



BUILDINGS BULLETIN 2019-008
Technical

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Purpose: This bulletin clarifies zoning and construction code requirements for escape room establishments in buildings or portions thereof.

Related Code/Zoning Section(s):	ZR 32-17	BC 303.1	1968 27-257	AC 28-118.3.1
	ZR 32-21	BC 1004.1.1	1968 27-358(a)	AC 28-118.3.2
	ZR 42-12	BC 1004.1.3	1968 Subchapter 6	
		BC 411	1968 Subchapter 8	
		FC 403		

Subject(s): Escape room; Escape room establishment; Puzzle room; Use group, escape or puzzle room; Use group, amusements; Zoning Use Group classification (UG), Use Group 8A, Amusement; UG 12; Special Amusement Buildings

I. Background

An “escape room,” also known as “puzzle room,” is a new type of business establishment that provides indoor amusement in which occupants are encouraged to solve a challenge in order to escape from a room or series of rooms. The doors inside such establishments may be locked or obscured as a part of the amusement experience. Escape room establishments and similar operations are considered “special amusement buildings” under the building code and are required to comply with applicable zoning and building code requirements.

II. Classification of Zoning Use Group.

Zoning Resolution (ZR) section 32-17 states in part,

“Use Group 8 consists primarily of amusement or service establishments which:

- (1) are appropriate in local service districts to serve nearby residential areas; **or**
- (2) depend on a wide service radius and may appropriately be located in secondary or major commercial centers.

Since these establishments are generally patronized by customers for special purposes not associated with retail shopping, they are appropriate neither in local shopping areas nor in the restricted central commercial areas.”

ZR Section 32-21 states in part,

“Use Group 12 consists primarily of fairly large entertainment facilities that:

- (1) have a wide service area and generate considerable pedestrian, automotive or truck traffic; and
- (2) are, therefore, appropriate only in secondary, major or central commercial areas.

Certain public service establishments are also included.”

Escape room establishments are typically provided as amusement establishments in local commercial or manufacturing districts serving nearby residential or commercial areas, with patronage similar to billiard parlors, pool halls and theatres. Therefore, they may be classified under zoning UG 8A “Amusement” or UG 12A “Amusement.” Escape room establishments are permitted as-of-right in the zoning districts where UG 8A or 12A are permitted as-of-right.

III. Building Code Occupancy Classification.

2014 Building Code (BC) section 411.2 definition states in part,

“SPECIAL AMUSEMENT BUILDING. A special amusement building is any temporary or permanent building or portion thereof that is occupied for amusement, entertainment or educational purposes and that contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction so arranged that the means of egress path is not readily apparent due to visual or audio distractions or is intentionally confounded or is not readily available because of the nature of the attraction or mode of conveyance through the building or structure.”

Escape room establishments are typically arranged so that the means of egress path is intentionally confounded and not readily available for the entertainment or amusement of the occupants. Therefore, escape room establishments in buildings or portions thereof shall be classified as either Occupancy Group B or A-3 under the 2014 Building Code and shall comply with the applicable provisions for such Occupancy Classification. Where specifically requested and permitted, work performed in prior code buildings may comply with the 1968 Code (subject to the exceptions in AC 28-101.4.3), and escape room establishments located in prior code buildings may be designed in accordance with the requirements for Occupancy Group F-3.

Occupant loads and classifications shall be determined as outlined below:

- Pursuant to BC 1004.1.3 and AC 27-358(a), the occupant load shall be calculated as 15 net s.f./occupant.
- If the calculated occupant load is less than 75 persons, pursuant to BC 303.1 exception 2, such establishment shall be classified as Group B Occupancy.
- If the calculated occupant load is 75 persons or more, pursuant to BC 303.1, such establishment shall be classified as Group A-3 Occupancy.
- For escape room establishments in prior code buildings, such establishments may be designed in accordance with the requirements for Occupancy Group F-3, including place of assembly pursuant to 27-257. Such escape room establishments shall be designated with the equivalent Occupancy Classification from the 2014 Code for the purposes of filing job applications and obtaining a Certificate of Occupancy.

IV. Administrative Requirements.

AC 28-118.3.1 states,

“§28-118.3.1 Change of occupancy or use. No building, open lot or portion thereof hereafter altered so as to change from one occupancy group to another, or from one zoning use group to another, either in whole or in part, shall be occupied or used unless and until the commissioner has issued a certificate of occupancy certifying that the alteration work for which the permit was issued has been completed substantially in accordance with the approved construction documents and the provisions of this code and other applicable laws and rules for the new occupancy or use.”

