

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 2, 1977

TO: Borough Superintendents

FROM: Director of Operations Irving E. Minkin, P.E.

SUBJECT: MEZZANINE, DUPLEX AND SPLIT-LEVEL APARTMENTS  
Uniform Interpretation of Building Code Provisions  
Sections - C26-201.0 (Definitions)  
          C26-1205.5 (Natural Ventilation)  
          C26-603.1 (Exits from Dwelling Units)  
          C26-603.2 (Exits from Floors)

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Department memorandum issued March 19, 1974, by the Director of Operations, is repealed and superseded by this memorandum.

OBJECT

To obtain uniform interpretation of Building Code provisions as they relate to exits, ventilation and smoke detection in duplex, mezzanine and split-level apartments in both combustible and non-combustible buildings.

APPLICABILITY

This memorandum is applicable to both new buildings and alterations filed to comply with either the "old" or "new" Building Code where mezzanines, split-level apartments, or duplexes are indicated.

Split-level apartments, where the two levels vary more than 5'-0", shall be treated as two different stories, except where one level constitutes a mezzanine, and all levels are less than 5' above or below the main floor level (see sketch 3C).

VENTILATION

The area of a mezzanine shall be added to the area of the room or space in which it is to be located to compute the required window size. The mezzanine ceiling shall not be higher than 1'-0" above the head of the required window furnishing natural ventilation, except that when this is not feasible, mechanical ventilation shall be provided for the mezzanine area

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(see sketch 3B). Habitable rooms on mezzanines not adjacent to windows shall be required to have the side adjacent to the open railing permanently open.

### EGRESS

A. Buildings classified as: Non-combustible (Group 1) - New Code  
Fireproof (Class 1) - Old Code

Where duplexes are indicated, one level of the apartment occupying a part of not more than two floors need only be provided with a balcony that complies with Section C26-604.2 (g), provided that, in addition, the stair within such apartment shall be at least 30 inches in width and terminate not more than 20 feet from a corridor door on the other level that shall provide the required access to at least two independent exits. The center line of such corridor shall not be more than 50 feet from any room within such apartment (see sketch 1B).

Duplexes not complying with the preceding paragraph shall be required to provide access on each level to a public corridor leading to at least two independent exits; mezzanines, however, conforming with the limitations described in department memorandum dated April 26, 1972, need only be furnished with a 30-inch-wide stair terminating on the main floor level not more than 20 feet from the public corridor door (see sketch 1A).

B. Buildings classified as: Combustible (Group II) - New Code  
Non-Fireproof (Class III) - Old Code

Apartments containing mezzanines conforming with the limitations described in department memorandum dated April 26, 1972 may be provided with the following egress, provided smoke detectors are provided as specified in this memorandum:

1. The primary level shall have access to a corridor that shall provide access to two required exits, and the stairs connecting the two levels shall be at least 2'-6" wide and terminate no more than 20' from either corridor or exit door, nor less than 15' from same. Balconies shall be provided as follows.

2. Where the mezzanine level is more than 5'-0" above the entrance level, and the major level of the apartment has access to a masonry enclosed public hall that leads to two independent stairs, only the mezzanine need be provided with a connecting balcony that complies with the provisions of Section C26-604.2(g), provided that the stair to the mezzanine is at least 2'-6" wide and terminates no more than 20' from the corridor door of the main level (see sketch 2B).

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When, however, the mezzanine is not adjacent to the exterior wall, the connecting balcony is to be provided on the main level if access to a public corridor is not provided on the mezzanine level, as well as the main level (see sketches 2A, 3A, and 3B).

3. In split-level apartments where the mezzanine level is less than 5' above the main (apartment entrance) level, a connecting balcony complying with section C26-604.2(g) may be located on either level of the apartment (see sketch 3C).

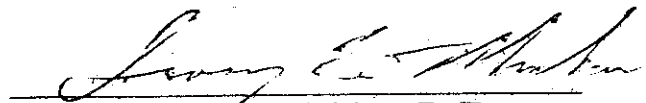
Apartments containing mezzanines exceeding the limitations specified in department memorandum dated April 26, 1972, or not provided with smoke detectors as set forth herein, shall require two means of egress from each level.

