

1 RCNY §15-07

CHAPTER 15 FIRE PROTECTION

§15-07 Fire-Retarding of Entrance Halls, Stair Halls and Public Halls in Old Law Tenements and Converted Dwellings.

(a) *Intent.* The fire-retarding rules herewith set forth are approved by the Department of Buildings for old law tenements and converted dwellings where their entrance halls, stair halls and public halls are required, by §189, subdivisions 1 and 4, §238, subdivision 4, and §218, subdivisions 5 and 6, Multiple Dwelling Law, and by §27-2044, Housing Maintenance Code, to be fire-retarded in a manner approved by the Department of Buildings.

(1) All entrance halls, stair halls and public halls, including service halls and stairs, shall be fire retarded to the extent required by the Multiple Dwelling Law and the Housing Maintenance Code.

(2) It is the intent that all wood structural members of partitions, ceilings and stair soffits shall be completely protected with fire-retarding materials where they may be exposed to fire in entrance, stair and public halls. To this extent these rules and regulations cover only general conditions and are not designed to cover specific or special cases. Where such may occur the owner is required to consult the Department of Buildings and receive instructions before work is started.

(3) Where existing dumbwaiter shafts are located in, or open on public halls which are required to be fire-retarded, such dumbwaiter shafts, when not constructed of fireproof or fire-retarding materials, shall be fire-retarded on the inner side, from the lowest story to the roof inclusive, in accordance with the requirements of §15-07(b)(1) or (b)(2), except in cellar where such shafts shall be enclosed with fireproof materials.

All doors opening from such dumbwaiter shafts shall be self-closing, and doors and assemblies when of wood or other non-fireproof construction shall be lined on both sides with No. 26 U.S. gage [*sic*] metal, except in cellar where doors and assemblies shall have a fire-resistive rating [*sic*] of at least one (1) hour.

(4) It is not intended that these rules and regulations in themselves require plans to be filed. However, should any work involve structural changes, then plans are required to be filed in the Department of Buildings and such changes shall be subject to all other rules and regulations applicable thereto.

(5) Work shall not commence until satisfactory evidence has been submitted to the Department of Buildings that compensation insurance has been obtained in accordance with the provisions of the Workmen's Compensation Law.

It is the intent of §238, subdivision 4, Multiple Dwelling Law, that every entrance hall, public hall and stair hall in every old law tenement four stories or more in height shall be fire-retarded.

Every old law tenement three stories and a basement, or three stories, basement and cellar in height shall be deemed to be four stories when the main entrance from the grade is to the basement, and every entrance hall, public hall and stair hall in such building shall be fire-retarded.

In old law tenements where the entrance halls, public halls and stair halls are required to be fire-retarded, existing wood stairs shall be fire-retarded in conformity with the requirements of these rules and regulations, whether or not such halls had been fire-retarded in accordance with plans filed with and approved by the former Tenement House Department or Department of Buildings, prior to the enactment of subdivision 4 of §238 of the Multiple Dwelling Law.

(b) *Partitions.* All existing partitions separating apartments from entrance halls, stair halls and public halls, or otherwise forming enclosing partitions of entrance halls, stair halls and public halls, shall be fire-retarded by any one of the following methods:

(1) *Metal lath and cement or gypsum mortar.* Completely remove all existing materials to face of studs or other structural members on hall side of partitions and recover with metal lath and two coats of cement or [*sic*] gypsum mortar. If cement mortar is used it shall be three-quarters inch (3/4") thick, if gypsum mortar is used it shall be one inch (1") thick. The second coat of mortar shall not be applied until the first coat has thoroughly set and in no case shall the second coat be applied on the same day that the first coat of mortar is applied.

In lieu of the above method, completely remove all combustible materials from plaster face of partitions on hall side and repair existing plaster. After inspection, cover existing plaster with herringbone or similar approved type metal lath with rigid rib reinforcement to provide good bond between new and existing plaster. Cover lath with two coats (scratch and brown) of cement or [*sic*] gypsum mortar as above.

The first coat of cement mortar (scratch) shall be composed of one (1) part of Portland cement to one and one-half (1 1/2) parts of sand, with additional volume of hydrated lime not greater than ten (10) percent of the volume of Portland cement. The second coat (brown) shall be composed of one (1) part of Portland cement to three (3) parts of sand, with additional volume of hydrated lime not greater than ten (10) percent of the volume of Portland cement.

