

COURSE 201

Filing Representative Training for
Class 2 Code and Zoning Representatives

Includes:

- Overview of 1938, 1968, and 2008 Codes
- 2014 Construction Codes Update

1938, 1968, and 2008 Codes

James P. Colgate, RA, Esq.
Assistant Commissioner,
Technical Affairs and Code Development

- Laws amend construction codes EVERY year
- 2008 Code already has had 68 Update pages!
(as of Feb 2013)

- Important dates (Building Code):
 - 1898
 - 1916
 - 1938
 - 1968
 - 2008
- Important dates (Multiple Dwelling Law):
 - 1901
 - 1929

- Existing buildings if lawfully erected:
 - Grandfathered
 - Might be subject to retroactive requirement
 - Might require upgrades when altered
 - Example:
 - Old tenement house was lawfully erected
 - Retroactive law required smoke and CO alarms
 - Alterations might trigger sprinklers

- Alterations, and what code to apply

4 Filing Status *Required for all applications. Cho*

Initial Filing 5, 7, 11, 12A, 25-26

Review is requested under which Building Code?

2008 1968 Prior to 1968

(Source: PW-1 Form)

Always look to current Title 28 first

- **§28-101.4 Effective date.** Except as otherwise provided in sections 28-101.4.1, 28-101.4.2, 28-101.4.3 and 28-101.4.4 on and after the [July 1, 2008], all work shall be performed in accordance with the provisions of [the 2008 code]

These are no longer relevant for new jobs:

- **§28-101.4.1** Permit issued or work commenced prior to [July 1, 2008].
- **§28-101.4.2** Applications for construction document approval submitted prior to and within twelve months after [July 1, 2008].

Owner can always elect 1968 Code:

- **§28-101.4.3** Optional use of the 1968 building code for alteration of existing buildings.
 - Applies to buildings built prior to 2008
 - Owner can elect to apply 1968 code
 - If 1968 code allows, then owner can go back to 1938 code
 - Subject to 13 conditions

The following must meet 2008 code:

1. Fuel Gas (FGC), Plumbing (PC) and Mechanical (MC) work
2. Fire protection system (e.g.: sprinklers, fire alarms, standpipes, CO) work; change of occupancy (BC Chap 9)
3. Elevator work 2008 Code (BC Chap 30)

The following must meet 2008 code:

4. Construction Safety (BC Chap 33)
5. Accessibility if either applies (BC Chap 11):
 - Change in main use or dominant occupancy
 - Cost exceeds a 50% trigger
6. Encroachments into public right-of-way (BC Chap 32)

The following must meet 2008 code:

7. Administration, enforcement, special inspections, and material approval (Title 28, BC Chap 17)
8. Roll-down gates for visibility per LL 75/09 (BC 1008.1.3.5)
8. All work must meet NYC Energy Conservation Code per LL85/08
 - The city council added TWO number 8s

The following must meet 2008 code:

11. Recovering/replacing roofs regarding light color per LL 21/11 (BC 1504.8)
 12. Alterations affecting building entrances, toilets, bathing facilities or elevators regarding accessibility signage (BC 1110.2).
 13. Alterations affecting building entrances regarding accessibility signage (BC 1110.1).
- There is neither an Item 9 nor an item10

The following must meet 2008 code:

- 28-104.9.4 Work in flood hazard areas must per LL 21/09 (BC Appendix G)

NOTWITHSTANDING 28-101.4.3, owner must use 1968 code in this case:

- **§28-101.4.4** Alterations that reduce the fire safety or structural safety of existing buildings.

Sample Objection

28-101.4.4	Provide analysis showing that the 1-hour rating of the proposed new partition to enclose the boiler room would not reduce fire safety below what would be required by the 1968 code.
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Can an owner elect 1938 Code?

- Building must be a pre-1968 building
- 1968 code must provide the allowance

1968 Code allowance to use 1938 code:

- 27-115: Cost is more than 60%
- 27-116: Cost is between 30% and 60%
- 27-117: Cost is less than 30%
- 27-118: Change of occupancy or use
- 27-120: Multiple dwellings regardless of cost

But 1938 code election does not apply to:

- 27-114:
 - Interior finish per 27-348
 - Finish flooring and floor covering per 27-351
 - Others subsections are no longer relevant
- 27-123.1: Accessibility (LL 58/87)
- 27-123.2: Sprinklers - MDs > 4DU (LL 10/99)

1938 code election does not apply to LL 58/87:

- 27-123.1 Alterations, additions, repairs and changes in occupancy or use requiring facilities for people having physical disabilities.

1938 code election does not apply to LL 58/87:

- 27-123.1(a) (first sentence)
- The provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven of this code shall apply to an entire existing building, as if hereafter erected, when the costs of any alterations, additions or repairs, other than ordinary repairs, made within any 12-month period immediately following the filing of the application exceed 50% of the cost of replacement of the building with one of similar floor space, as estimated by the department at the beginning of that twelve-month period

1938 code election does not apply to LL 58/87:

- 27-123.1(a) (second sentence)
- When such estimated costs of alterations, additions or repairs, other than ordinary repairs, do not exceed fifty percent of such replacement cost, then the provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven shall apply to such alterations, additions or repairs, although nothing herein is meant to discourage compliance with the standards set forth in sub-article two of article two of subchapter four of chapter one of title twenty seven in other portions of buildings described in this sentence

1938 code election does not apply to LL 58/87:

- 27-123.1(b) (first sentence)
- The provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven of this code shall apply to an entire existing building, as if hereafter erected, when there is a change in occupancy classification of the building

1938 code election does not apply to LL 58/87:

- 27-123.1(b) (second sentence)
- The provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven of this code shall apply to a space in a building when there is a change in the occupancy type thereof or in how such space is used

1938 code election does not apply to LL 10/99:

- 27-123.2(a) cost of work > 50% of building:
sprinklers throughout building
- 27-123.2(b) change of main use/dominant
occupancy: sprinklers throughout building
- 27-123.2(c)(1): change of occupancy of space:
sprinklers in space
- 27-123.2(c)(2): cost of work > 50% of space:
sprinklers in space

