



DEPARTMENT OF BUILDINGS

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TECHNICAL  
POLICY & PROCEDURE NOTICE #5/92

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To: Distribution

From: Richard C. Visconti, A.I.A. *Richard C. Visconti*  
Assistant Commissioner

Date: June 30, 1992

Subject: Local Law 58/87 - Change of Use of Spaces in Existing Buildings

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**REFERENCES:** Administrative Code §27-123.1, "Alterations, additions, repairs and changes in occupancy or use requiring facilities for people having physical disabilities" and subarticle two of article two of subchapter four of chapter one of title twenty-seven ("§§27-292.1 et seq."), "Facilities for People Having Physical Disabilities."

**PURPOSE:** To clarify the requirements of Code §27-123.1 pertaining to the accessibility of a space in a building where the occupancy type or use has changed.

**EFFECTIVE DATE:** Immediately

**SPECIFICS:** Section 27-123(b) states that when there is a change in the occupancy type or use of a space in a building, "such space" must comply with the provisions of §§27-292.1 et seq.

The entrance to a space in a building is considered a part of "such space." Therefore, when there is a change in the occupancy type or use of a space in a building, such entrance must comply with the provisions of Code §§27-292.1 et seq. This may require widening the doorway. Moreover, when the change in occupancy type or use is made to a space that has direct access to grade,

such access is also to be considered part of "such space" and, therefore, must also be made accessible pursuant to the requirements of Code §§27-292.1 et seq. This may require the removal of steps and the widening of the corridor that leads to the doorway.

The Commissioner may waive the requirements pursuant to §27-292.6.

RCV/FRM/fm