The first coat (scratch) of gypsum mortar shall be composed of one (1) part of gypsum to one (1) part of sand. The second coat (brown) of gypsum mortar shall be composed of one (1) part of gypsum to one and one-half (1 1/2) parts of sand.

(2) *Plaster boards and gypsum mortar or stamped metal.* Completely remove all existing materials to face of studs or other structural members on hall side of partitions and recover with plaster boards or perforated rock lath three-eighths inch (3/8") thick, covered with two coats of gypsum mortar (scratch and brown) so that the aggregate thickness shall be at least one inch (1"), or in lieu thereof, recover same with plaster boards one-half inch (1/2") thick, covered with No. 26 U.S. gage [*sic*] stamped metal.

In lieu of the above method, completely remove all combustible material from plaster face of partitions on hall side and repair existing plaster. After inspection, plaster boards or perforated rock lath may be applied directly over the existing plaster face of partitions on hall side. Cover plaster boards or perforated rock lath with two coats of gypsum mortar as above, or plaster boards

may be covered with No. 26 U.S. gage [sic] stamped metal.

(3) *Mineral wool.* Fill solidly between partition uprights, from underside of flooring to ceiling with mineral wool blown in place by the pneumatic method, packed solidly to fill all spaces and voids.

(4) *Brick, gypsum, etc.* Fill solidly between partition uprights from underside of flooring to ceiling with brick, gypsum, or other acceptable material packed solidly to fill all spaces and voids. Where brick, gypsum, or other masonry material is intended to be used, application must be filed before installation with the Department of Buildings for approval of strength of existing members intended to support the proposed masonry fire-retarding.

(5) *Other methods.* No other method may be used unless same is acceptable to the Department of Housing and Buildings.

(6) *Removal of windows in public hall partitions.* When windows in walls or partitions are removed, both sides of the openings shall be sealed with fire-retarding materials, except that wood lath and plaster may be used on the room side of the opening when the existing surface of the room is constructed of wood lath and plaster.

(7) *Electric meters.* Where direct current (DC) electric meters of public utility companies are present or installed on partitions of public halls the fire-retarding shall continue unbroken behind the meters or the meters shall be mounted on a heavy slate back or non-magnetic fireproof equivalent, such as transite, asbestos board, etc., against which fire-retarding finished up tightly.

(8) *Partitions in Class B converted dwellings.* Where fire-retarding is required in any Class B converted dwelling referred to in §15-07(a)(7), both sides of all enclosure partitions of entrance halls, stair halls and public halls throughout such building shall be fire-retarded in accordance with the method set forth in §§15-07(b)(1) or (b)(2) or said partitions shall be fire-retarded in accordance with the provisions of §§15-07(b)(3) or (b)(4).

(9) *Partitions in altered old law tenements.* In any old law tenement where the occupancy is increased on any story, the enclosing partitions of any entrance hall, stair hall or public hall on the story where the occupancy has been increased, shall be fire-retarded on both sides. Such requirements shall apply only to the walls of the entrance hall, stair hall or public hall adjoining the altered apartment. The enclosing partitions of such halls other than those adjoining the altered apartment and the partitions on any story where the occupancy has not been increased, shall be fire-retarded on the hall side. The method of fire-retarding shall be as set forth in §§15-07(b)(1) or (b)(2), or said partitions shall be fire-retarded in accordance with the provisions of §§15-07(b)(3) or (b)(4).

(10) *Newly constructed partitions.* In any entrance hall, stair hall or public hall where any partition or part thereof is newly constructed, and where the plaster has been removed from any partition or part thereof, such partition shall be fire-retarded on both sides.

(c) *Ceilings.* Any approved method for fire-retarding partitions shall be acceptable for fire-retarding ceilings, provided that all existing materials are completely removed to face of joists. Mineral wool, brick gypsum or other masonry fill will not be accepted.

(1) Where any entrance hall, public hall or stair hall, or any portion thereof, in any part of any old law tenement or [sic] converted dwelling is required to be fire-retarded that portion of any ceiling directly underneath any such entrance hall, public hall or stair hall shall be fire-retarded. Where such ceiling is located in any store, apartment or other space it shall also be fire-retarded as required for partitions by §§15-07(b)(1) or (b)(2).