MDL

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§ 3. 11. Notwithstanding any other provision of this section, the following enumerated articles, sections and subdivisions of sections of this chapter shall not apply to the construction or alteration of multiple dwellings for which an application for a permit is made to the department after December sixth, nineteen hundred sixty-nine in a city having a population of one million or more which adopts or has adopted local laws, ordinances, resolutions or regulations providing protection from fire hazards and making provision for escape from fire in the construction and alteration of multiple dwellings and (in other respects) as protective as local law seventy-six of the laws of the city of New York for nineteen hundred sixty-eight and covering the same subject matter as the following: subdivisions twenty-five, twenty-seven, twenty-eight, thirty-five c, thirty-six and thirty-nine of section four, subdivision three of section twenty-eight, sections thirty-six, thirty-seven, fifty, fifty-one, fifty-two, fifty-three, fifty-five, sixty, sixty-one, sixty-seven, subdivisions one, two, four and five of section seventy-five, article four, article five, article five-A, article six and article seven-B; except that after December sixth, nineteen hundred sixty-nine where a multiple dwelling erected prior to December sixth, nineteen hundred sixty-nine is altered, or a building erected prior to December sixth, nineteen hundred sixty-nine is converted to a multiple dwelling pursuant to a permit applied for to the department having jurisdiction, the foregoing articles, sections and subdivisions of sections shall remain applicable where a local law of such city authorizes such alteration or conversion to be made, at the option of the owner, either in accordance with the requirements of the building law and regulations in effect in such city prior to December sixth, nineteen hundred sixty-eight or the requirements of the building law and regulations in effect after such date, and the owner elects to comply with the requirements of the building law and regulations in effect prior to December sixth, nineteen hundred sixty-eight. (As amended by L. 1947, ch. 787, Sec. 3; L. 1950, ch. 137, 139; L. 1967, ch. 523, Sec. 1; L. 1969, ch. 1063, Sec. 1; L. 1972, ch. 806, Sec. 3.)

Standard
NYC
Local
Law
25
27
28
35c
36
39
28.3
36
37
50
51
52
53
55
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61
67
75.1
4
5
Art 4
Art 5
Art 5a
Art 6
Art 7a

Sec. 4. Definitions.

Certain words and terms when used in this chapter, unless the context or subject matter requires otherwise, are defined as follows:

1. Wherever the word or words "occupied," "is occupied," "used" or "is used" appear, such word or words shall be construed as if followed by the words "or is intended, arranged or designed to be used or occupied."

ARTICLE 7. MEANS OF EGRESS**Sub-Article 1. General Egress Requirements**

(6.1.1). § C26-272.0. **Application of Means of Egress Requirements.**—a. Unless specifically stated, the provisions of this article shall apply to all structures erected after January first, nineteen hundred thirty-eight; except factories coming under the provisions of the labor law, provided such factories comply with the requirements for exit lights and lighting of stairs and exit passages as specified in subdivision f of section C26-279.0, residence structures three stories or less above any basement in height and occupied by two families or less, and structures included under Section C26-715.0, except vertical extension to any structure erected before January first, nineteen hundred thirty-eight; provided: first, that such structure is capable of sustaining the live and dead loads of the additional stories; second, that such structure was approved as conforming to such laws governing exits as were in effect at the time such structure was erected; third, that such structure, after the addition of the vertical extension, will conform to such laws as were in effect at the time of the erection of such original structure; and fourth, that such auxiliary fire protection as the superintendent may deem necessary is provided. Also the provisions of this article shall not apply to the exits from those parts of class A multiple dwellings which are used or occupied, or which are arranged, intended or designed to be occupied for residence purposes, when the exits from such parts come under the provisions of the multiple dwelling law; but where the exits serve parts of the building used for other than residence purposes, the provisions of the multiple dwelling law and of this article whichever are most restrictive shall apply. The exits from cellars of multiple dwellings shall comply with this article. Notwithstanding the foregoing provisions of this section, nothing herein contained shall impose any additional requirements or any occupancy or use in an existing class A dwelling where such occupancy or use conforms with present law on October first, nineteen hundred fifty-six, unless such occupancy or use is changed or extended thereafter.

b. Notwithstanding the provisions of subdivision (a) of this section, the provisions of subdivision (a) and (b) of section C26-279.0 shall apply to all buildings, existing or hereafter erected, with the exception of exits from the residential portions of class A multiple dwellings, private dwellings and mixed occupancy structures occupied on the first floor for commercial purposes and by one or two families above the first floor.

Except where otherwise permitted by the provisions of any law, the lettering of exit signs shall be of letters of at least 8-inches high.

In those buildings which maintain one or more auxiliary systems for emergency exit lighting in the event of a public utility failure, in those buildings for which the



PW1A: Schedule A - Occupancy / Use

Must be typewritten.

Orient and affix BIS job number label here

Sheet of

Floor	Existing Legal Use					Proposed Use <small>*Use 2008 Code equivalents only even for older Codes.</small>						
	Maximum Number of Persons	Live Load (psf)	2008 Code Designations? <input type="checkbox"/> Yes <input type="checkbox"/> No	Building Code Occupancy Group(s)	Dwelling/ Rooming Units (BC)	Zoning Use Group(s)	Maximum Number of Persons	Live Load (psf)	2008 Code Designations only* <input checked="" type="checkbox"/> Yes	Building Code Occupancy Group(s)	Dwelling/ Rooming Units (BC)	Zoning Use Group(s)
			<input type="checkbox"/> Yes <input type="checkbox"/> No					<input checked="" type="checkbox"/> Yes				
	Description											
			<input type="checkbox"/> Yes <input type="checkbox"/> No					<input checked="" type="checkbox"/> Yes				
	Description											
			<input type="checkbox"/> Yes <input type="checkbox"/> No					<input checked="" type="checkbox"/> Yes				
	Description											
			<input type="checkbox"/> Yes <input type="checkbox"/> No					<input checked="" type="checkbox"/> Yes				
	Description											

2-2-2014 10:45 AM

THE CITY OF NEW YORK

ALT [REDACTED]
ALT [REDACTED]



DEPARTMENT OF BUILDINGS
CERTIFICATE OF OCCUPANCY

AMENDED

BOROUGH MANHATTAN

DATE: **OCT 29 1951** NO. [REDACTED]


This certificate supersedes C.O. NO. **7115350** ZONING DISTRICT **C5-3, C6-4.**

THIS CERTIFIES that the ~~MAN~~ altered ~~existing~~ building—premises located at
Block **835** Lot **41**

CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN.

PERMISSIBLE USE AND OCCUPANCY

FLOOR	LIVE LOAD LBS PER SQ. FT.	SQUARE NO. OF FLOORS PERMITTED	AREA (SQUARE FOOTAGE)	BUILDING CODE APPLICABLE SECTION	ZONING USE GROUP	PLANS CORR. CORRECT GROUP	DESCRIPTION OF USE
SUB-BASEMENT	O.G.	540			649		OFFICES, SCHOOLS, BEAUTY SCHOOL, MECHANICAL PLANT, SHOWROOMS
BASEMENT	100	3274			6410	COMM.	RESTAURANT, STORES & SHOWROOMS
		66			6	F1	THEATER
1ST FLOOR	75	500			6		STORES
2ND FLOOR	75	500			6		STORES
					9	F1b P-3	MUSIC & THEATRICAL STUDIOS FOR TOURISTS
3RD TO 5TH FLOORS	75	400			6		STORES EACH FLOOR
6TH TO 17TH FLOORS	50	320			6		OFFICES EACH FLOOR
18TH FLOOR	50	314			649		OFFICES & TRADE SCHOOL
ROOM 1814	50	6					
19TH FLOOR	50	220			6		OFFICES & BANK
20TH FLOOR	50	320			6		OFFICES & BANK
21ST FLOOR	50	200			6	COMM.	OFFICES
22ND TO 24TH FLOORS	50	220			6		OFFICES EACH FLOOR

- These fields shows up on C of O:  = populated info.