### SMOKE DETECTORS

In all apartments, when any level has only one means of egress (door to public corridor, door to connecting balcony, or 30-inch-wide interior stairway) the apartment shall be provided with smoke detectors on all levels (see sketches 1A, 3A, 3B, 3C).

The smoke detectors shall be designed and installed so as to detect smoke and activate an alarm, be reasonably free from false alarms, and provide visible indication that the alarm is energized. Such device shall be directly connected to the lighting circuit of the dwelling or rooming unit with no intervening wall switch and shall provide a warning signal clearly audible in all sleeping quarters with intervening doors closed. Battery operated or cord-connected installations are not permissible.

Such devices shall either be approved or listed by an acceptable testing service or laboratory.



Irving E. Minkin, P.E.  
Director of Operations

IEM/df

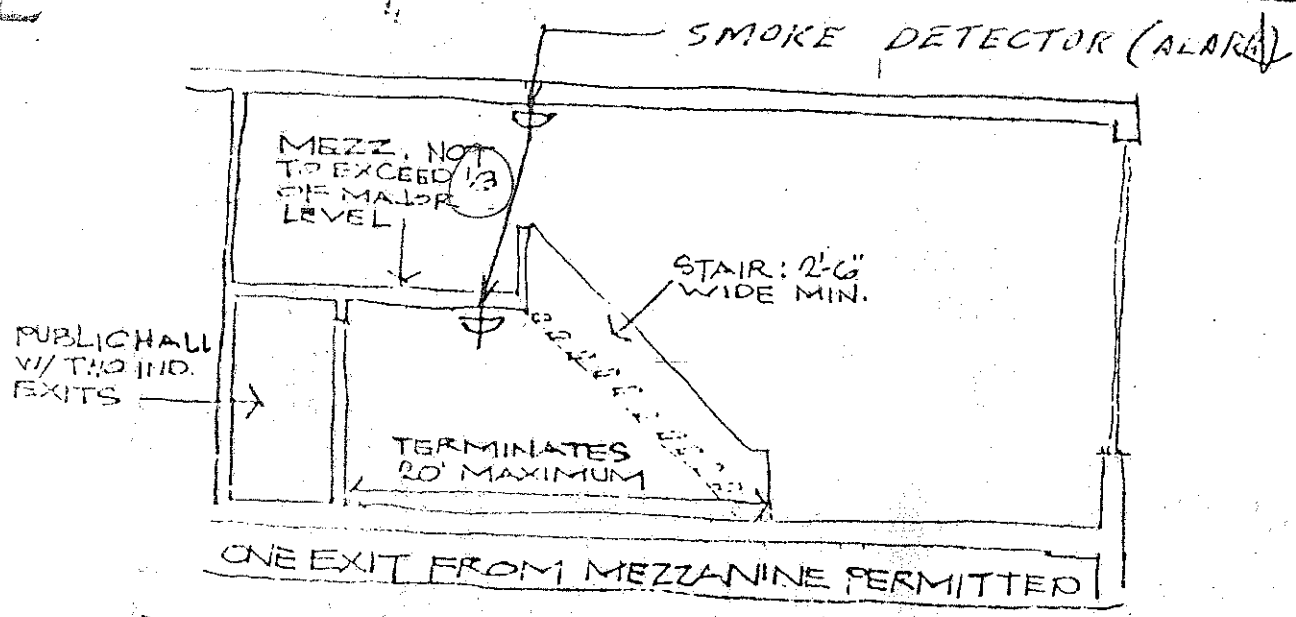
Enclosures: Sketches 1A, 1B, 2A, 2B, 3A, 3B, 3C; Memo dated 4/26/72