Where the above method is impractical due to the existing ceiling construction in any such store, apartment or other space, the Department of Buildings may permit the fire-retarding of such ceilings to be applied from above by removing the floor of any such entrance hall, public hall or stair hall and installing between the floor beams, and directly against ceiling below, a layer of heavy building paper over which there shall be placed a basket made of reinforced ribbed expanded metal lath weighing at least 3.4 pounds per square yard. Such basket shall be lined with Portland cement or gypsum mortar not less than one inch (1") in thickness. The building paper, metal lath and cement or gypsum mortar shall be carried at least halfway up on the side of beams. However, this method will not be accepted for the fire-retarding of any such ceiling located in a space used for a hazardous purpose or business, nor will it be accepted for fire-retarding of any such ceiling located in the cellar or for the fire-retarding of any ceiling located in any store, apartment or other space when such ceiling is constructed of wood or of wood and metal applied directly to the beams. In such cases the ceilings shall be fire-retarded according to the requirements of §§15-07(b)(1) or (b)(2).

(d) *Existing wood stairs.* Except where stairs of incombustible material are required in Class B converted dwellings as set forth in §15-07(a)(7), all wood railings, balustrades and newel posts shall be completely removed from every existing wood stairs and such stairs shall be provided with railings, balustrades and newel posts of metal or other hard incombustible material, of such size and secured in such manner to the existing stairs as may be approved by the Department of Buildings, except handrails may be of hardwood.

Soffits and stringers of existing wood stairs shall be fire-retarded in accordance with the methods set forth in §§15-07(e) or (f).

(e) *Stair soffits.* The soffits of every stair in every entrance hall, public hall and stair hall, including any soffit extending beyond the enclosure partitions of any such hall, shall be fire-retarded.

Any approved method for fire-retarding partitions shall be acceptable for fire-retarding stair soffits provided that all existing materials are completely removed to face of structural members of stair soffits.

(f) *Fascia-stair and well.* Fascia of outside stringer on rake of stairs, and well fascia at floor level, shall be fire-retarded their full depth to form complete seals with the soffits of stairs and ceilings of halls, respectively. Type of fire-retarding shall be one of those herein approved for ceilings of halls, or in lieu thereof, cover fascia with sheet asbestos not less than three-sixteenths inch (3/16") thick with joints well pointed over which there shall be an additional single layer of No. 26 U.S. gage [sic] stamped metal or cover fascia with a single layer of No.14 U.S. gage [sic] steel.

(g) *Fire-stopping.* All partitions required to be fire-retarded shall be fire-stopped with incombustible material at floors, ceilings and roofs. Fire-stopping over partitions shall extend from the ceilings to the underside of the flooring or roofing above. Fire-stopping under partitions shall extend from the underside of flooring to ceiling below. All [sic] spaces between floor joints (directly over and under partitions) shall be completely filled the full depth of joists. Any space from top of partition to underside of roof boarding shall be completely fire-stopped.

Fire-stopping shall be done with brick, cinder concrete, gypsum, metal lath and Portland cement or gypsum mortar, mineral wool, or other materials acceptable to the Department of Buildings.

(h) *Door openings.* Except as provided in §§15-07(h)(1) and (h)(2), all door openings into any public hall, entrance hall or stair hall which is required to be fire-retarded shall be equipped with self-closing protective assemblies having a fire-resistive rating of at least one hour.

(1) In old law tenements where the number of apartments is not being increased, existing wood doors opening into public halls, entrance halls or stair halls may remain provided such doors are made to be self-closing ("Butterfly" spring hinges are not acceptable) and, provided further, all glazed transoms and panels in every such door are glazed with wire glass. All such transoms shall be made stationary.

(2) Where, in any old law tenement, the number of apartments is being increased on one or more stories, door openings into public halls, entrance halls or stair halls on each story or stories shall be equipped with self-closing protective assemblies having a fire-resistive rating of at least one hour.

In such old law tenements existing wood doors opening into public halls, entrance halls or stair halls may remain on any story where there is no increase in the number of apartments, provided such doors and every transom and panel in same are made to conform to the requirements set forth in §15-07(h).

(3) All doors shall be properly fitted to their assemblies and there shall be no unnecessary space between doors and door bucks or saddles.