1 Location Information *Required for all applications.*

House No(s) Street Name C.B. No.
 Borough Block Lot BIN Apt. / Condo No(s)
 Work on Floor(s)

3 Filing Representative *Complete only if different from Section 2. Fax, mobile phone, and e-mail are optional info.*

Last Name Middle Initial
 Business Name Business Telephone
 Business Address Business Fax
 City State Mobile Telephone
 E-Mail Registration Number

This question populates the "This building is subject to this Building Code" on Page 1, Section A of the CO for New Buildings ONLY.

4 Filing Status *Required for all applications. Choose one and provide specified associated information.*

Initial Filing 5-7, 11, 12A, 25-26
 Review is requested under which Building Code?
 2008 1968 Prior to 1968

Choose one:
 Standard Plan Examination or Review
 Professional Certification PC1, POC1
 Self Certification of Objections AI1

Prior to Approval Actions 25-26
 Amend Existing Filing 4A
 Subsequent Filing 6-7, 8A (Alt-2 only), 11
 Post Approval Amendment (PAA) 4A, 6, 24-25
 Will PAA affect filing fees? Yes No
 New Applicant 4A, 25-26

Reinstatement 24-26
 Withdrawal 25-26
 Specified in 4A and 6
 Entire Job
 4A Indicate existing document number affected by filing:

- These fields shows up on C of O:

cloud = populated info.

13 Building Characteristics *Main use/dominant occupancy per AC §28-101.5. **Use 2008 Code equivalents only.			
13A Primary structural system, choose one: <input type="checkbox"/> Masonry <input type="checkbox"/> Concrete (CIP) <input type="checkbox"/> Concrete (Precast) <input type="checkbox"/> Wood <input type="checkbox"/> Steel (Structural) <input type="checkbox"/> Steel (Cold-Formed) <input type="checkbox"/> Steel (Encased in Concrete)			
13B	Existing	Proposed	13D Building Type: <input type="checkbox"/> 1, 2, or 3 Family <input type="checkbox"/> Other
Structural Occupancy Category			Mixed use building? <input type="checkbox"/> Yes <input type="checkbox"/> No
Seismic Design Category	2008 Code Designations?	2008 Code Designations?	13E Existing Proposed
13C Occupancy Classification*	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes** <input type="checkbox"/> No	Building Height ft.
Construction Classification	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building Stories
Multiple Dwelling Classification			Dwelling Units
13F	Buildings was originally erected pursuant to which Building Code: <input type="checkbox"/> 2008 <input type="checkbox"/> 1968 <input type="checkbox"/> Prior to 1968		
	The earliest Code with which this building or any part of it is required to comply: <input type="checkbox"/> 2008 <input type="checkbox"/> 1968 <input type="checkbox"/> Prior to 1968		
14 Fill Choose one.			
<input type="checkbox"/> Not Applicable <input type="checkbox"/> On-Site <input type="checkbox"/> Off-Site <input type="checkbox"/> Under 300 cubic yards			
15 Construction Equipment			16
<input type="checkbox"/> Chute	<input type="checkbox"/> Sidewalk Shed	Construction Material: _____	ft.
<input type="checkbox"/> Fence	Size: _____ linear ft.	BSA/MEA Approval No. _____	ft.
<input type="checkbox"/> Supported Scaffold	<input type="checkbox"/> Other: _____		

This question populates the "This building is subject to this Building Code" on Page 1, Section A of the CO for Alteration 1s ONLY.

1912 hotel changing to office building

- What code?
- Sprinklers/fire alarm/accessibility
 - 1938
 - 1968
 - 2008

1957 office building converting to hotel

- What code?
- Sprinklers/fire alarm/accessibility
 - 1938
 - 1968
 - 2008

Convert ground floor retail (M) to 100 person occupancy ground floor business (B) located in 1905 New Law Tenement

- What code?
- Sprinklers/fire safety/accessibility (here, not main use/dominant occupancy)
 - 1938
 - 1968
 - 2008

Why would someone want to elect 2008 code?

Existing Old Law Tenement

- Repiping domestic water and waste/drain/vent
- What code?
 - 1938
 - 1968
 - 2008

Existing Old Law Tenement

- Gut renovation of interior of building including repiping domestic water and waste/drain/vent
- What code?
 - 1938
 - 1968
 - 2008

Good Citation	Bad Citation
28-101.4	AC 101.4 28.101.4

Administration

- **§28-101.4.4 Alterations that reduce the fire safety or structural safety of existing buildings.** Notwithstanding any other provision of this code, where the alteration of any existing building in accordance with a provision of this code would result in a reduction of the fire safety or structural safety of such building, relevant provisions of the 1968 building code shall apply to such alteration unless there is full compliance with those provisions of this code that would mitigate or offset such reduction of fire protection or structural safety.

Good Citation	Bad Citation
BC 1107.3	28-1107.3 1107.3

Building Code

- 1107.3 Accessible spaces.** Rooms and spaces available to the general public or available for use by residents of Accessible units or Type B units shall be accessible. Accessible spaces shall include, but not be limited to, spaces for residents' use, such as laundry rooms, refuse disposal and storage locations, mailbox areas, recreational facilities, assembly and tenants' meeting rooms, storage rooms, parking areas, toilet and bathing rooms, kitchen, living and dining areas, any exterior spaces, including patios, terraces and balconies, management offices, and stores.

Good Citation	Bad Citation
PC 1101.2.1	Plumbing 1101.2.1

Plumbing Code

- **1101.2.1 Increases in existing impervious surfaces.** Whenever an alteration increases impervious surfaces on the lot to greater than 20 percent of the impervious surfaces existing when the structure was constructed, such impervious surfaces shall drain into a storm sewer system, or a combined sewer system, or to an approved place of disposal
 - Exception: Where the total area of impervious surfaces proposed to be increased by an alteration after the effective date of this code is less than or equal to 1,000 square feet (93 m²)

Good Citation	Bad Citation
BC G106.2 (Appendix G)	G106.2

Building Code

- **G106.2 Spaces subject to flooding in A-Zones.** The certificate of occupancy shall describe all non-dry floodproofed spaces below the design flood elevation as “subject to flooding,” including but not limited to wet floodproofed spaces usable solely for parking, storage, building access or crawl spaces.