CC: Exec. Staff  
Housing Authority  
Dept. of Development  
Industry

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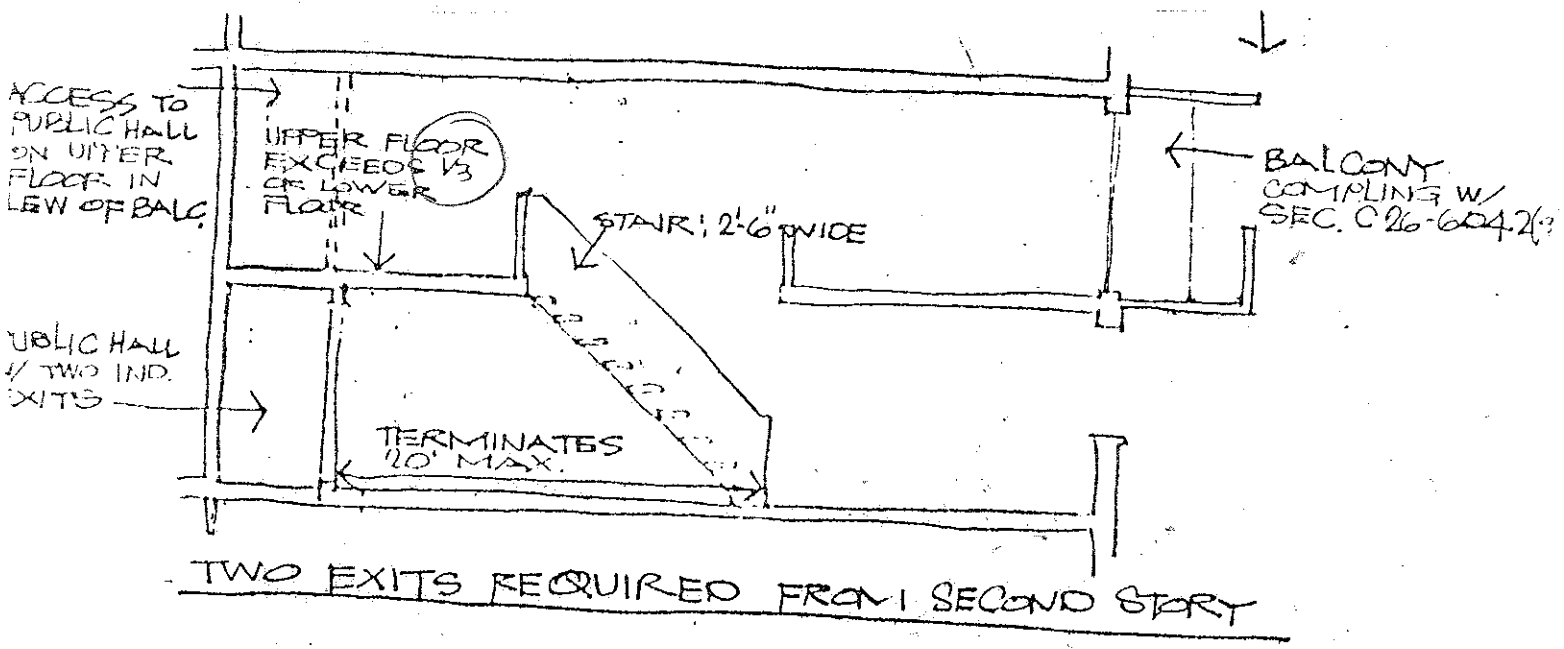
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# APARTMENTS W/ MEZZANINES



