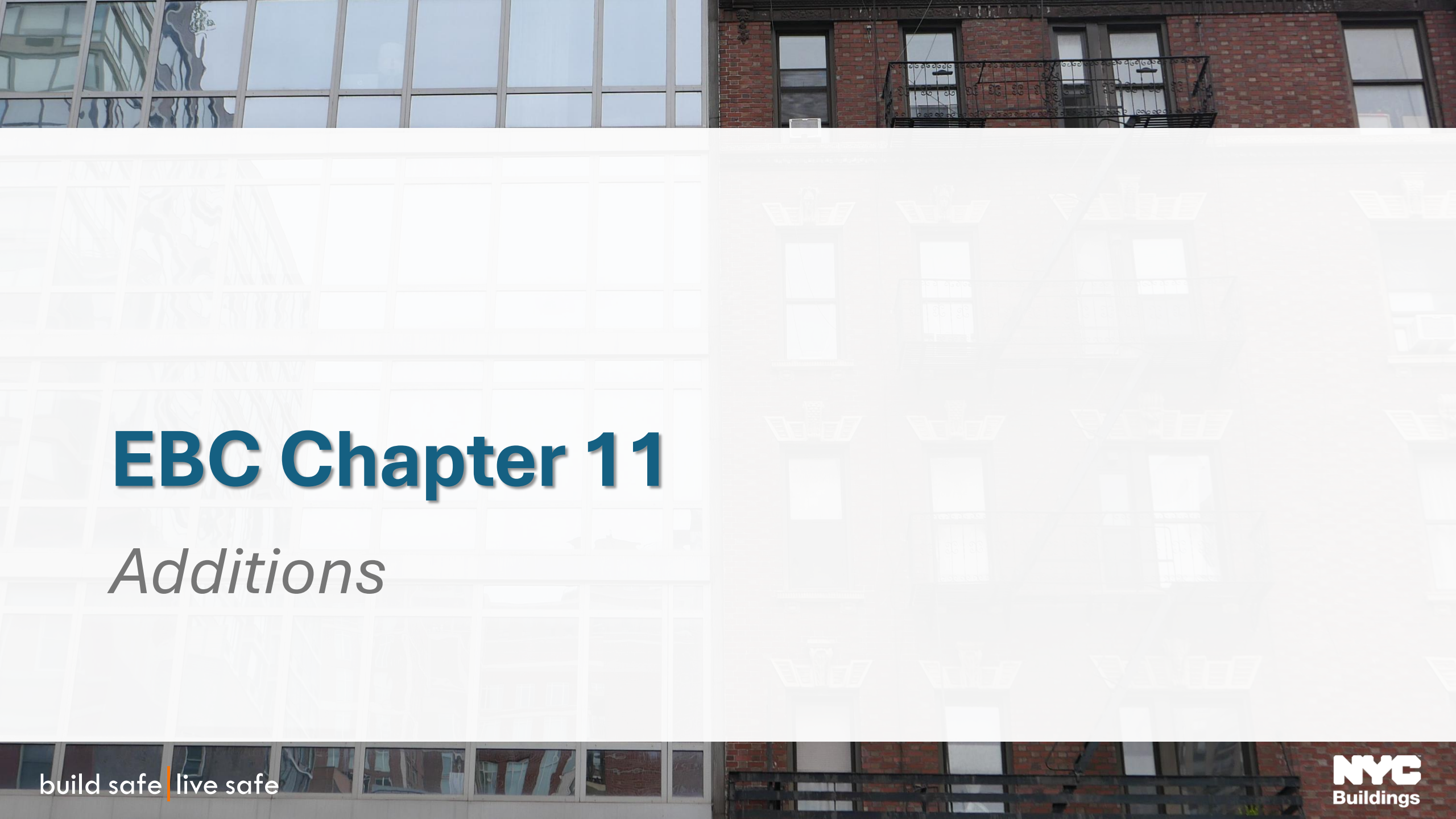
Notable Provisions

■ Section 1011 – Energy Conservation.

- **Section 1011.1 Minimum requirements.** Compliance with the *NYC Energy Conservation Code* is required for the change of occupancy.

■ Section 1012 – Other Requirements.

- **Section 1012.1 Light and ventilation.** Compliance with Chapter 12 of the *NYC Building Code* is required for the new use or occupancy.
- **Section 1012.1.1 Group R-1, R-2, and I-1 occupancies.** In addition to compliance with Chapter 12 of the *NYC Building Code*, change in classification to any of these groups shall also comply with App D and NYC HMC.
- **Section 1012.1.2 Group R-3 occupancy.** In addition to compliance with Chapter 12 of the *NYC Building Code*, change in classification to R-3, shall also comply with *NYC Housing Maintenance Code*.



EBC Chapter 11

Additions

Table of Contents

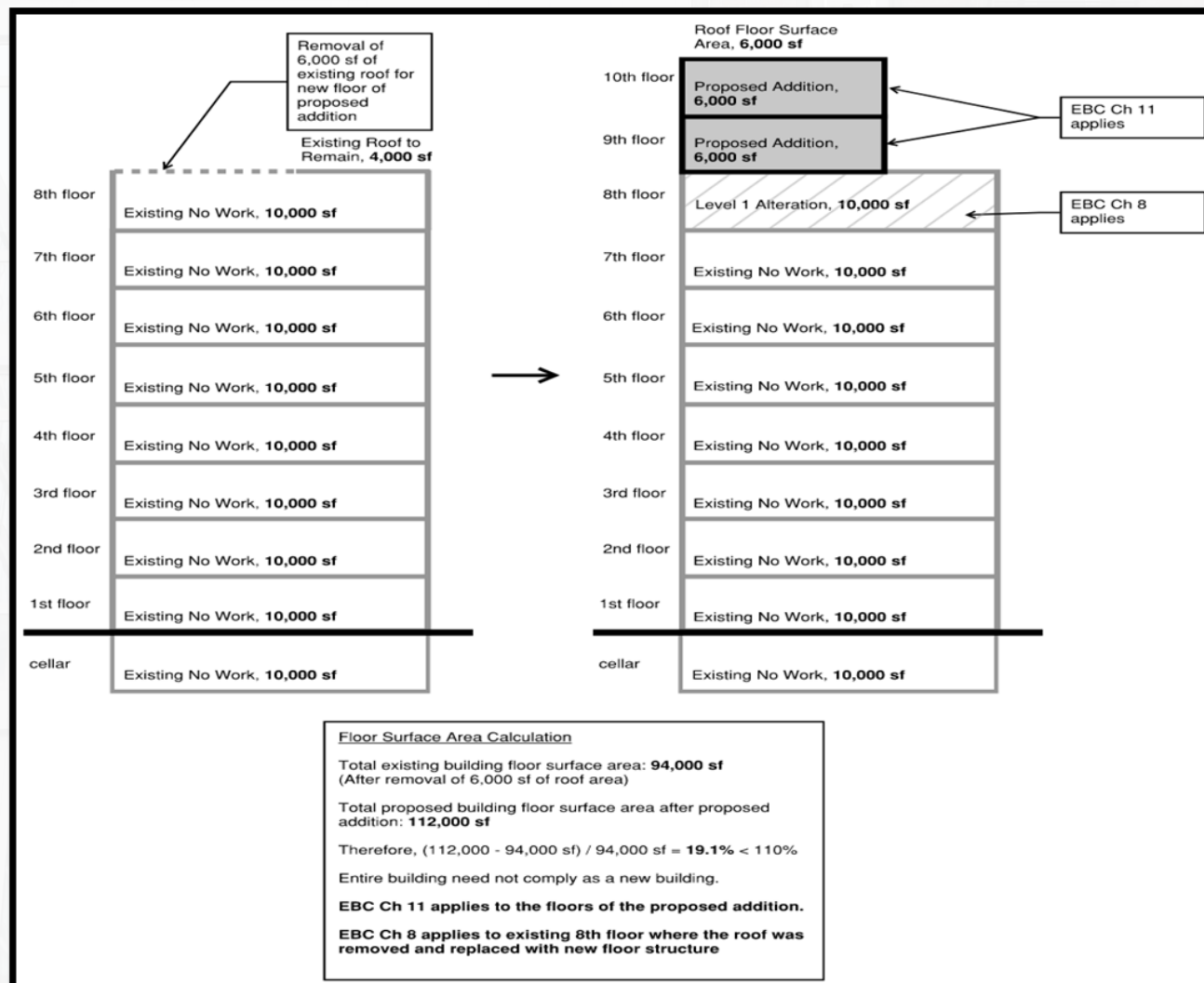
1101	General
1102	Heights and Areas
1103	Structural
1104	Fire Protection
1105	Means of Egress
1106	Accessibility
1107	Energy Conservation
1108	Other Building Systems

Key Concepts

ADDITION. *An extension or increase in the floor area, number of stories, or height of a building or structure. (as defined in Section 202 and AC 28-105 is)*

