

ARTICLE 18. PLACES OF ASSEMBLY

Sub-Article 1

General Provisions Governing Places of Assembly

§C26-1437.0 Application.-Except as otherwise provided in the administrative code of the city of New York, the provisions of this article shall apply to any new room, space or portion of a premises, or to any room, space or portion of a premises existing as or hereafter altered or converted to use or occupancy as a “place of assembly.”

§C26-1438.0 Egress.-

a. The means of egress in such places of assembly shall be in conformity with the provisions of this chapter relating to buildings of like classification, area, height, use and occupancy, except, however, that in all cabarets and coffee houses as defined in paragraph three of section B32-296.0 and in paragraph one of section B32-301.0 of this code the greatest distance of travel from any portion of such cabaret or coffee house to a required means of egress shall not exceed seventy-five feet.

b. In all places of assembly there shall be aisles providing proper access to all required means of egress. Such required aisles shall not be obstructed in any manner whatsoever and shall be not less than three feet in width.

c. No required means of egress in a place of assembly hereafter created shall be permitted through any room or space used as a kitchen or service pantry or for the preparation of food. In an existing “place of assembly” an existing means of egress through a room or space used as a kitchen or service pantry or for the preparation of food may be accepted by the department under such conditions as may be prescribed and approved by the department.

d. The provisions of subdivision a of this section limiting to seventy-five feet the greatest distance of travel from any portion of any room or premises used as a cabaret or coffee house to a required means of egress shall not apply to existing legal cabarets and coffee houses as defined in paragraph three of section B32-296.0 and in paragraph one of section B32-310.0 of this code, provided, however, that the means of egress from such cabaret or coffee house is in conformity with the provisions of this chapter relating to buildings of like classification, area, height, use and occupancy.

e. The owner of each place of assembly shall submit to the department a diagram indicating the arrangement of tables, chairs, seats, dancing space, platforms, aisles and means of egress. Diagrams which have been approved by the department shall be kept on the premises for which the approval has been granted and shall be readily available for inspection. Such diagrams shall be filed with the department within sixty days after the date when this article becomes effective.

No place of assembly shall be occupied until a diagram indicating the basic arrangement of aisles has been approved by the department, and the use of any arrangement not approved by the department is prohibited.

f. The provisions of paragraph e of this section relating to the submission and approval of diagrams shall not apply to assembly rooms or auditoriums in elementary or high schools as defined in section C26-132.0 of this code or in colleges which are licensed to operate by the state board of regents; provided, however, that seats in such assembly rooms or auditoriums are stationary.

§C26-1439.0 Number of Persons, Limited.-The number of persons permitted to occupy a place of assembly shall be as approved by the Department of Housing and Buildings and shall be in

conformity with the provisions of this chapter relating to buildings of like classification, area, height, use and occupancy.

§C26-1440.0 Capacity of Premises To Be Posted Conspicuously.-

a. In every room or in any portion of a premises or building which is used as a place of assembly there shall be, conspicuously posted, signs indicating the number of persons who may legally occupy said room or space. Such signs shall read as follows:

OCCUPANCY BY MORE THAN.....PERSONS IS DANGEROUS & UNLAWFUL
.....Commissioner,
Department of Buildings, City of New York.

b. Such signs shall be twenty inches in width by twenty-four inches in length. The lettering thereon indicating the lawful occupancy shall be of bold gothic type in red on a background of white, shall be not less than two inches in height and the numerals shall be two and three-eighths inches in height, and such lettering and numerals shall be properly spaced to provide good visibility.

c. Such signs shall be illuminated, shall be durable, and shall be substantially secured to wall or partition.

d. Such sign shall be located at the main entrance to such space or room so as to be conspicuously visible to a person entering such space or room.

§C26-1441.0 Lighting Systems.-During all periods when a place of assembly is occupied such place shall be illuminated by sufficient natural or artificial light to permit a person to read in every portion thereof nine-point print of the kind generally used in the average daily newspaper. Dance halls when in use, shall be so illuminated that every person present may be plainly seen from any point in the hall. When required, artificial light shall be provided through electrical circuits and shall be maintained in continuous operation.

§C26-1442.0 Exit Signs.-

a. In every such place of assembly the required means of egress shall be indicated by signs reading "EXIT". Letters on such signs shall be eight inches in height and such letters shall be properly spaced so as to be easily read at a distance of seventy-five feet.

b. Each such exit sign shall be illuminated by a red light of not less than twenty-five watts or equivalent photometric rating.

c. In any such place of assembly where doors, openings or passageways providing access to required means of egress are not visible from all portions of such room or premises, illuminated directional signs shall be installed in conspicuous locations in such room or premises, indicating the direction of travel to the required means of egress.

d. Such directional signs shall be of the same dimensions as specified in this section for exit signs.

e. It shall be unlawful to obscure in any manner any required means of egress, passageway, exit sign, exit light or directional exit sign.

§C26-1443.0 Independent Circuit for Illuminated Exit Lights and Directional Signs in "Licensed Places of Public Assembly".-Notwithstanding any other provision contained in this chapter, the illumination of all exit lights and directional signs required under the provisions of this article in all "licensed places of public assembly" which have been approved by the department charged with the enforcement of this chapter for occupancy by more than two hundred and fifty persons shall be provided through circuits separated from the general lighting and power circuits. Such installations shall be in conformity with the provisions of title B of chapter thirty of this code.