NON-COMBUSTIBLE (GROUP 1) NEW CODE  
 FIRE PROOF (CLASS 1) OLD CODE

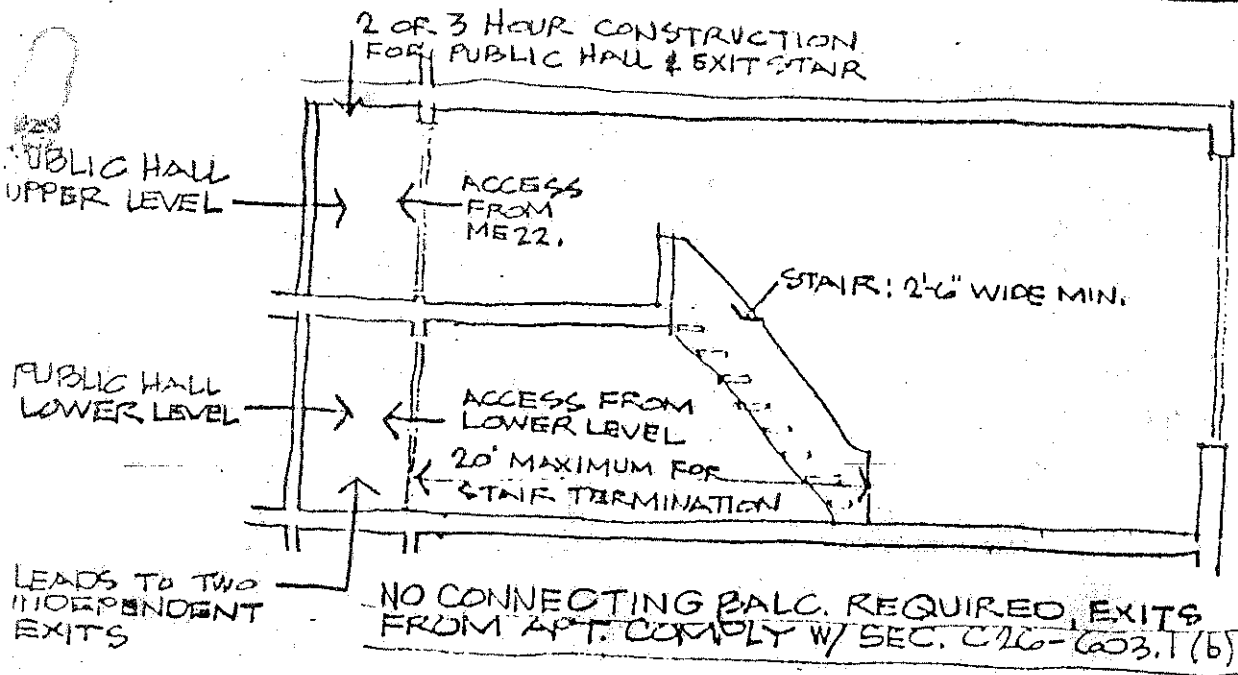
# APARTMENTS ON MORE THAN ONE STORY



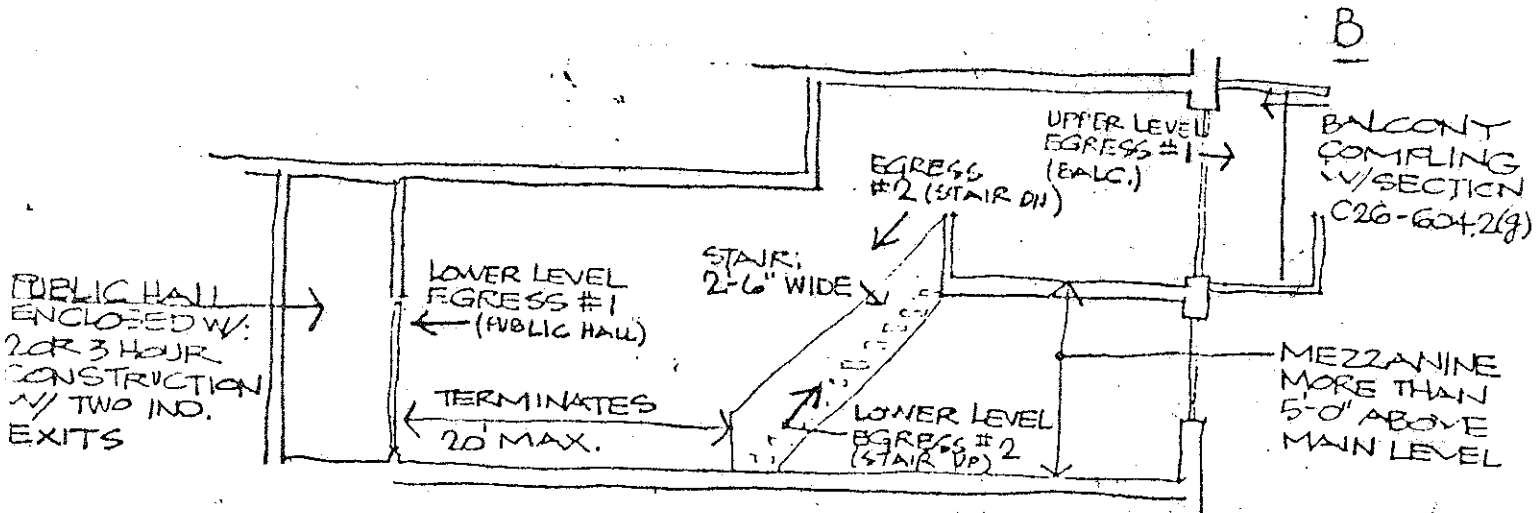
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# APARTMENTS W/ MEZZANINES