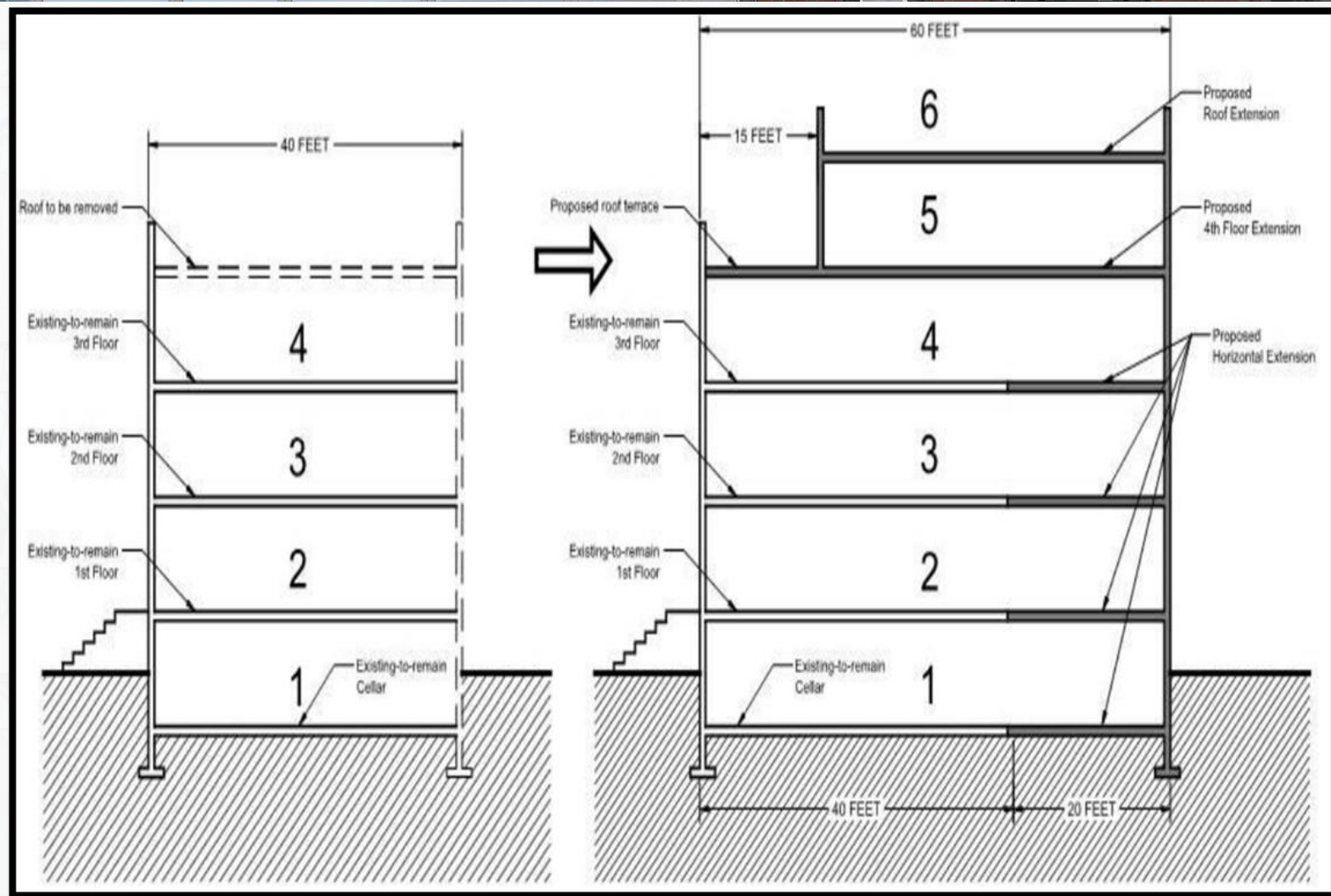
- Chapter 11 does not apply to **additions** that are totally separated from the main building by fire walls and treated as an independent new building.
- **Additions** resulting in an increase in the **Floor Surface Area** by more than **110%**, shall meet the requirements of Section 302.7 except as modified by Section 1105.3. The entire building shall comply with the *NYC Building Code* as hereafter erected.
- **Additions** that do not cause an increase in the **Floor Surface Area** by more than **110%** are new construction that shall comply with the *NYC Building Code* and Chapter 11.
- An **addition** shall not create a new noncompliance or increase any existing non-compliance.
- **Additions** to multiple dwellings shall also comply with Appendix D.
- Mezzanines meeting the limitations of BC Section 505.2 is not considered an **addition** for the purpose of applying Chapter 11 .

Key Concepts



Addition
not
exceeding
110% floor
surface
area

Key Concepts



Addition
exceeding
110% floor
surface
area

Notable Provisions

■ Section 1102 – Height and Areas.

- Section 1102.1 Height limitations.
- Section 1102.2 Area limitations.

Additions to existing buildings shall comply with *NYC Building Code* Chapter 5 with regard to height and area limitations.

Example: It is proposed to make an addition to an existing unsprinklered, Class IIB school building. The building height after the addition will be 70 ft. As per Table BC 504.3, the maximum height should not exceed 55 ft. The RDP will advise the client with two options to comply:

1. Protect the building with an automatic sprinkler system, where Table BC 504.3 allows the maximum height to be 75 ft. *or*
2. Upgrade the construction class of the building from Class IIB to IIA where the maximum height is increased to 85 ft.

Notable Provisions

■ Section 1102 – Height and Areas.

- **Section 1102.3 Fire areas.**

When fire areas are increased by additions, Chapter 9 of *NYC Building Code* should be checked for compliance.

Example:

A restaurant is being increased in area from 4,000 square feet to 6,000 square feet with no intervening fire barriers in the facility. *NYC Building Code* Section 903.2.1.2 requires sprinklers for this Group A-2 occupancy when the fire area is greater than 5,000 sq.ft., therefore, with the new 2000 Sq ft. addition, the threshold of 5,000 sq.ft. is exceeded, and sprinklers are required throughout the A-2 occupancy.

Notable Provisions

■ Section 1103 – Structural.

- **Section 1103.1 Compliance with Chapter 7.** Additions shall comply with EBC Chapter 7 and Chapter 16 of *NYC Building Code* as new construction.
- **Section 1103.2 Flood hazard areas.** Additions and their foundations shall comply with Chapter 16 and Appendix G of the *NYC Building Code*, and EBC Ch 7.
- **Section 1103.3 Structural condition assessment.** Additions will require initial and detailed structural condition assessments as per EBC Ch 7.

Notable Provisions

■ Section 1104 – Fire Protection.

- **Section 1104.1 Requirements.** Additions to existing buildings are new construction requiring compliance with Chapter 9 of the *NYC Building Code*, and *NYC Fire Code*.
- **Section 1104.2 Sprinkler system.** Additions shall be protected by sprinklers as per Chapter 9 of the *NYC Building Code*. An exception provides relief for existing one- and two-family home.
- **Section 1104.3 Standpipe systems.** Additions to existing and prior code buildings shall comply with Chapter 9 and Appendix Q of the *NYC Building Code* for the installation of standpipe systems. However, additions to prior code buildings may be excepted under certain conditions, see Sections 1104.3.1 and 1104.3.2.

Notable Provisions

■ Section 1104 – Fire Protection.

- **Section 1104.4 Fire alarm requirements for additions made to buildings.** Additions shall be provided with fire alarm systems as required by Chapter 9 of the *NYC Building Code*.
- Special requirements are introduced for:
 - **Section 1104.4.1.1** “large area buildings”
 - **Section 1104.4.1.2** “Auxiliary radio communication systems in large area buildings”. Exception is made to additions not exceeding 10% of the building area in existence prior to the effective date of the 2022 *NYC Building Code*.
- **Section 1104.4.2 High-rise buildings.** High-rise buildings with an exception for limited addition of a penthouse.
- **Section 1104.4.3** Smoke and carbon monoxide alarm detection in existing portions of a building. This section is intended for penthouse-multi level apartments in R-2 occupancy.

