



**Rescinded By Buildings
Bulletin 2024-003**

DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner

GEORGE E. BERGER, P.E.
Assistant Commissioner
Building Construction

TO: BOROUGH SUPERINTENDENTS
FROM: George E. Berger, P.E.
Assistant Commissioner
DATE: October 13, 1989
SUBJECT: OCCUPANT LOADS FOR THEATRES FOR WAITING AREA

Zoning Resolution Section 32-17 requires New Motion Picture Theatres to provide a minimum of 4 square feet of waiting area within the zoning lot for each seat in such theatre. The Commissioner recognizes that theatres often are not utilized to their maximum capacity.

Section 27-358(b)(1), Occupant Load-Modifications, provides an allowance whereby when the actual occupant load will be less, the Commissioner may establish a lower basis for the determination of the occupant load.

A reconsideration may be granted based on a determination that for single theatres, 100 percent of the theatre seating capacity will be used for the occupant load requirements in the waiting area. Where there are more than one theatre within a building, 50 percent of the total number of seats shall be used to determine the occupant load, but in no case shall it be less than 100 percent of the seating of the largest theatre within the building.

GEB:AL:rmr

- cc: Commissioner C. M. Smith Jr., R.A.
- Deputy Commissioner C. F. Dennis, P.E.
- Deputy Commissioner S. D. O'Brien, Esq.
- Assistant Commissioner P. Franconeri, P.E.
- General Counsel Charles R. Foy, Esq.