Good Citation	Bad Citation
BC 1206.3.2, Exception BC 1206.3.2 (Exception)	BC 1206.3.2 E BC 1206.3.2 Ex

Building Code

- **1206.3.2 Air intake.** Courts more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet (0.93 m²) in area and leading to the exterior of the building unless abutting a yard or public way
 - Exception: For multiple dwellings more than two stories in height, an air intake with a vertical cross-sectional area of 21 square feet (1.95 m²) and a least minimum dimension of 3 feet (914 mm) shall be provided at or near the lowest level of any court, in accordance with Section 26(7)(a) of the New York State Multiple Dwelling Law

Good Citation	Bad Citation
BC 1024.8, Exception 1	BC 1024.8.1
BC 1024.8, Exception #1	BC 1024.8(#1)
BCC 1024.8 (Exception 1)	BC 1024.8 E1

Building Code

- **1024.8 Common path of travel.** The common path of travel shall not exceed 30 feet (9144 mm) from any seat to a point where a person has a choice of two paths of egress travel to two exits.
- Exceptions:
 1. For areas, such as box seats, galleries or balconies, serving not more than 50 occupants, the common path of travel shall not exceed 75 feet (22 860 mm).
 2. For smoke-protected assembly seating, the common path of travel shall not exceed 50 feet (15 240 mm).

Good Citation	Bad Citation
FGC 404.1, Item 5 FGC 404.1 (Item 5)	FGC 404.1.5 FGC 404.1(5)

Fuel Gas Code

- **404.1 Prohibited locations.** Piping shall not be installed in or through a circulating air duct, trash or clothes chute, chimney or gas vent, ventilating duct, dumbwaiter or elevator shaft. Piping, fixtures, or equipment shall be located so as not to interfere with the normal operation of windows or doors and other exit openings. The following installation limitations shall apply:
 1. Stair enclosures. Gas piping shall not be installed within a stair enclosure or required exit or exit way
 2. Fire standpipe riser. Gas piping shall not be installed in any shaft containing standpipe risers
 3. Fire pump. Gas piping or gas consumption devices or any other gas equipment shall not be installed within any space housing a fire pump
 4. Fire-rated construction. Gas piping shall not be installed within concealed spaces of fire-rated construction
 5. Public corridor. Gas piping shall not be installed in public corridors providing access to required exits

Good Citation	Bad Citation
<p>BC 903.3.2, Item 2 BC 903.3.2, Item #2 BC 903.3.2 (Item 2)</p>	<p>BC 903.3.2 #2 903.3.2.2</p>

Building Code

- **903.3.2 Quick-response and residential sprinklers.** Where automatic sprinkler systems are required by this code, quick-response or residential automatic sprinklers shall be installed in the following areas in accordance with Section 903.3.1 and their listings:
 1. Throughout all spaces within a smoke compartment containing patient dwelling units in Group I-2 in accordance with this code
 2. Dwelling units in Group R and I-1 occupancies
 3. Light-hazard occupancies as defined in NFPA 13

Good Citation	Bad Citation
MC 303.4	28-303.4

Mechanical Code

- **303.4 Protection from damage.** Appliances shall not be installed in a location where subject to mechanical damage unless protected by suitable barriers.

Good Citation	Very Bad Citation
28-104.7.1	27-157

Administration

- **§28-104.7.1 Scope.** Construction documents shall be complete and of sufficient clarity to indicate the location and entire nature and extent of the work proposed, and shall show in detail that they conform to the provisions of this code and other applicable laws and rules; if there exist practical difficulties in the way of carrying out the strict letter of the code, laws or rules, the applicant shall set forth the nature of such difficulties.
- **§[C26-110.2] 27-157 Plans required.** All such applications shall be accompanied by architectural, structural, and mechanical plans, which shall be complete and of sufficient clarity to indicate the entire nature and extent of the proposed construction work and its compliance with the provisions of this code and other applicable laws and regulations. Composite plans

2014 Construction Codes Update

“1938, 1968, and 2008 Codes”

Marshall A. Kaminer, P.E.