Notable Provisions

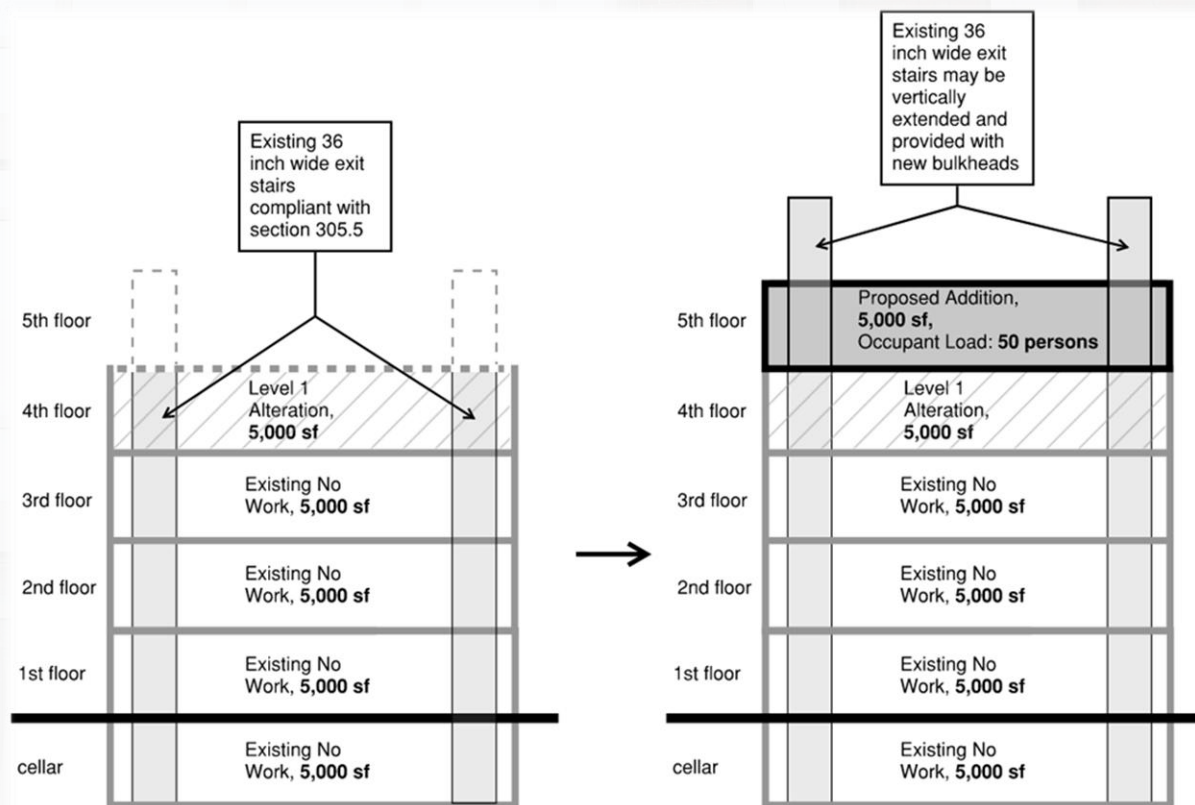
■ Section 1105 – Means of Egress.

- **Section 1105.1 General.** Main concepts:
 - Egress from additions shall comply with BC Chapter 10
 - Addition may utilize existing egress facilities
 - Egress from addition should not conflict with the safe use of the existing means of egress
- **Section 1105.2 The addition does not increase the existing floor surface area by more than 110 percent.** Existing lawfully constructed means of egress may be utilized by the new addition. Special relief for prior code buildings.
 - **Section 1105.2.1 Prior code buildings.** Additions in prior code buildings may comply with BC Ch 10 or Section 305.5 when occupant load is within capacity of stairs.

Notable Provisions

■ Section 1105 – Means of Egress.

- **Section 1105.2.1.1 Vertical exits.** Existing vertical exits in prior code buildings may be extended to serve the new addition.



Notable Provisions

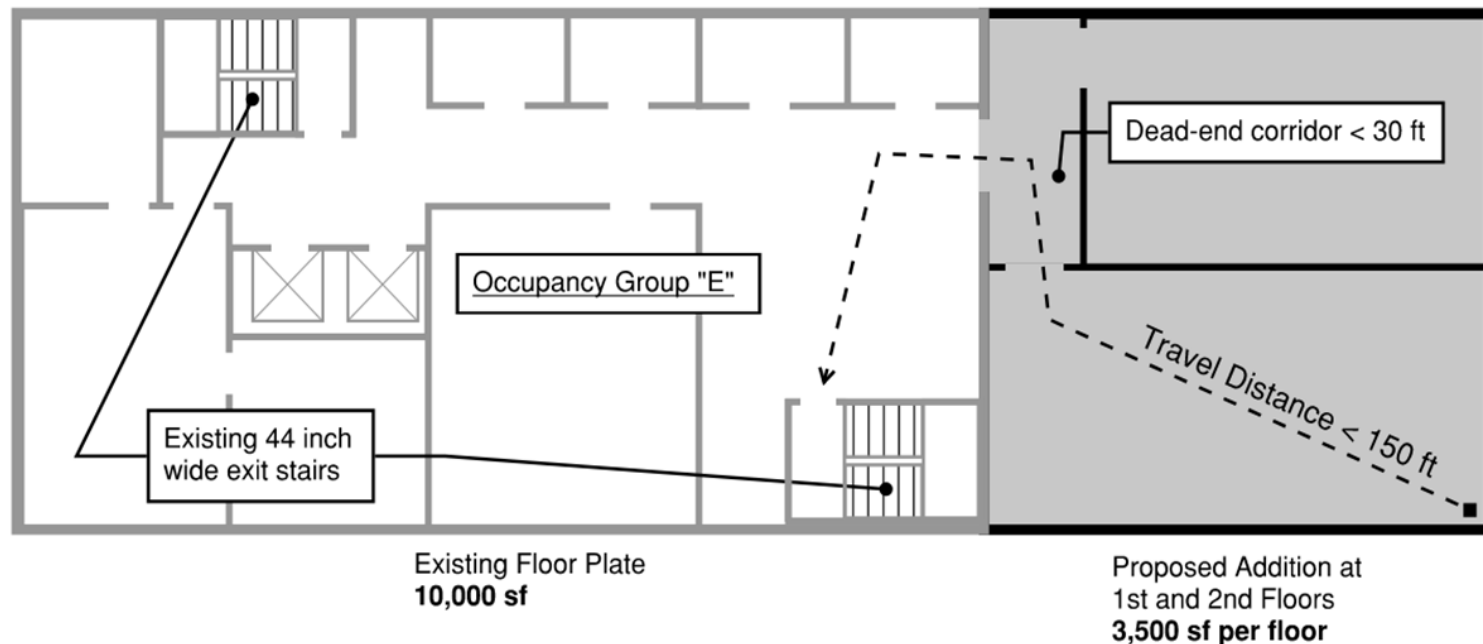
- **Section 1105 – Means of Egress.**

- **Section 1105.2.2 Horizontal additions.** The section addresses two scenarios:
 - Where the new horizontal addition includes a new egress stair, such new stair shall fully comply with BC Chapter 10 as a new construction and the use of the existing additional means of egress shall be permitted.
 - Where the new horizontal addition is made to a prior code building and does not contain a new egress stair, it shall be permitted to utilize the existing means of egress provided they comply with EBC Section 305.5.
 - See example next slide

Notable Provisions

■ Section 1105 – Means of Egress.

- **Section 1105.2.2 Horizontal additions.** (cont'd)
- **Example:** A horizontal addition is proposed to an existing prior code school building. This building was constructed to meet the egress requirements of Subchapter 6 of the 1968 Building Code. The existing stairs are two 44 inches wide stairs. The horizontal addition does not constitute more than 110% of the existing floor surface area of the building and will utilize these existing stairs as means of egress. This arrangement is permissible as the existing stairs, corridors, occupant load, travel distance meet the requirements of EBC Section 305.5.



Notable Provisions

■ Section 1105 – Means of Egress.

- **Section 1105.3 Work that increases existing floor surface area of an existing building by more than 110 percent.**

Where the addition increases the existing floor surface area by more than 110%, the means of egress for the entire building including the addition shall comply with BC Chapter 10, as hereafter erected.

However, **the exception** provides relief for existing buildings by allowing the existing building to maintain its means of egress without modification, if the addition meets the following conditions:

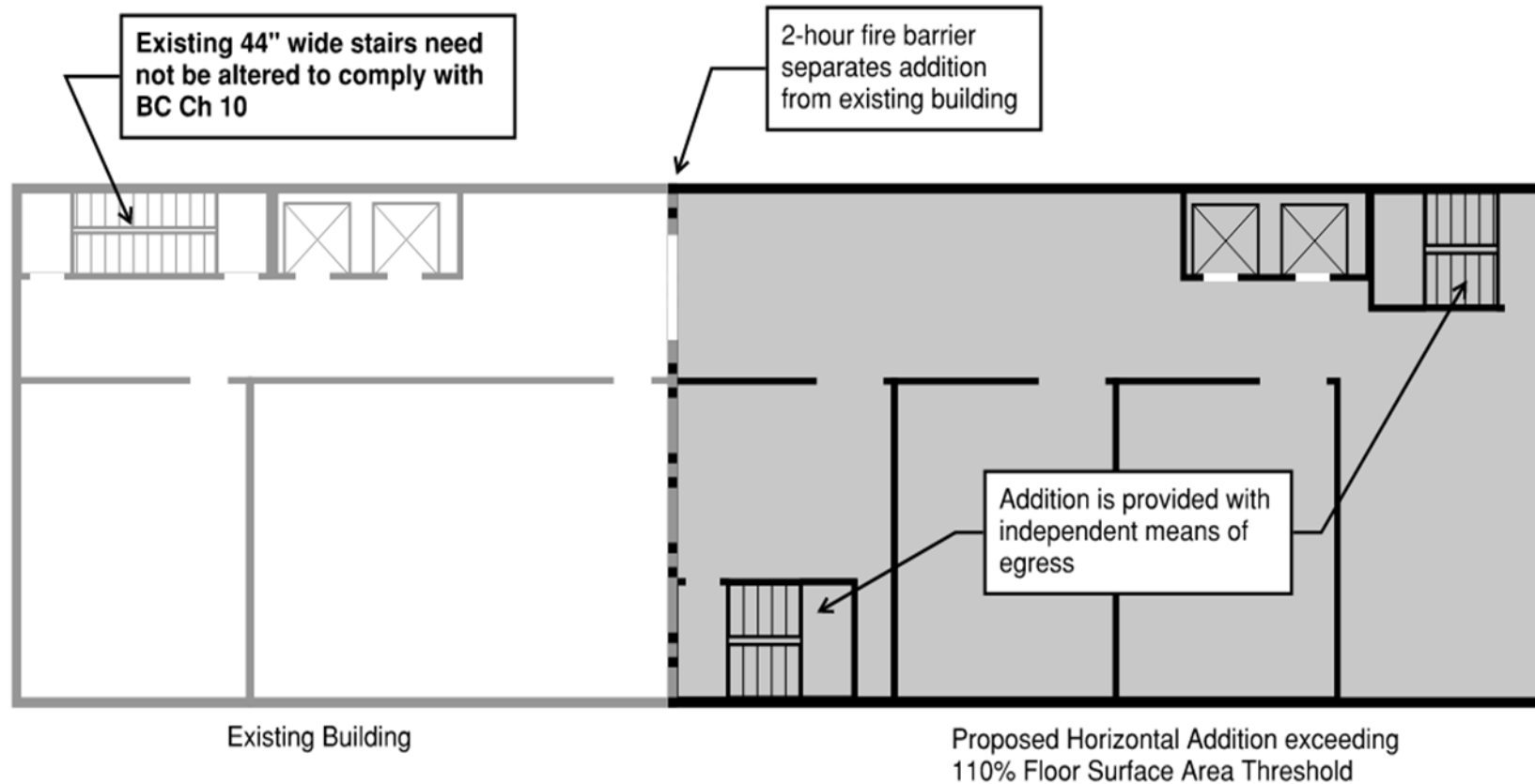
- has independent means of egress,
- is separated by a 2-hour fire barrier from the main building, and
- the addition is provided with fire protection systems in compliance with BC Chapter 9 even if compliance with BC Chapter 9 is not triggered for the existing building.