§C26-1444.0 Safety.-

a. The superintendent, in his discretion, may require that any opening from a space used as a kitchen or service pantry or for the preparation of food in a place of assembly be protected with a self-closing door or other device when in his opinion such protection is necessary for the safety of the occupants and to prevent the spread of fire. Any door installed for such purpose may be provided with a vision panel of clear wire glass or of plate glass not less than one-quarter of an inch in thickness.

b. In all places of assembly in which food is cooked or prepared for service in such place, the hoods over ranges and the flues shall be thoroughly cleaned at least every three months or more frequently if necessary. A record indicating the person or firm which completed such cleaning process and the date when such flues were cleaned, shall be kept on the premises and shall be available for examination.

§C26-1445.0. Dressing Rooms.-

a. In places of assembly in which dressing rooms are provided for performers, such dressing rooms shall be equipped with sprinklers as prescribed by the superintendent. Water supply for such sprinklers may be taken from the domestic water service of the building.

The provisions of this subdivision shall not apply to guest rooms in hotels when such guest rooms used for the accommodation of performers are separate and remote from that part of the premises used as a place of assembly.

b. All dressing rooms used by performers shall be provided with adequate means of egress as prescribed by the superintendent.

§C26-1446.0 Revolving Doors Prohibited.-

a. No class B revolving door shall be permitted in any place of assembly.

b. It shall be unlawful to install a revolving door or continue the use of an existing revolving door in any exit opening from a place of assembly, except that:

1. A supplemental revolving door may be installed or maintained immediately adjacent to a required exit.

2. Where the occupancy is less than one hundred and fifty persons one of the required exits may be through a revolving door provided there is immediately adjacent thereto an outwardly swinging door of at least twenty-eight inches in width and provided further that there is another required exit from such place of assembly.

c. The provisions of this section shall not apply to street exit doors in class 1, class 2 or class 3 structures where there intervenes, between the place of assembly and said exit doors, areas of safety into which exits of the place of assembly discharge. Said areas shall be public stairhalls, exit corridors or similar protected areas adequate, under the provisions of article seven of this code, for the accommodation of all the occupants of the building including those of such place of assembly.

d. All type A revolving doors shall be cleaned, lubricated, and maintained in proper working order. Tests shall be made each month so that in the event of an emergency such doors may fold back in conformity with the provisions of section C26-287.0 of this code.

A record, indicating the name of the person or firm which made such tests and the date on which such tests were conducted, shall be kept on the premises and shall be available for inspection.

During the period of World War No.2 and one year thereafter, nothing contained in this section shall be construed to preclude the use of revolving doors in places of assembly other than cabarets or dance halls if such revolving doors legally existed therein on January first,

nineteen hundred forty-three, provided, however, that adjacent to such revolving doors there are required means of egress equipped with outwardly swinging doors and further provided that in the opinion of the superintendent no undue hazard will result therefrom.

§C26-1447.0 Approval Required, Permits, Fees.-

- a. It shall be unlawful to use or occupy any building or portion of a building or premises as a place of assembly unless an application for such use or occupancy has been filed with and approved by the department.
- b. Application forms and permits required under this section shall be provided by the department.
- c. The permit issued by the department for such place of assembly shall be kept readily accessible in all such places of assembly.
- d. An annual fee of ten dollars shall be paid to the department upon the issuance of the required permit for a place of assembly.
- e. The provisions of this section relating to the payment of a fee shall not apply to any place of assembly occupied exclusively by a religious, charitable or educational organization no part of the net earnings of which inures to the benefit of any private shareholder or individual, or to any place of assembly for which a fee is collected by any other department of the city, for similar use and occupancy.
- f. Except as provided in subdivision h of this section, the issuance of a permit by the department under this article shall be contingent on the approval of the fire commissioner, and of the department of water supply, gas and electricity and, if a license is required under the provisions of articles 38 and 39 of chapter B32 of this code, the applicant shall also obtain the approval of the license commissioner.
- g. A permit issued under the provisions of this article shall not affect application of the provisions of paragraph b of subdivision one of section 487a-1.0 of this code.
- h. The department may issue conditional renewals of permits without the renewals approval of the fire commissioner and of the department of water supply, gas and electricity when such renewal approvals are delayed beyond the date of expiration of a permit for a previous period.

§C26-1448.0 Date Effective.-

- a. The provisions of section C26-1437.0 of this article shall become effective immediately.
- b. Except as otherwise specifically provided in this article, such changes as may be required under the provisions of sections C26-1438.0, C26-1439.0, C26-1440.0, C26-1441.0, C26-1442.0, C26-1444.0, C26-1446.0 and C26-1447.0 of this article shall be completed within sixty days from the date on which this article becomes effective.
- c. Such changes as may be required under the provisions of sections C26-1443.0 and C26-1445.0 of this article shall be completed within six months from the effective date of this article.

§C26-1449.0 Violations, Penalties.-In addition to any other penalty prescribed by this code, any person who shall violate any provision of this article, upon conviction thereof, shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment not exceeding ten days, or by both. Upon a second conviction of such violation the commissioner shall have discretionary power to revoke or suspend any permit issued by the department under the provisions of this article.

If any place of assembly is used or occupied in violation of any provision of this article, whether or not there has been a conviction of any person for such violation, the commissioner

may serve notice upon the person charged with having violated such provision, requiring such person to comply with the provisions of this article within ten days after the service of such notice, and if such person fails to comply within said period, the commissioner may serve notice upon such person that a hearing will be held by the said commissioner at a time and place to be fixed in said notice to determine whether or not such violation existed or still exists, and if, after such hearing, at which the person charged with such violation shall be given an opportunity to be heard and present proof, the commissioner determines that such violation continues to exist, he may suspend any permit issued by the department of housing and buildings under the provisions of this article for a period of time not exceeding three months, and during such suspension it shall be unlawful to use or occupy such portion of the premises as a place of assembly.