Executive Engineer

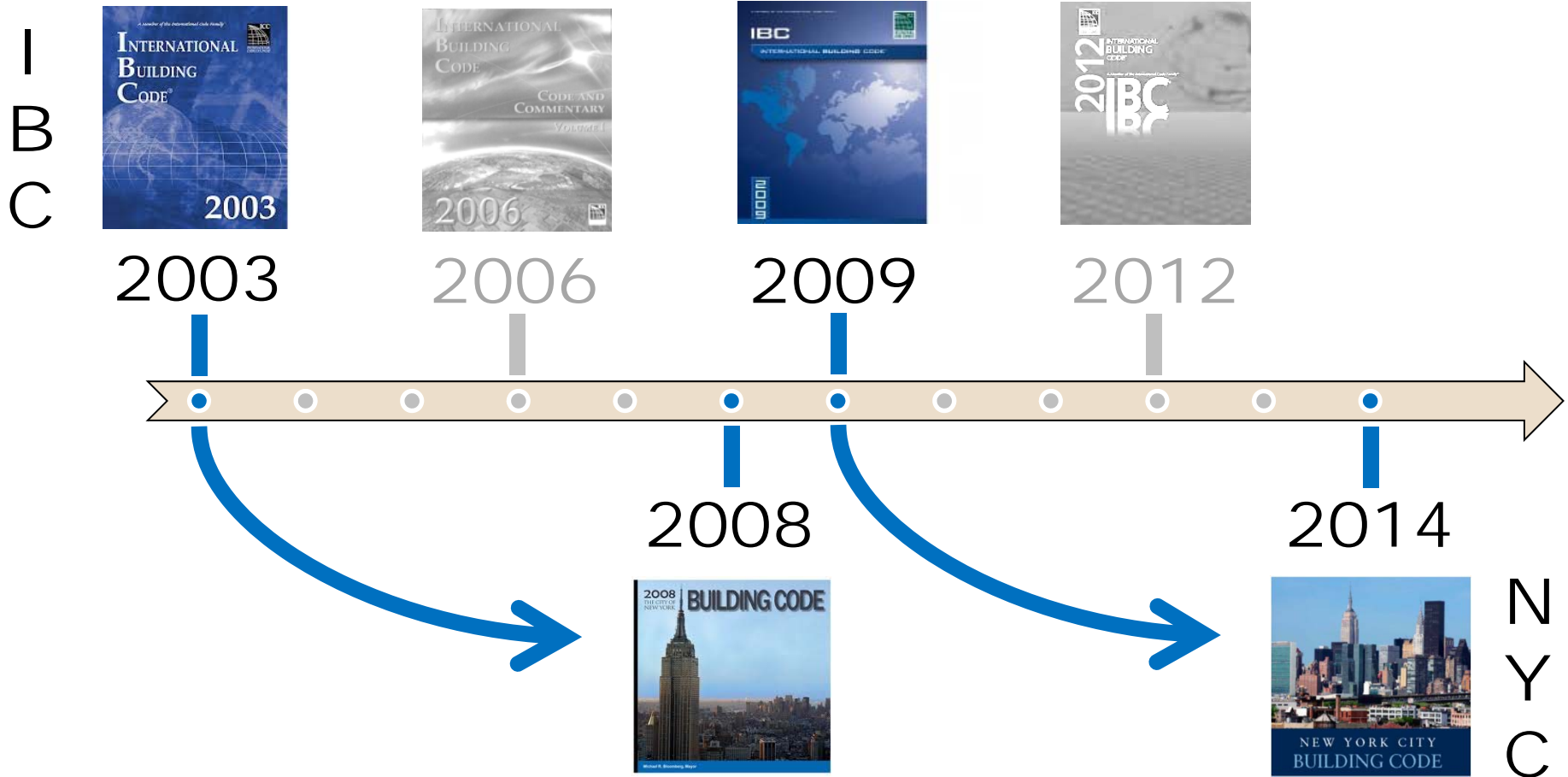
Technical Affairs and Code Development

Construction Codes- Development Cycles

Benefits:

- Updates Codes to national standards
- Incorporates latest technologies
- Allows new materials and methods of construction
- Maintains consistency with other jurisdictions





Construction Codes Revision

Remember,

- Laws amend construction codes EVERY year
- Amendment Index for the 2008 Code had over 400 pages!
 - ✓ Many of these amendments were incorporated into the 2014 Code

- Important dates (Building Code):
 - 1898
 - 1916
 - 1938
 - 1968
 - 2008
 - **2014**
- Important dates (Multiple Dwelling Law):
 - 1901
 - 1929

- Alterations, and what code to apply

9	Additional Considerations, Limitations or Restrictions
9A	Review is requested under which building code? <input type="checkbox"/> 2014 <input type="checkbox"/> 2008 <input type="checkbox"/> 1968 <input type="checkbox"/> Prior to 1968

(Source: PW-1 Form)

Type of Work	Trigger	2008 Code	2014 Code
NEW BUILDINGS	<p>Construction Documents submitted <i>before</i> December 31, 2014</p> <ul style="list-style-type: none"> Architectural, Structural, & Foundation Drawings Required Subsequent filings may be filed on or after December 31, 2014 	✓	
	<p>Construction Documents submitted <i>on or after</i> December 31, 2014</p>		✓

Type of Work	Trigger	2008 Code	2014 Code
ALTERATIONS TO EXISTING BUILDINGS	Construction Documents submitted <i>before</i> December 31, 2014	✓	
	Construction Documents submitted <i>on or after</i> December 31, 2014		✓

Type of Chapter 33 Work	Trigger	2008 Code (BC 33)	2014 Code (BC 33)
Non-Site Safety Jobs: New Buildings, Alterations, & Partial Demolitions	Construction docs submitted <i>before</i> December 31, 2014	✓	
	Construction docs submitted <i>on or after</i> December 31, 2014		✓
Site Safety Jobs: New Buildings, Alterations, and Partial Demolitions	Site safety plan <u>approved</u> <i>before</i> December 31, 2014	✓	
	Site safety plan <u>approved</u> <i>on or after</i> December 31, 2014		✓

Type of Chapter 33 Work	Trigger	2008 Code (BC 33)	2014 Code (BC 33)
Full Demolitions: (Non-Site Safety & Site Safety Jobs)	Demolition permit <u>issued</u> <i>before</i> December 31, 2014	✓	
	Demolition permit <u>issued</u> <i>on or after</i> December 31, 2014		✓

28-304.6.4 to 28-304.6.6 Elevator Inspections

- Effective prior to 2014 Code 12/31/2014 effective date!

BC 403.5.2 Additional Exit Stairway

- Required for buildings other than R-2 and > 420 feet tall
- Exceptions for Occupant Evacuation Elevators (OEE) or combination of wider stairways & OEEs
- Effective **June 30, 2015**, or upon zoning text change, whichever is later

- Can now submit PW-1 Form and plans:
 - Landscape/vegetation
 - Tree protection
 - Erosion/sedimentation
 - Grading/drainage
 - Curb cuts
 - Pavement
 - Urban plazas
(not plumbing/stormwater)



- Identify Progress Inspections on cover sheet



- Identify on cover sheet if the building is exempt from:
 - Retroactive connections for external temporary generators (I-1, I-2, and certain R-2 in 100-year or 500-year flood zones)
 - Retroactive connections for external temporary chillers/boilers (I-2 hospitals in 100-year or 500-year flood zones)

- Not needed for Geotechnical investigation
 - Borings / test pits
 - Supervised by RDP
 - Per BC 1803, 3304



- Section re-written
- Clearer distinction between:
 - Work Permit (structure)
 - Tents, platforms, stages, etc
 - Use Letter (use/event)
- 30 days max → up to 90 days max



- Now clear that value of work includes:
 - Equipment
 - Overhead/profit



- New CO required within 1 year for inconsistencies with current C of O:
 - Change in address
 - Change in block/lot
 - Change to zoning lot

- Consolidated into one list
- Most of them are old news, e.g.:
 - Paint sprinkler/standpipes red by 2010 (LL 58/2009)
 - Accessibility signage by 2013 (LL 47/2012)
 - 70% open roll-down gates by 2026 (LL 75/2009)

- Some new:
 - Elevator safety by 2020, 2027 (LL 141/2013)
 - Emergency water source for I-1, R-1, R-2, and R-3 by 2021 (LL 110/2013)
 - Connections for temporary external generators for I-1, I-2 and certain R-2 in 100-year or 500-year flood zones by 2033 (LL 108/2013)
 - Connections for temporary boilers/chillers for I-2 hospitals in 100-year or 500-year flood zones by 2033 (LL 108/2013)

Sewage Disposal and Stormwater Disposal/Management (BC 107.11, PC 106.6)

- New procedures coordinate with DEP
- Clear triggers for when DEP documents are required by DOB prior to approval

Sewage Disposal and Stormwater Disposal/Management (BC 107.11, PC 106.6)

	BC	PC
Sewage	107.11.1	106.6.1
Stormwater	107.11.2	106.6.2

Sewage Disposal (BC 107.11.1, PC 106.6.1)

DOB requires DEP submittal documents:

- New Buildings
 - Unless no plumbing in building that produces sewage (detached garage, e,g)
- Alterations: requiring an increase in the size or new of the existing connection –
 - i.e. many additional fixtures
- Moving or adding a connection

Sewage Disposal (BC 107.11.1, PC 106.6.1)

- DEP submittal documents:
 - HCP/SCP certifying availability/feasibility
 - DEP may condition approval on detention/retention
 - OR
 - HCP/SCP certifying not available/feasible
 - If not available/feasible, DOB can approve on-site retention if on-site disposal can comply with code
- DOB **will not determine** availability/feasibility