See **Figure 1105.3** on the next slide

Notable Provisions

■ Section 1105 – Means of Egress.

- Figure 1105.3



Notable Provisions

■ **Section 1106 – Accessibility.**

- **Section 1106.1 Minimum requirements.** New additions shall comply with BC Chapter 11 as new construction. Additions containing or affecting primary functions shall also comply with Sections 806 and 906.
- **Section 1106.2 Additions requiring accessibility throughout the building.** When additions and/or alterations increase the floor surface area by more than 110%, entire building shall be made fully accessible in accordance with BC Ch 11.

■ **Section 1107 – Energy Conservation.**

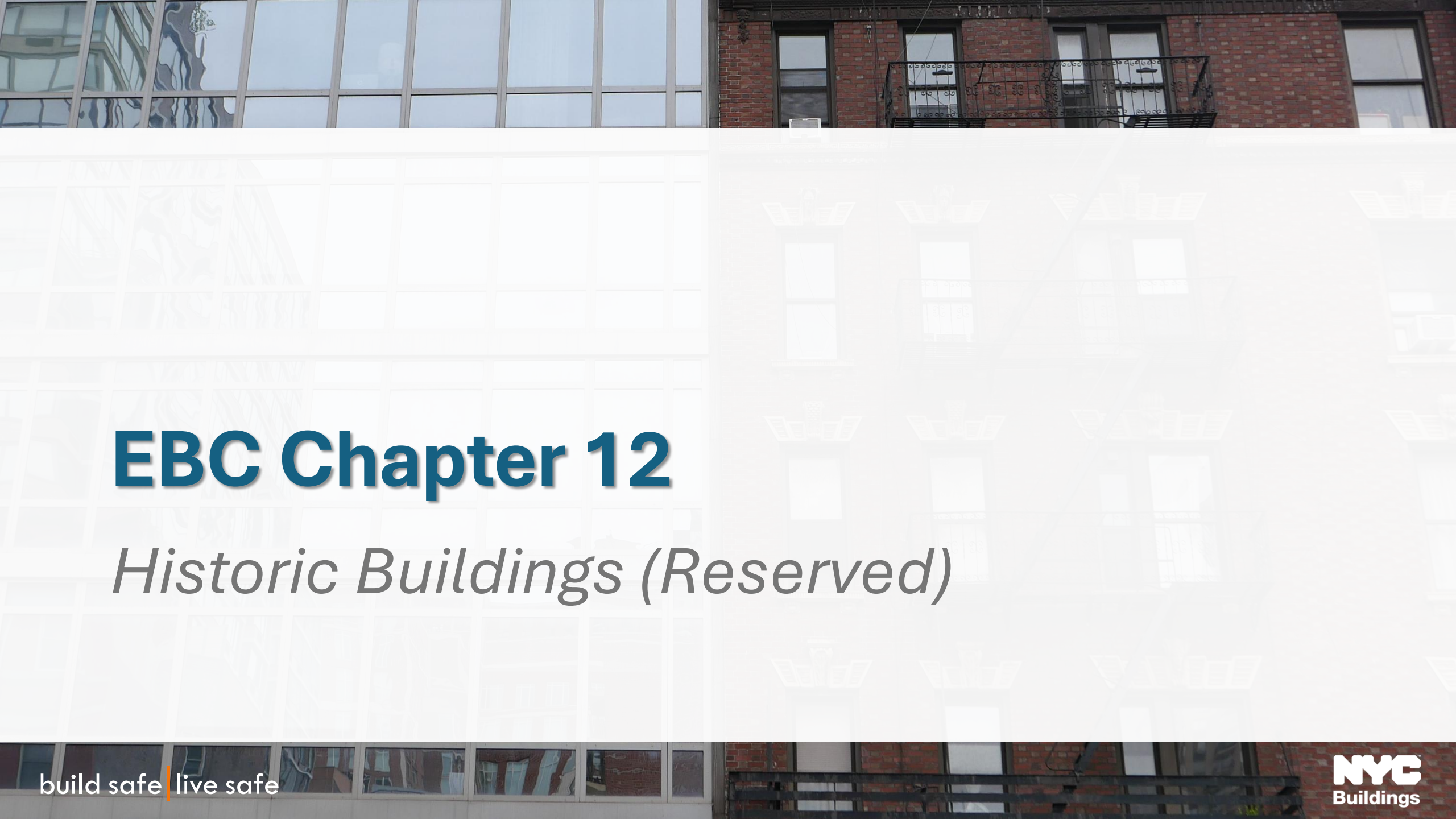
New addition shall comply with NYC ECC as new construction.

Notable Provisions

■ Section 1108 – Other Building Systems.

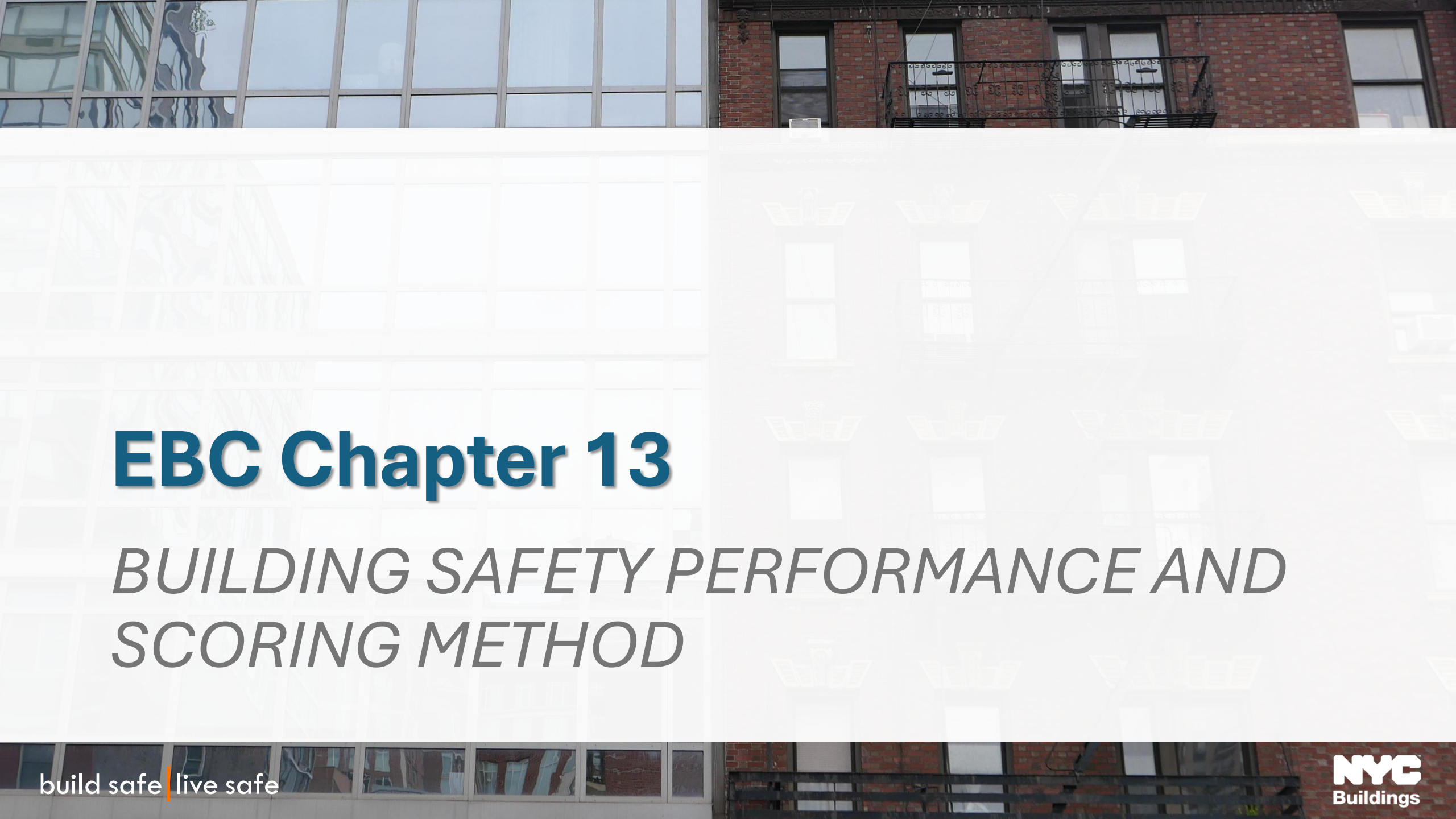
- **Sections 1108.2 through 1108.5.** Sections address additions and alterations made to existing building systems as a result of new additions to the building. Plumbing, Fuel Gas, Mechanical, Electrical systems shall comply with the relevant codes and Ch 3 Sections 310, 311, 309, 308, respectively.
- **Section 1108.6 Elevators.** Additions made to elevator buildings shall comply with BC Ch 30 and BC Appendix K.
 - **Section 1108.6.1 Existing non-elevator buildings.** Vertical additions above 4 stories will require an elevator as per BC Ch 30.
 - Exceptions are made to provide relief to residential buildings when the addition is a penthouse and made to multiple dwellings constructed before the 1968 code.
- **Section 1108.7 – Other alteration work within the existing building.**