(2)



COMBUSTIBLE (GROUP II) NEW CODE  
 NON-FIREPROOF (CLASS III) OLD CODE

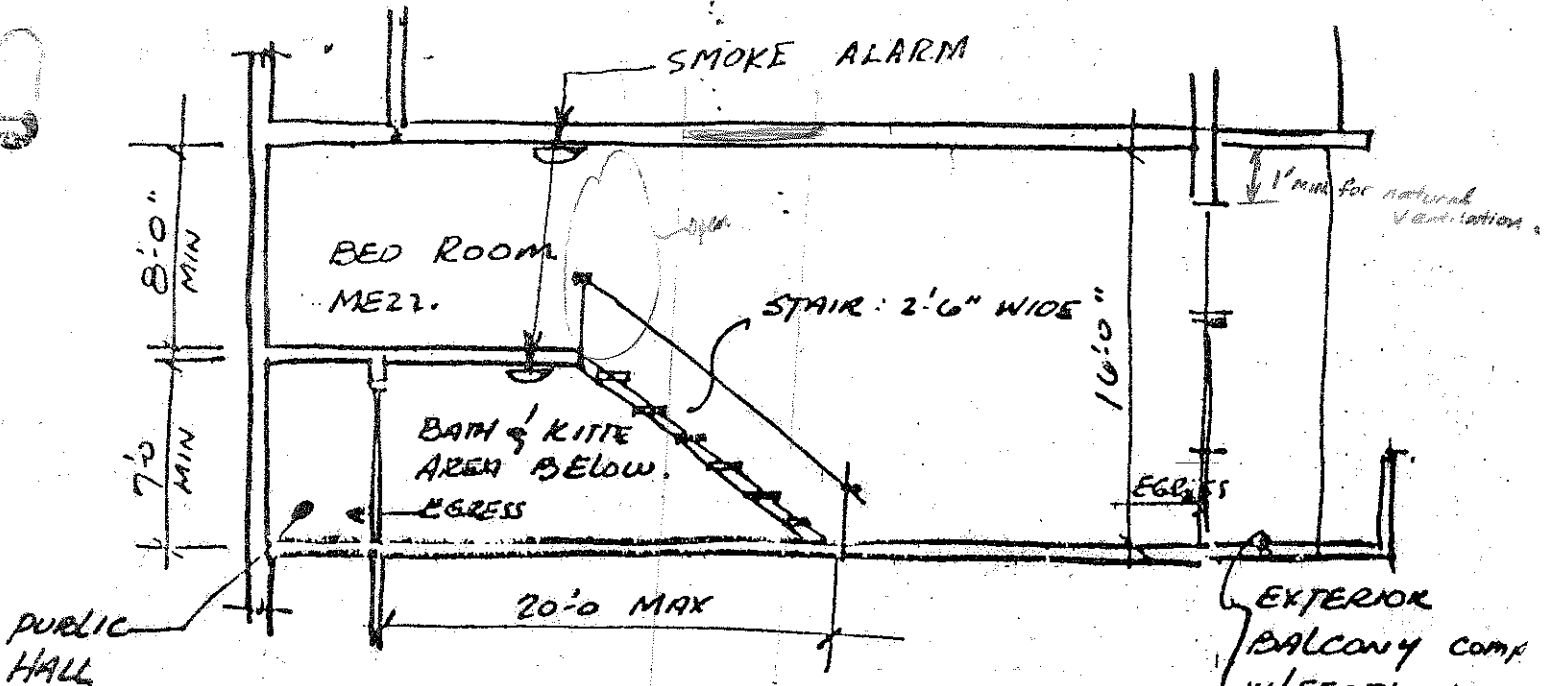


BALCONY ON MEZZANINE LEVEL PROVIDES 2<sup>ND</sup> EGRESS REQUIRED BY SECTION C26-603.1 (b)