Stormwater Discharge/Management (BC 107.11.2, PC 106.6.2)

DOB requires DEP submittal documents:

- New Buildings
- Alterations: horizontal enlargements (ignoring existing paving & impervious services) i.e. many additional fixtures
- Alterations: increasing impervious services

Stormwater Discharge/Management (BC 107.11.2, PC 106.6.2)

- Exceptions for enlargements/increases (cumulative post-2008):
 - 1- and 2-family:
 - If ≤ 200 sf
 - All buildings:
 - if $\leq 1,000$ sf provided:
 - on-site retention is provided
 - on-site retention can comply with code
 - DOB approves on-site retention

Stormwater Discharge/Management (BC 107.11.2, PC 106.6.2)

- DEP submittal documents:
 - HCP/SCP certifying availability/feasibility
 - DEP may condition approval on detention/retention
 - OR
 - HCP/SCP certifying not available/feasible
 - If not available/feasible, DOB can approve on-site retention if on-site disposal can comply with code
- DOB **will not determine** availability/feasibility

“Existing” Building

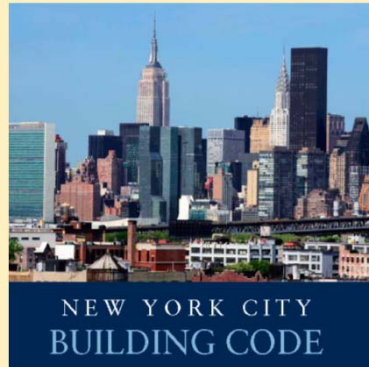


“Prior Code” Building

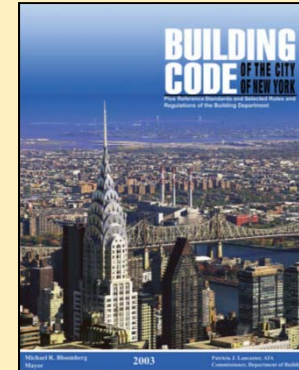
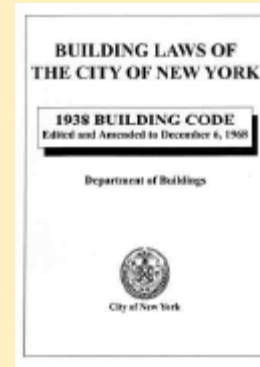
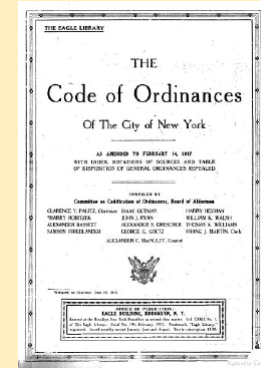
“This Code”



2008



2014



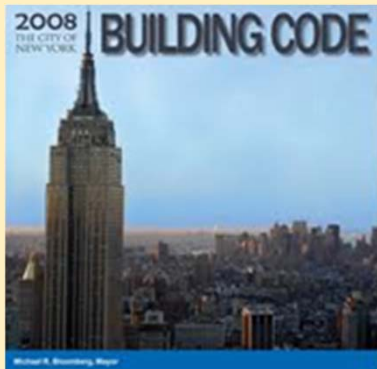
New Terminology (28-101.5)

“Existing” Building

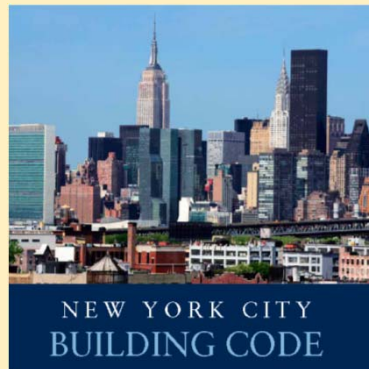


“Prior Code” Building

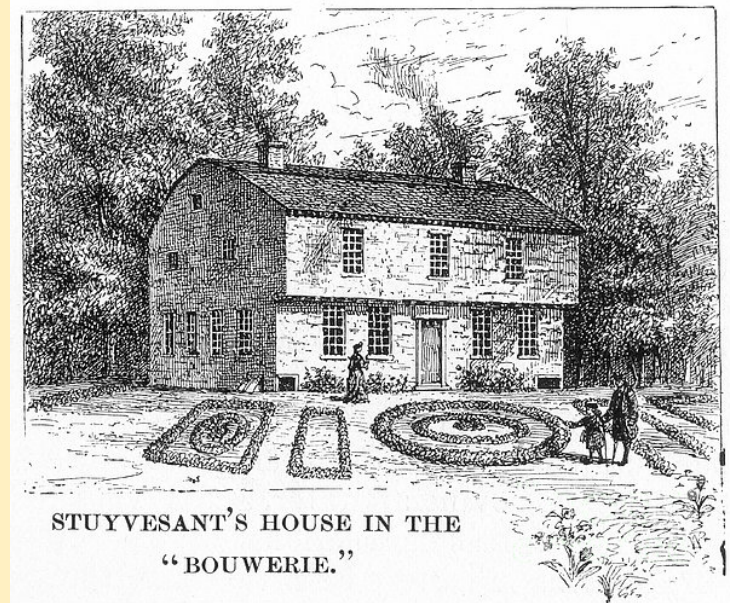
“This Code”



2008



2014



New Terminology (28-101.5)

Optional use of the 1968 building code for alteration of existing buildings

- Applies to buildings built prior to 2008
- Owner can elect to apply 1968 code
- If 1968 code allows, then owner can go back to 1938 code
- Subject to 19 exceptions

Optional use of 1968 (1938) Codes:

- **19 exceptions in 2014 Code**

1. Fuel gas, plumbing and mechanical work*
2. Fire protection systems*
3. Elevators, conveyors and amusement rides*
4. Safety during construction operations*

* Similar to 2008 Code

Optional use of 1968 (1938) Codes:

- **19 exceptions in 2014 Code**

5. Accessibility*

6. Encroachments into the public right of way*

7. Administration and enforcement*

8. Special Inspections*

* Similar to 2008 Code

Optional use of 1968 (1938) Codes:

- **19 exceptions in 2014 Code**

9. Materials

10. Security grilles

11. Energy efficiency

- Optional use of 1968 (1938) Codes:
 - **19 exceptions in 2014 Code**

12. Roof coverings and replacements:

- Re-roofing
- Cool roofs
- Green roofs

Optional use of 1968 (1938) Codes:

- **19 exceptions in 2014 Code**

13. Handrails**

14. Guards**

15. Areas of special flood hazard

** New to 2014 Code

Optional use of 1968 (1938) Codes:

- **19 exceptions in 2014 Code**

16. Structural**

17. Emergency and standby power**

18. Parking garages and open parking lots**
(LL 130/2013)

19. Mold protection** (LL 13/2014)

** New to 2014 Code

Exceptions with special provisions for use of prior codes in 2014 Code

28-101.4.3	Subject	Code	Section
Exception 1	Plumbing	PC	102.4
	Fuel Gas	FG	102.4
	Mechanical	MC	102.4
Exception 2	Fire Protection	BC	901
Exception 3	Elevators	BC	3001
Exception 5	Accessibility	BC	1101
Exception 16	Structural	BC	1601

2014 Code addresses two major sources of confusion under 2008 law:

1. Applying 2008 code when only part of the system is being altered (e.g., fire dampers)
2. Two parallel universes, particularly for fire protection and accessibility

Per 2008 Code, electing the 1968 code, subject to Exception 2:

2. Fire protection per 2008 Code (e.g.: sprinklers, fire alarms, standpipes); change of occupancy (BC Chap 9)

But, still subject to:

- 27-115: Cost > 60% of building, sprinkler entire building
- 27-116: Cost is between 30% and 60%, sprinkler space
- 27-123.2(a): Cost in multiple dwellings > 50% of building, sprinkler entire building (LL 10/99)
- 27-123.2(c)(2): Cost in multiple dwellings > 50% of space, sprinklers in space (LL 10/99)

Per 2008 Code, electing the 1968 code, subject to Exception 5:

5. Accessibility per 2008 Code to entire building (BC
Chap 11 and A117.1-2003):

- Change in main use or dominant occupancy
- Cost exceeds 50%

But, still subject to LL 58/87 and A117.1-1986 and TPPNs:

- What you touch, for cost below 50% (27-123.1(a)
(2nd sentence))
- Change of use/occupancy of space (27-123.1(b)
(2nd sentence))

- **Special provisions in 2014 Code addresses two sources of confusion under 2008 Code:**
 1. Applying 2008 code when only part of the system is being altered
 2. Two parallel universes, particularly for fire protection and accessibility
- **Consolidated - so 1968 Code Title 27 is no longer needed)**
- **Incorporated Buildings Bulletins and interpretations**
- **Other minor changes to simplify**

- **Must follow 2014 Code**



“BIG” Alterations (28-101.4.5)



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
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Website: NYC.gov/buildings

Issuance #618

**TECHNICAL
POLICY & PROCEDURE NOTICE #1/02**

TO: Distribution

FROM: Ronny A. Liviano, PE
Deputy Commissioner

DATE: July 24, 2002

SUBJECT: Application Type Required for Work Involving Alterations and Demolition in a Building



Work that increases existing floor surface area of a prior code building by more than 110 percent:

- Entire building to comply with 2014 Construction Codes.
- Must be filed as NB
- Fees calculated as alteration

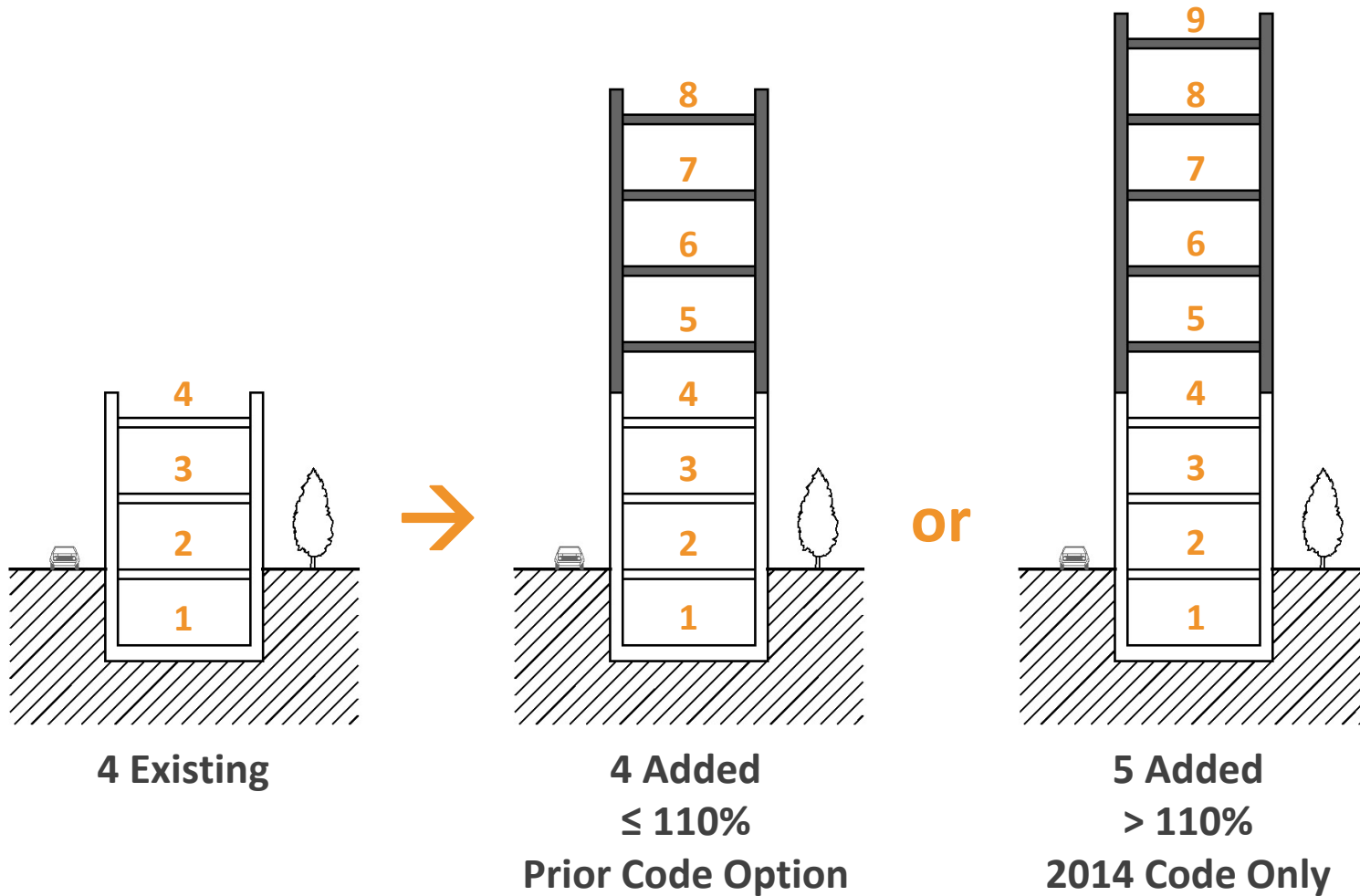
Work that increases existing floor surface area of a prior code building by more than 110 percent.