Chapters 8 or 9 shall apply to other alterations to existing systems within the building.



EBC Chapter 12

Historic Buildings (Reserved)



EBC Chapter 13

BUILDING SAFETY PERFORMANCE AND SCORING METHOD

Table of Contents

1301	General
1302	Heights and Areas
1303	Structural
1304	Fire Protection

Key Concepts

- Chapter 13 is elected by the RDP as an alternative to compliance with the life safety provisions of Chapters 8 through 14.
- Chapter is intended for use by existing buildings constructed prior to the effective date of the 2008 code.
- The department will develop rules to describe the investigation , evaluation, and scoring process.
- It is expected that this method will be used by older buildings with unique characteristics to be preserved.
- This chapter shall not apply where other provisions requires compliance of the building as new construction such as alterations made to existing building that will increase floor surface area by more than 110%.

Notable Provisions

- **Section 1301 – General.**

- **Section 1301.1 Scope.** The scope of this chapter is to provide a performance-based alternative to the strict compliance of certain provisions of chapters 8 through 14 while preserving the unique and historical characters of older buildings. While enabling such buildings to maintain their unique characters, this chapter is intended to maintain or increase life safety in these buildings.
- **See example on next slide.**

Notable Provisions

- **EXAMPLE:** A prior code historical building with an open stair is undergoing a change of occupancy from a single-family R-3 to a Museum A-3 as shown in Fig. (1). The stairway is required to be enclosed in fire rated construction in accordance with Section 1005.2. Such required enclosure is not desirable as it will diminish its historical character and is unlikely to secure an approval from the NYC LPC. To navigate this predicament, the RDP would advise by the owner to elect compliance with CH 13 so that other alternative life safety solutions can be provided to preserve the stair as originally constructed.



Figure (1)
Open Stair in a
Landmark Building

Notable Provisions

- **Section 1301.1 – Compliance with other provisions of this code.** This chapter is intended to provide alternate path of compliance in lieu of specific code provisions, see Table 301.1.4
 - Other applicable provisions in this code related to structural, accessibility, energy, plumbing, mechanical, electrical, and use of material, shall be complied with based on the type of alteration made to the building.

Sections to be satisfied by compliance with chapter 13 when elected.	
304 Fire Protection	905 Means of egress
305 Means of Egress	1003 Building elements and materials
803 Building elements and materials	1004 Fire protection
804 Fire protection	1005 Means of egress
805 Means of egress	1102 Heights and areas
903 Building elements and materials	1104 Fire protection
904 Fire protection	1105 Means of Egress

Notable Provisions

- **Section 1302 – Applicability.**

- **Section 1302.1 Applicability.** When elected,
 - Chapter applies to Groups: A, B, E, F, I-2, M, R, and S.
 - Chapter does not apply to Groups: H, I-1, I-3, and I-4.
 - RDP shall not violate Appendix D or MDL when evaluating buildings of Groups R-1 and R-2.
- **1302.1.1 Change in use or occupancy.** Comply with Chapters 3 and 10, plus Ch 13
- **1302.1.2 Additions.** Comply with Chapters 3 and 11, plus Ch 13.
- **1302.1.3 Alterations.** Comply with Chapters 3, 8, or 9 based on level of alteration, plus Ch 13.

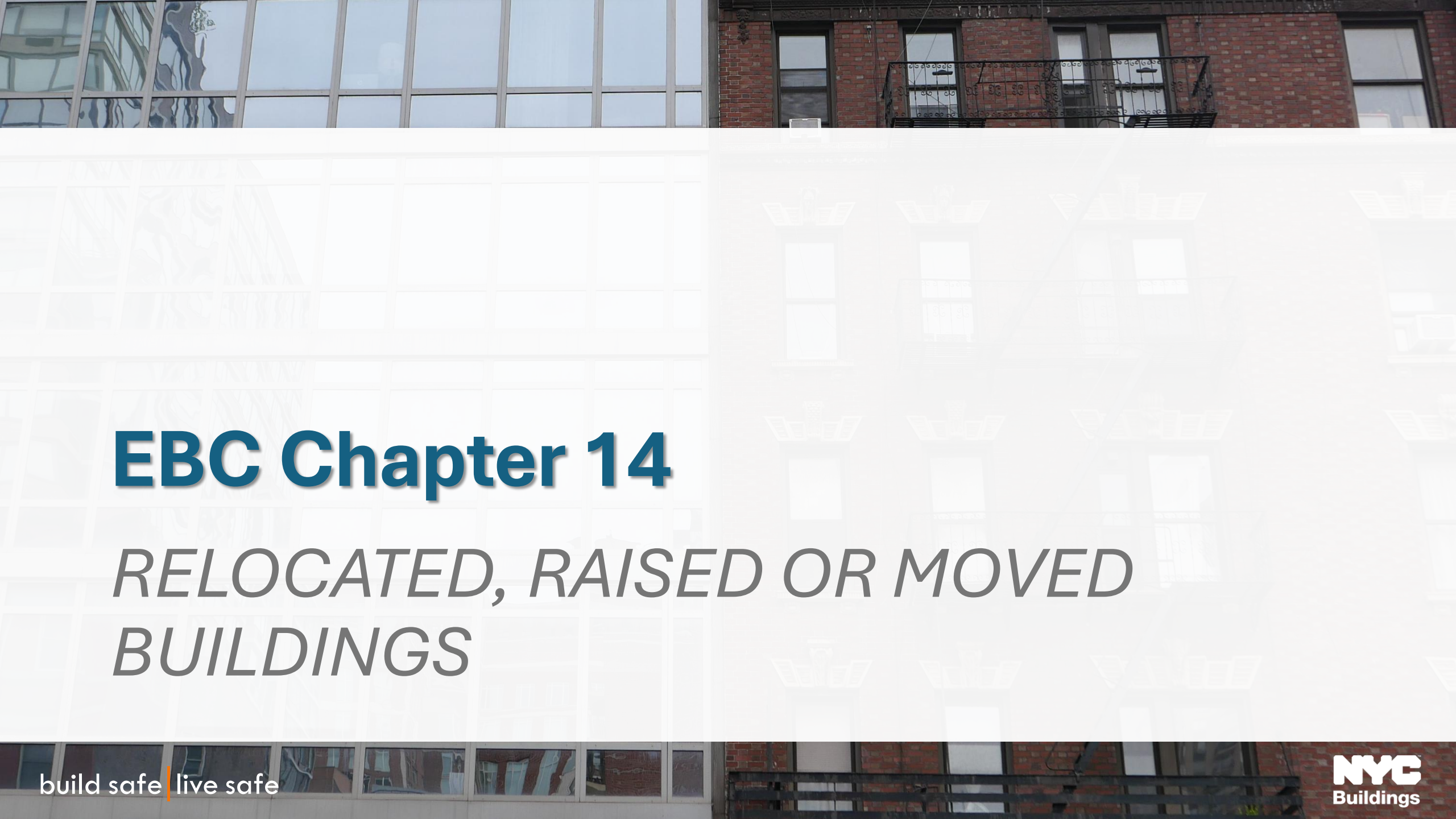
Notable Provisions

- **Section 1303 – Acceptance.**

- **Section 1303.1 Acceptance.** The investigation and evaluation made to comply with this chapter shall be subject to review and acceptance by the department. The rules of the department describe in detail the acceptable means and methods to conduct these investigations and evaluations including the department's review and acceptance of such applications.