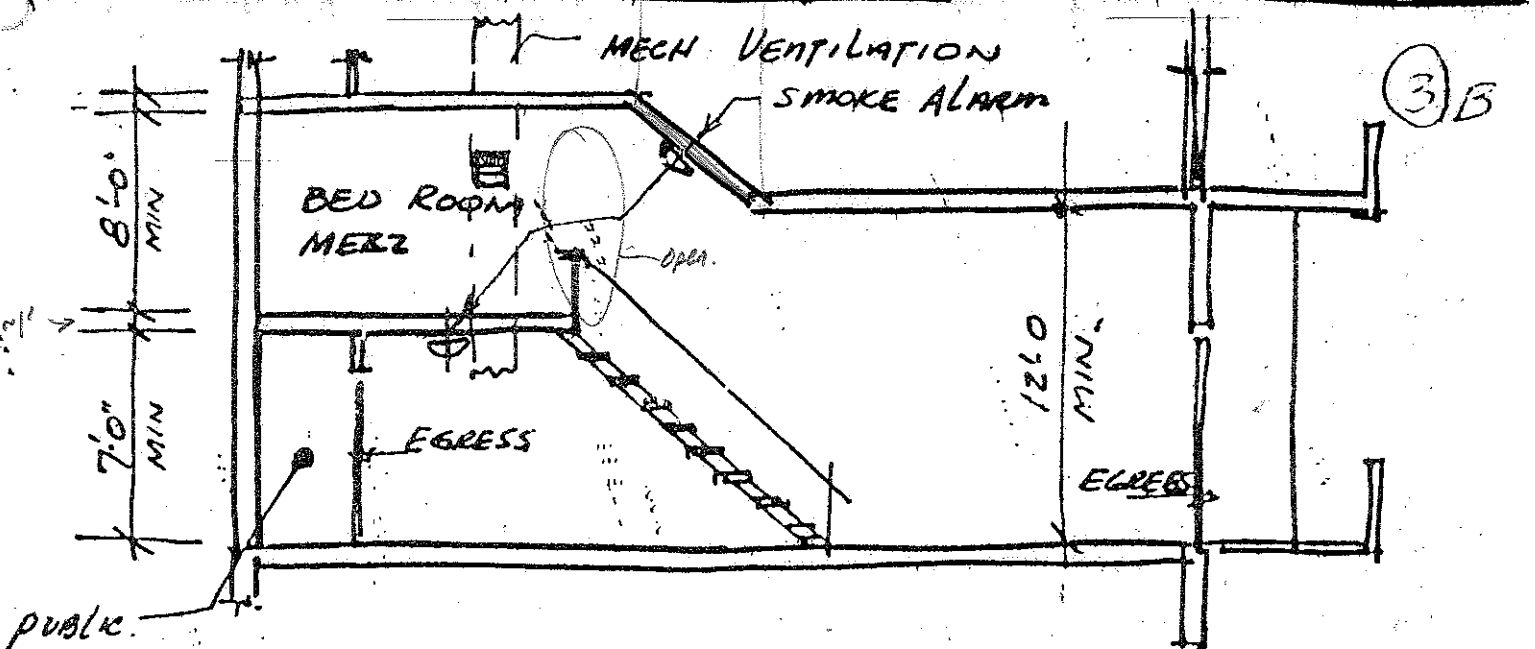
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APARTMENT W / MEZZANINE

③ A



CONNECTING BALCONY & PUBLIC HALL AS REQ'D MEANS OF EGRESS FROM APARTMENT. [NON FIREPROOF CONST]