(i) *Materials.* All materials used in the process of fire-retarding shall be of a type and manufacture acceptable to the Department of Buildings.

The following shall be considered as minimum requirements:

(1) *Metal lath.* Metal lath shall weigh at least 30 pounds per square yard, except lath used over existing plaster which lath shall weigh at least 3.4 pounds per square yard and be reinforced with rigid ribs not less than three eighths inch (3/8") deep, spaced not more than eight inches (8") on center running full length of sheets. Where ribs exceed 4.8 inches on center, same shall have at least one intermediate one eighth inch (1/8") inverted rib running the full length of sheets.

Metal lath fastened to studs [sic] shall be attached at least six inch (6") [sic] intervals with 4-penny nails or one inch (1") roofing nails or No. 14 steel wire gage [sic] wire staples, and to wood joists by at least 6-penny nails, one and one-quarter inch (1 1/4") roofing nails, or one inch (1") No. 14 steel wire gage [sic] wire staples. When metal lath is applied over existing plastered surfaces, same shall be fastened with nails or staples of the same gage [sic] and such nails or staples shall have anchorage of at least one-half inch (1/2") in studs and three-quarters inch (3/4") in joists. Laps between the studs or joists shall be securely tied or laced. Stiffened metal lath on wood studs, or joists, shall be nailed or stapled at least at eight inch (8") intervals, and the laps between studs similarly tied or laced. Metal lath shall be galvanized or painted.

(2) *Plaster boards or perforated rock lath.* Plaster boards or perforated rock lath shall be of type and manufacture acceptable to the Department of Buildings. Each board shall bear the name of manufacturer [sic] and brand stamped thereon for inspection after erection.

Plaster boards or perforated rock lath nailed directly to wood studding or joists shall be fastened with one and one-eighth inches (1 1/8") wire nails of at least No. 13 steel wire gage [sic] with flat three-eighth inch (3/8") heads. When such boards are applied over existing plastered surfaces, same shall be fastened with nails of the same gage [sic] and such nails shall have anchorage of at least one-half inch (1/2") in studs and three-quarters inch (3/4") in joists. The maximum space between nails shall be four inches (4"). The joints shall be broken at every other board. The wetting of such boards before plastering is forbidden.

(3) *Stamped metal.* Stamped metal shall be No. 26 U.S. gage [sic] (equivalent thickness .018 inches or 3/160 inches) with one inch (1") lapped seams. Size of sheets shall be not more than twenty-four inches by ninety-six inches (24" x 96"), having a selvage consisting of a half-round bead sufficient to create a one inch (1") overlap at both seams. Nailing shall be secured direct to studs or joists with 6-penny smooth box nails (two inches (2") or No. 12 1/2 gage [sic] with nails on end seams spaced not more than three inches (3") apart. Nailing to plaster is forbidden and in all cases nails shall have anchorage of at least one-half inch (1/2") in studs and three-quarters inch (3/4") in joists. All beads at seams shall be chisel sealed, making a tight joint. All sheets shall be marked "26 U.S. Gage" [sic] for identification and inspection after erection.

(4) *Mineral wool.* Mineral wool shall be of a type and manufacture acceptable to the Department of Buildings.

Holes shall be cut approximately three inches (3") in diameter through the wood lath and plaster near the ceiling, in the panels between each two adjacent studs. As an alternative, holes may be cut approximately three inches by six inches (3" x 6") on every second stud. Check each stud panel with weight and line to find out whether there is any obstruction. If any cross-bridging or other obstruction is encountered additional holes shall be cut until access has been gained to all open spaces within the stud panel in all specified partitions. Mineral wool shall then be blown into all spaces by the pneumatic method with air pressure sufficient to pack the insulation to a density acceptable to the Department of Buildings. Mineral wool for this work shall be in bags or containers marked with manufacturer's name and label specifying its type.

(5) *Other materials.* No other material may be used unless same is acceptable to the Department of Buildings.

(j)*Exceptions.* Where any portion of any entrance hall, stair hall or public hall has been previously fire-retarded under the supervision of this department, the former Tenement House Department or various former Department of Buildings, such fire-retarding will be accepted only to the extent that same has been previously approved, provided, however, that such entrance hall, stair hall or public hall is otherwise made to conform to all the requirements set forth in these rules.