- **Section 1304 – Investigation and evaluation.**

- **1304.1 Change in use or occupancy.** Investigation and evaluation. Investigation performed by the RDP shall be submitted to the department, reviewed and accepted
- **1304.2 Evaluation.** Three areas of safety shall be evaluated:
 - Fire safety
 - Means of egress
 - General safety
- **1304.3 Evaluation and scoring.** The department rules will provide details for all elements and systems within the three categories to be evaluated. The rules will determine the numerical value of each element and the method to evaluate the overall building score.



EBC Chapter 14

RELOCATED, RAISED OR MOVED BUILDINGS

Table of Contents

1401	General
1402	Requirements

Key Concepts

- Chapter 14 provides the minimum requirements to ensure safety in buildings being raised, relocated, or moved due to unexpected events or certain conditions.
- Other chapters are still applicable depending on the type of alteration proposed to make the building occupiable in the new location.



Fig. (1)
Superstorm
Sandy in NYC in
2012

Notable Provisions

■ Section 1401 – General.

- Refer to Section 202 for definitions.
- Relocated multiple dwellings shall comply with Appendix D
- Relocation, moving or raising of a building shall not create new compliances.
- Alterations within the relocated or moved buildings shall comply with applicable chapters.

■ Section 1402 – Requirements.

- **1402.1 Location on the lot.**
 - Relocated or moved buildings on the same or another lot shall not violate NYC Zoning Resolution.
 - Relocated or moved buildings on the same or another lot shall to or within the Fire Districts shall comply with the construction class permitted.
 - Multiple dwellings shall not be relocated or moved to a lot containing frame structures.

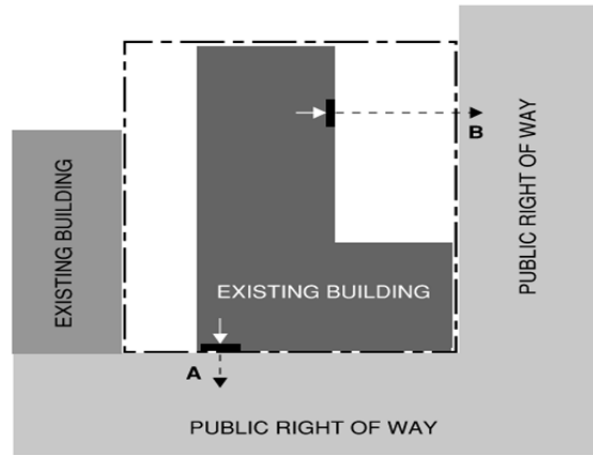
Notable Provisions

■ Section 1402 – Requirements.

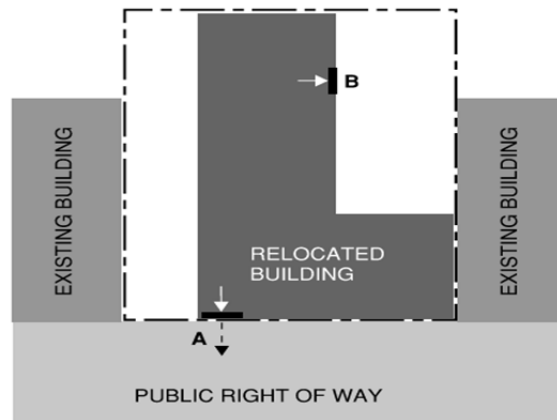
- **1402.2 Compliance with Chapter 7.**
- **1402.3 Flood hazard areas.** Relocated, moved, or raised buildings within or to flood hazard areas shall comply with BC Section 1612 and Appendix G.
- **1402.4 Required inspection.**
 - The department may inspect, or
 - Require the owner to retain an approved inspection agency
 - Special inspection is required pursuant to BC Chapter 17.
- **1402.5 Exit discharge.** Relocated, moved, or raised buildings shall provide an exit discharge compliant with BC Ch 10.

See figures on next slide.

Notable Provisions

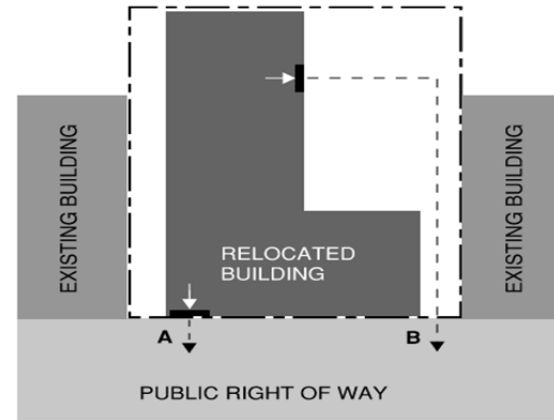


EXISTING LOT



RELOCATED TO NEW LOT

COMPLIANT EXIT DISCHARGE "A"
NON COMPLIANT EXIT DISCHARGE "B"

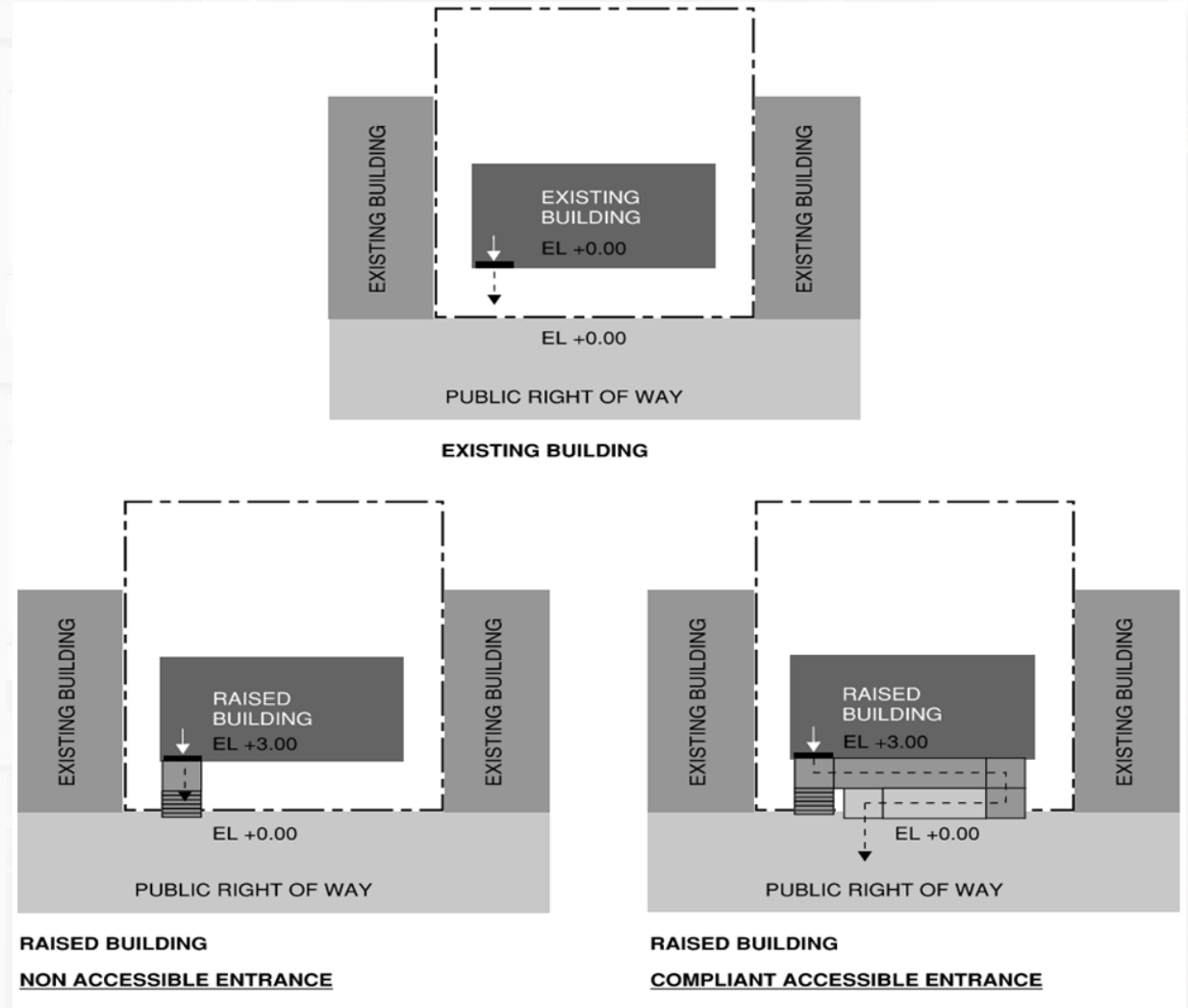


RELOCATED TO NEW LOT

COMPLIANT EXIT DISCHARGE "A"
COMPLIANT EXIT DISCHARGE "B"

Notable Provisions

- **1402.6 Accessibility.** Accessibility shall be maintained at entrances as per BC Ch 11.