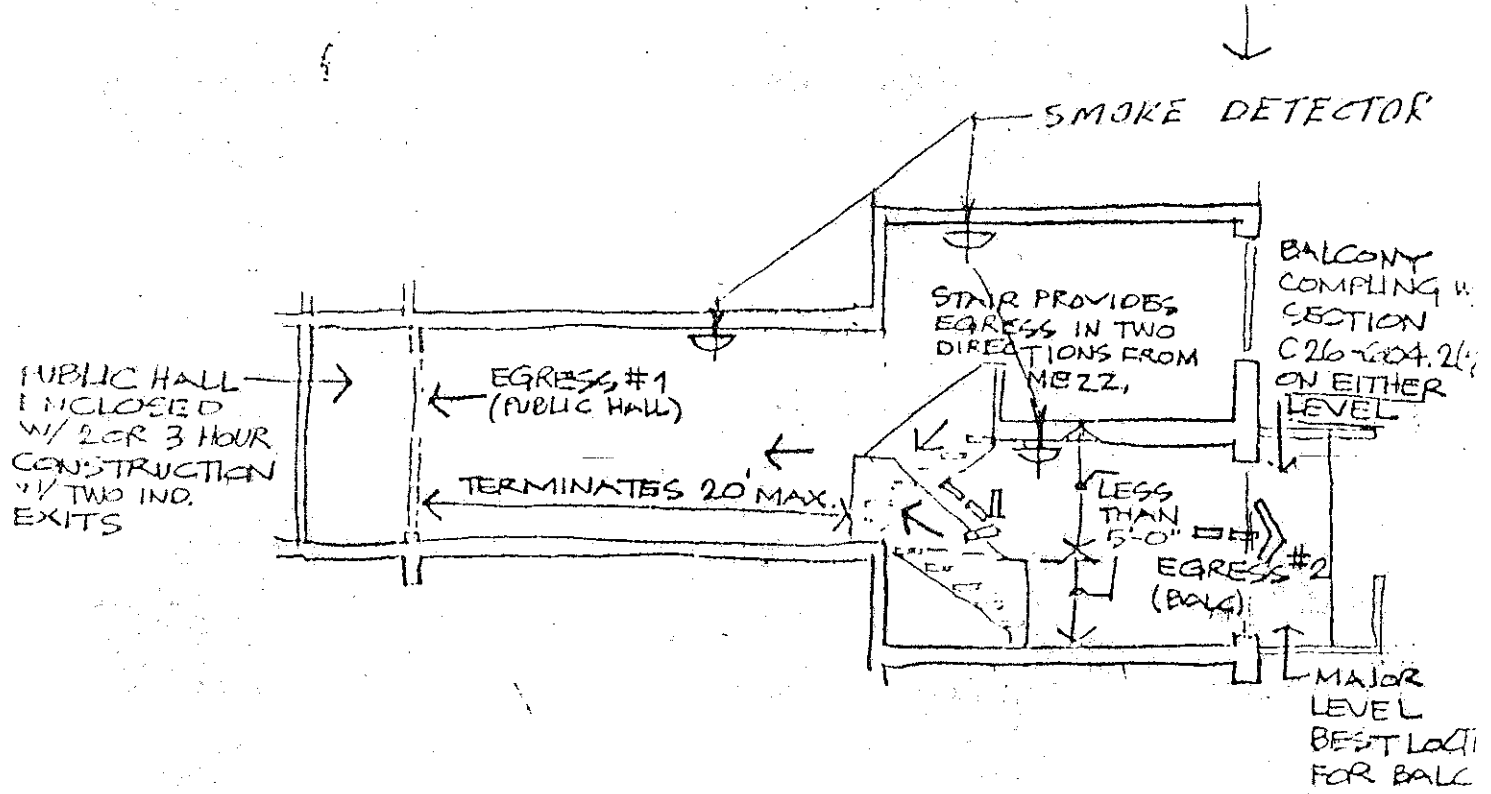
SAME AS ABOVE WITH 12'-0 HIGH LIVING ROOM CEILING.

ADDING ① A SMOKE DETECTOR

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② MECH VENTILATION FOR 4'-0 TO 5'-0 DROP IN CEILING TO PROVIDE FOR VENTILATION.

# SPLIT LEVEL APARTMENTS



EXITS COMPLY W/ SECTION C26-603.1 (b)

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COMBUSTIBLE (GROUP II) NEW CODE

NON-FIREPROOF (CLASS III) OLD CODE

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