- **FLOOR SURFACE AREA.** Floor surface area is the gross square foot area of all horizontal floor and roof surfaces, including roofs of bulkheads and superstructures, of a building or structure at any level, including cellar, attic and roof. (28-101.4.5.2)

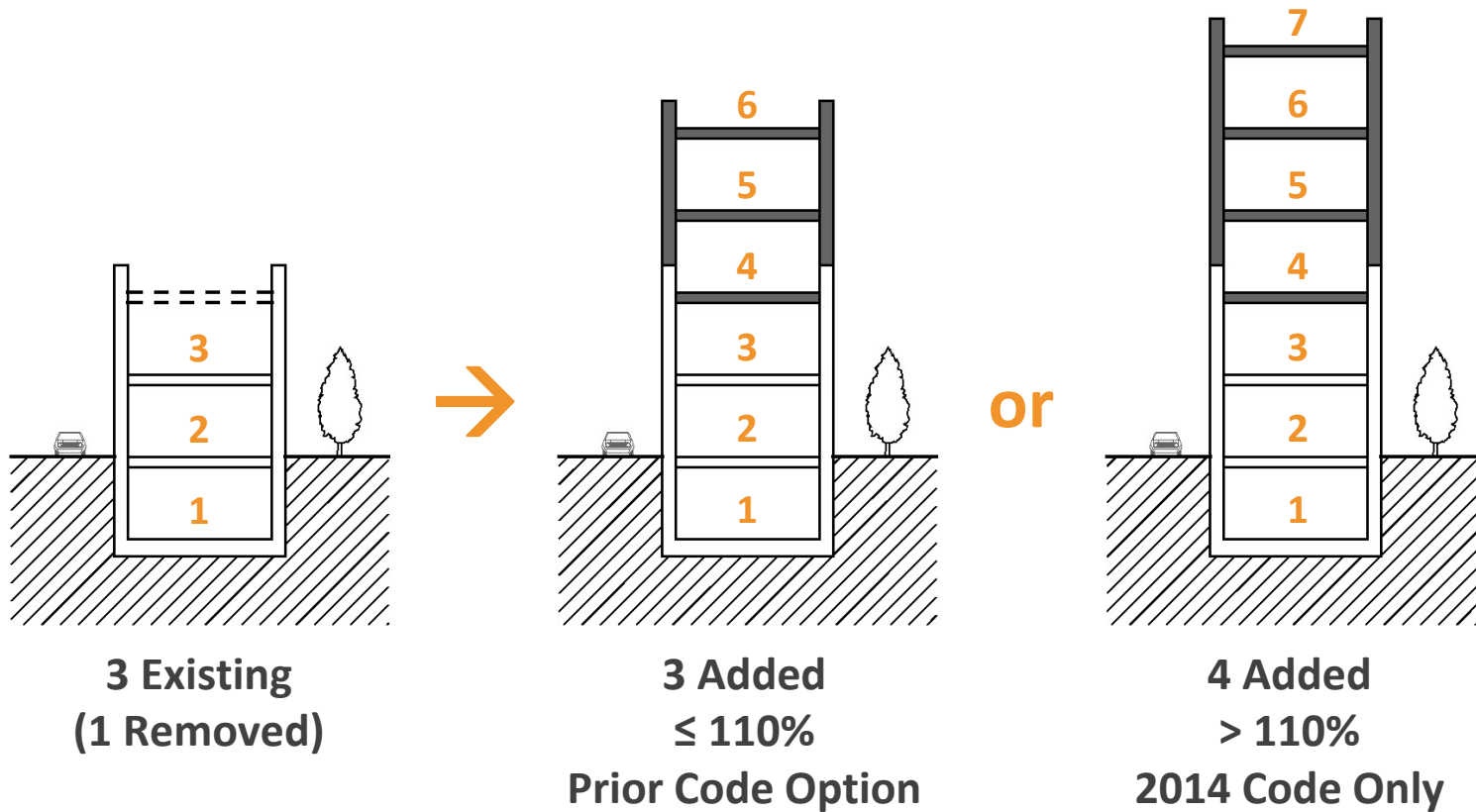
Exceptions: This is not “existing floor surface area”:

1. Square footage removed during course of work
2. Square footage previously installed, but signed off less than 12 months before submission of current application

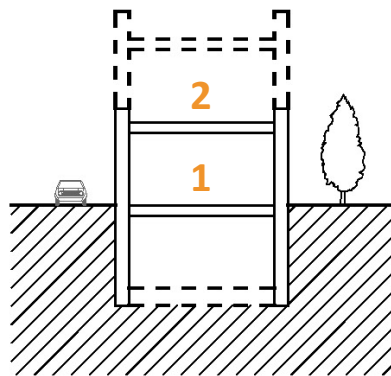
“BIG” Alterations (28-101.4.5)



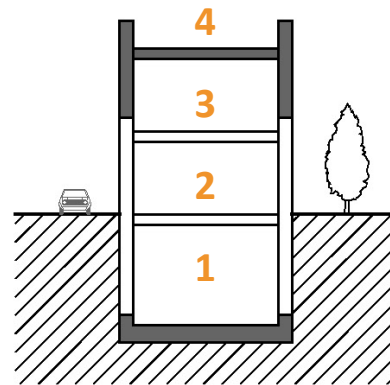
“BIG” Alterations (28-101.4.5)



“BIG” Alterations (28-101.4.5)

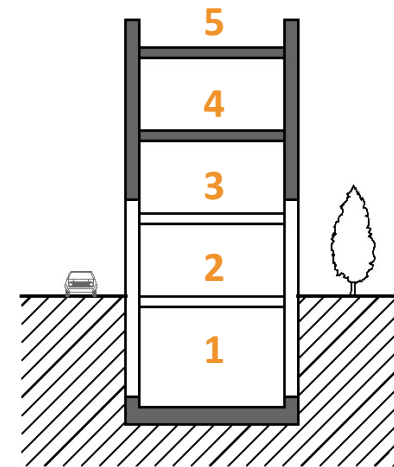


**2 Existing
(2 Removed)**



**2 Added
≤ 110%
Prior Code Option**

or



**3 Added
> 110%
2014 Code Only**

- Change of scope of work from under to over 110% must be re-filed as NB before continuing removals (28-101.4.5.1)
- Continuation provisions of Zoning Resolution for noncomplying bulk or nonconforming use (28-101.4.5.3)

1912 hotel changing to office building

- What code?
 1. Sprinklers/fire alarm/accessibility
 - ❑ 1938
 - ❑ 1968
 - ❑ 2008
 - ❑ 2014

1912 hotel changing to office building

- What code?
 2. Replacing fire door with new hold-open fire-rated door in fire stair
 - 2008
 - 2014

2011 hotel changing to office building

- What code?
 - ❑ 1968
 - ❑ 2008
 - ❑ 2014
- Can the existing Marquee remain? What are changes between 2008 & 2014 Codes?
 - ❑ 2008 – not explicitly allowed on office buildings
 - ❑ 2014 – explicitly OK for office buildings

Thank You!