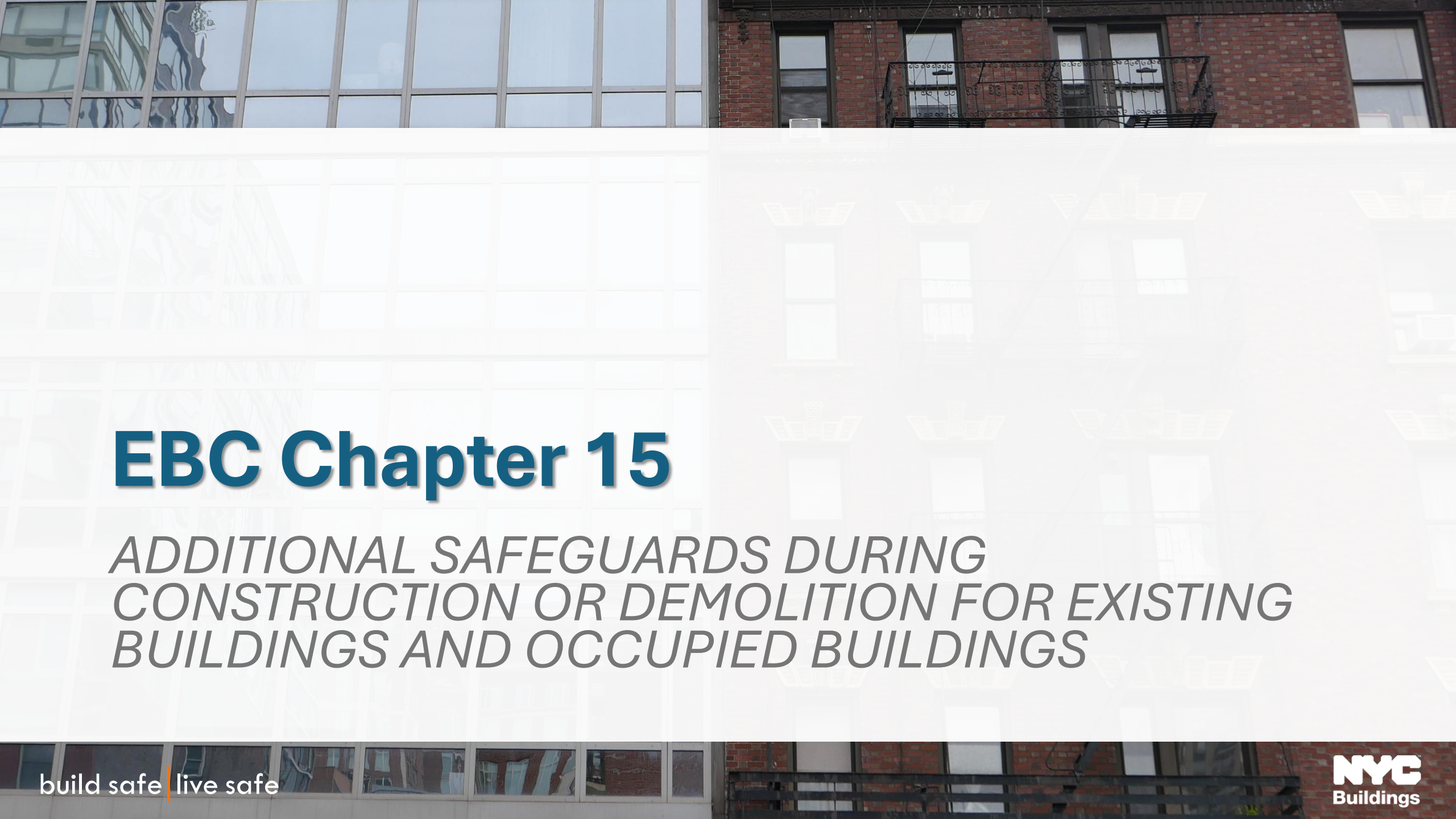


Notable Provisions

■ Section 1402 – Requirements.

• 1402.7 Fire protection.

- As buildings will be eventually protected with sprinkler systems in accordance with BC Ch 9, the relocation of buildings provides the perfect opportunity to consider the installation of water service connections to be provided for future installation of fire protection systems.
- An exception for one- and two-family dwellings where a space is reserved for a pressurized tank sized for the needed water flow demand designed in accordance with BC Ch 9.



EBC Chapter 15

*ADDITIONAL SAFEGUARDS DURING
CONSTRUCTION OR DEMOLITION FOR EXISTING
BUILDINGS AND OCCUPIED BUILDINGS*

Table of Contents

1501	General
1502	Safeguards for Occupants
1503	Tenant Protection Plan
1504	Occupant Protection Plan
1505	Maintaining Means of Egress
1506	Automatic Sprinkler System

Key Concepts

- Chapter 15 supplements BC Ch 33 to ensure safety of public and building occupants during construction activities.
- Details of Tenant Protection Plan (TPP) is included in the chapter for protection of residential occupants.
- Occupant Protection Plan (OPP) is detailed for the protection of occupants in non-residential buildings.
- Ch 15 Tenant or Occupant Protection Plans are applicable to occupied New Buildings with Temporary Certificates of Occupancy (TCO).
- Building Bulletin # 2020-012 has been codified under Section EBC 1506.

Notable Provisions

■ **Section 1501 – General.**

This Section addresses:

- Applicability of Ch 15 and scope.
- Compliance with BC Ch 33 in addition to CH 15
- Entities responsible for safety during construction activities: Owner, construction manager, general contractor, subcontractors, RDP, material men, etc.

■ **Section 1502 – Safeguards for Occupants.**

This Section addresses:

- Protective means to safeguard occupants like barricades, signs, drop cloths, etc.
- Common areas open to the public to be left clean and free of hazards at the end of a workday.
- 48-hour notice shall be issued to building occupants before disruption of any building services including elevators.
- Tenant safety notes for limited alteration application work.

Notable Provisions

■ Section 1503 – Tenant Protection Plan.

- Section addresses the details of TPP when work other than limited alterations is performed in a building with occupied residential tenants.
- TPP shall be filed, reviewed and approved by DOB before permit.

Floor	Work	OPP/TPP Required (Yes/No)
1 (Mercantile)	Gut renovation for tenant fit out	Yes, TPP required
2 (Office)	Painting	No
3 (Office)	Half the floor is sectioned off for renovation, half occupied	Yes, TPP required
4 (Office)	Installation of convenience stair to duplex with below	Yes, TPP required
5 (Dwelling units)	No work	No
6 (Dwelling units)	No work	No
7 (Dwelling units)	No work	No

Notable Provisions

■ Section 1504 – Occupant Protection Plan.

- Section addresses the details of OPP when work other than limited alterations is performed in occupied nonresidential buildings.

Floor	Work	OPP Required: Yes/No
1 (mercantile)	No work	No
2 (office)	Partition changes and installation of new toilet room.	Yes, OPP required
3 (office)	Wall painting, no permit required	No
4 (office)	No work	No
5 (office)	Plumbing work under Limited Plumbing Alteration (PLAA)	No, occupant protection notes are required
6 (office)	No work	No
7 (office)	Wiring for PA System, no permit required	No

Notable Provisions

■ **Section 1505 – Maintaining Means of Egress.**

Section focuses on:

- Means of egress shall always be maintained during construction activities.
- Approved and inspected new or temporary means of egress shall be in place before any removal, disruption or obstruction of existing means of egress.

■ **Section 1506 – Automatic Sprinkler System**

- Section codifies BB 2020-012
- Sprinkler system shall be maintained during construction activities.
- It describes the different scenarios of sprinkler protection during alterations and interior demolitions of floors.

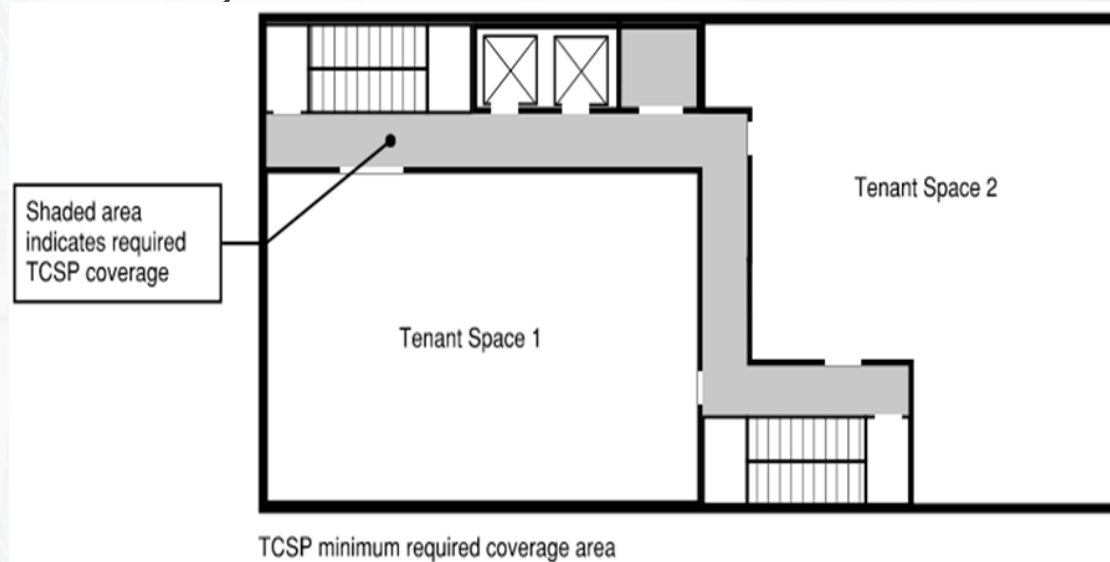
Notable Provisions

■ Section 1506 – Automatic Sprinkler System

- **Section 1506.2 Sprinkler protection during construction in fully sprinklered buildings.**

Temporary Core Sprinkler Protection (TCSP) may be provided when the sprinkler protection is temporary disconnected.

- **Section 1506.2.1 Temporary Core Sprinkler Protection (TCSP).** TCSP shall be provided at elevator hoistway openings, exit doors, and along egress path that connects all exits and elevator lobby.



Notable Provisions

■ Section 1506 – Automatic Sprinkler System

- **Section 1506.2.2 Temporary Core Sprinkler Protection (TCSP).**

TCSP may not be required when 7 conditions are met:

1. Work area not exceeding 52,000 Sq. ft and enclosed in 1hr barriers
2. The sprinkler system in the entire floor remains intact.
3. Sprinkler heads are installed at both sides of exit doors from work area
4. Heat detectors are installed
5. Sprinkler heads are not installed inside stairwell serving the work area
6. Required exits are maintained
7. Permanent sprinkler system is completed within 60 days of filed application for the temporary removal.

See plan on next slide

Notable Provisions

Section 1506.2.2 Temporary Core Sprinkler Protection (TCSP).

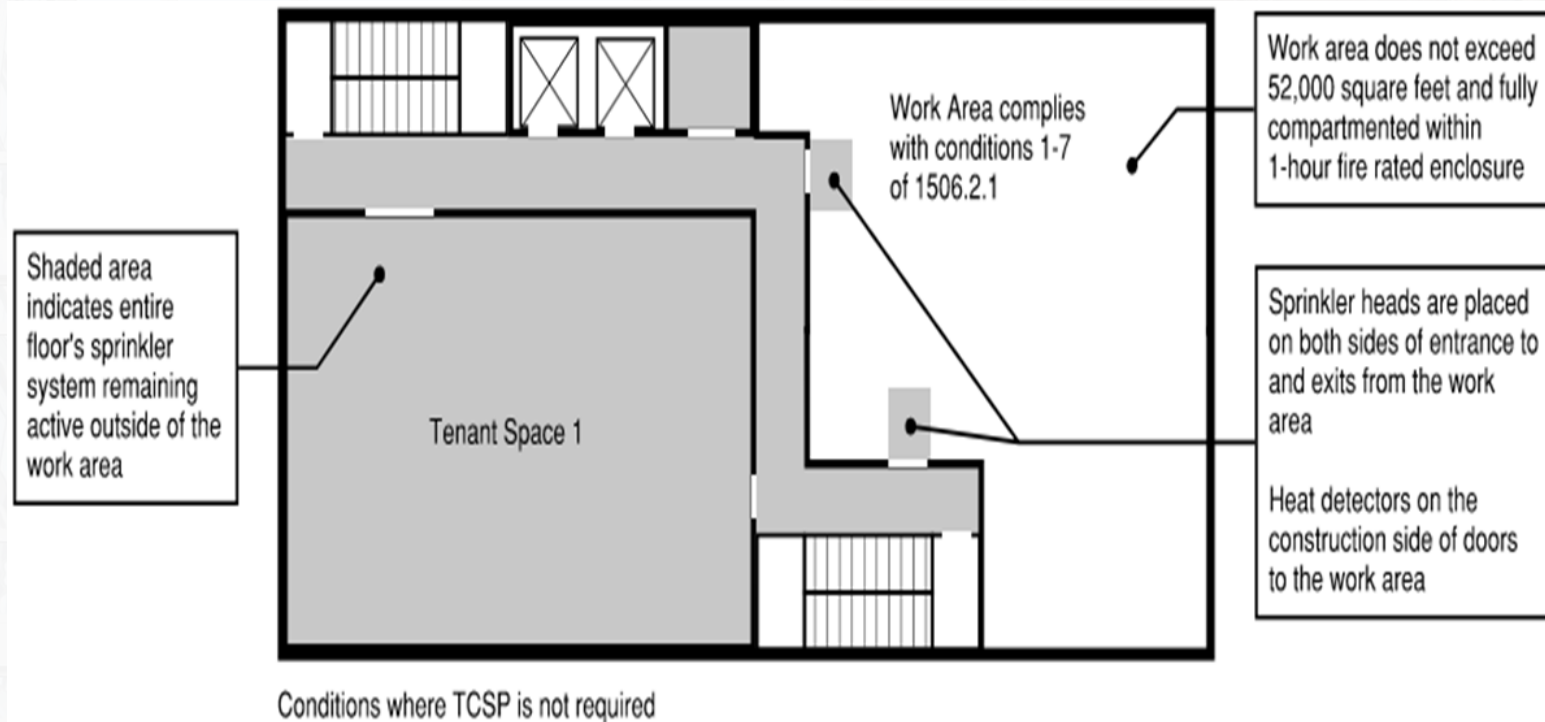
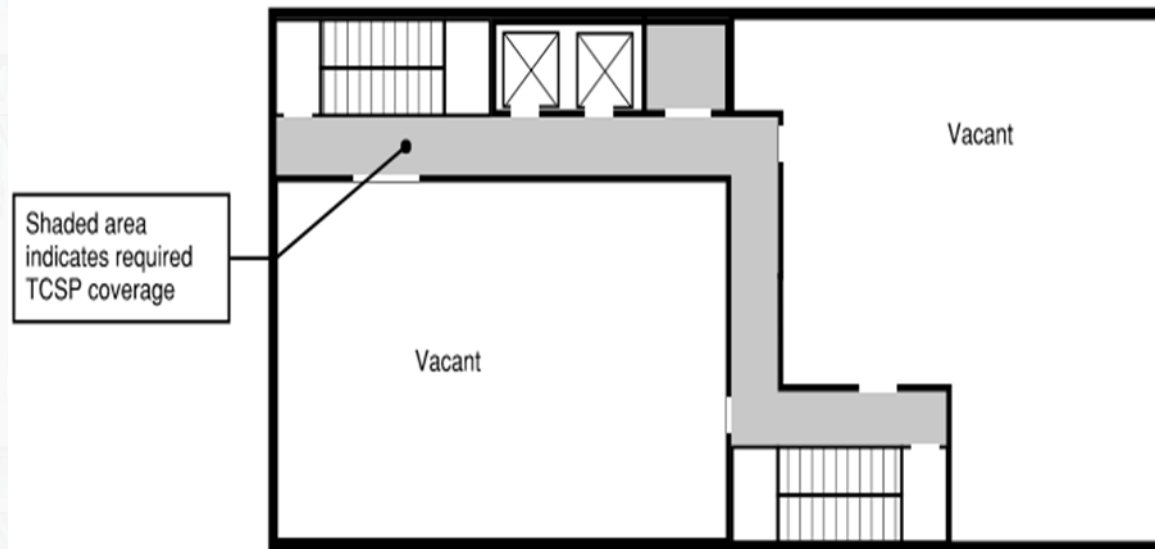


Figure 1506.2.2

Notable Provisions

- **Section 1506.2.3 Sprinkler protection on unoccupied floors.**
TCSP shall be provided on unoccupied floors in fully sprinklered buildings.



TCSP minimum required coverage area for unoccupied floors.

Notable Provisions

- **Section 1506.2.4 Scope of work with duration of one year or more.**

Temporary removal of sprinkler protection under 1506.2.1, 1506.2.2, and 1605.2.3 shall not be permitted if the work is expected to take more than a year.

- **Section 1506.2.5 Compliance with NYC FC.**

Any removal or disconnection of sprinkler protection requires compliance with NYC FC Out-of-Service requirements.



NYC EXISTING BUILDING CODE

Future Changes:

Occupancy, Additions, and Relocation of Buildings
Course# S110525 Expires 10/9/28

build safe | live safe

Tina Mathew, RA

MODULE F

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

CONTACT US

■ WEBPAGE

- <https://www.nyc.gov/site/buildings/codes/existing-building-code.page>

■ EMAIL

- EBC@buildings.nyc.gov



The image shows a street-level view of two buildings. On the left is a modern building with a grid of large glass windows reflecting the sky and other buildings. On the right is a traditional red brick building with several windows, some with decorative lintels, and a black metal fire escape running vertically along its side. Overlaid in the center is the text 'NYC Buildings' in a large, white, sans-serif font. The 'NYC' is in a very bold, blocky style, while 'Buildings' is in a more standard weight. A small 'TM' trademark symbol is located to the upper right of the 'C' in 'NYC'.

NYCTM Buildings