AC 28-118.3.2 states,

“§28-118.3.2 Changes inconsistent with existing certificate of occupancy. No change shall be made to a building, open lot or portion thereof inconsistent with the last issued certificate of occupancy or, where applicable, inconsistent with the last issued certificate of completion for such

building or open lot or which would bring it under some special provision of this code or other applicable laws or rules, unless and until the commissioner has issued a new or amended certificate of occupancy.”

The creation of an escape room establishment in an existing building shall require a new or amended certificate of occupancy and must demonstrate compliance with the applicable code requirements and the requirements of this bulletin. Such job application shall be filed as Alteration Type I and identified in PW1A as zoning use group (UG) 8A or 12A, the applicable building code occupancy classification (A-3 or B)¹, and the description as “Escape Room Establishment per BB 2019-008.”

If the calculated occupant load is 75 persons or more, a Certificate of Operation shall be required for a place of assembly in accordance with BC 303.2.

V. Egress and Fire Protection Requirements.

If the job application is to be reviewed under the 2014 Code, the following requirements shall be applicable:

- If the calculated occupant load is less than 75 persons, egress shall comply with provisions required for occupancy group B in Chapter 10.
- If the calculated occupant load is 75 persons or more, egress shall comply with provisions required for occupancy group A-3 in Chapter 10.
- Fire protection shall comply with provisions in Chapter 9 as required for the applicable occupancy, group B or group A-3.

If the job application is requested and permitted to be reviewed under the prior code, the following requirements shall be applicable:

- If the calculated occupant load is less than 75 persons, egress shall comply with provisions required for occupancy F-3 in AC Subchapter 6.
- If the calculated occupant load is 75 persons or more, egress shall comply with provisions required for occupancy group F-3 in AC Subchapter 6 and 8.
- Fire protection shall comply with provisions in Chapter 9 of the 2014 Building Code as required for the applicable occupancy group, group B (less 75 persons) or group A-3 (75 or more persons).

VI. Additional Code Requirements.

Regardless of the occupant load or allowance to use a prior code, provisions in BC 411 governing special amusement buildings shall apply to all escape room establishments. All of the following additional requirements shall be applicable:

- A. Fire alarm control unit location.** The fire alarm control unit shall be located within the designated surveillance room or area, unless the escape room establishments are protected by a building’s fire alarm system with voice communication capabilities.
- B. Use of pre-recorded messages prohibited.** Use of pre-recorded messages, as set forth in BC 907.2.12.2(4), is not allowed.
- C. Fire alarm system monitoring.** Fire alarm system shall be monitored by an approved central station in accordance with BC 907.6.5.
- D. Mechanical ventilation.** Mechanical ventilation shall be provided in accordance with Mechanical Code Chapter 4, and windows shall not be credited as means of natural ventilation.
- E. Exit requirements.** Exits from all rooms, spaces or series of spaces within the establishments shall be open and readily available upon activation by automatic fire alarm system, automatic sprinkler system, or a manual control at a constantly attended location. Doors used as part of the means of egress serving such rooms, spaces or series of spaces occupied by persons whose movements are controlled may be

¹ For occupancy classifications, PW1 only accepts 2014 Code designations. Applicant must provide equivalent 2014 Code occupancy classification even if the application is not being filed under the 2014 Code.

locked when equipped with egress control devices which shall unlock both manually and by at least one of the following means:

1. Activation of a smoke detection system installed in accordance with BC 907.2.12;
2. Activation of an automatic sprinkler system installed in accordance with BC 903.3.1.1;
3. Activation of an approved manual fire alarm system pull station;
4. A signal from a manual release located in the designated surveillance room or area; or
5. A signal from a listed hardware that incorporates a built-in switch and is installed in accordance with BC 1008.1.9.8.

F. Exit marking requirement. When photoluminescent signs are installed, activating light source and viewing distance shall be in accordance with the listing and markings of such signs.

VII. Additional Fire Department Requirements.

A. Surveillance. When the facility is in operation, all escape room establishments shall be under continuous surveillance from a designated room or area located in the same facility. Such surveillance shall be conducted either through a window or an approved type of closed-circuit monitoring system.

B. Staffing. The surveillance shall be conducted by a person holding a Fire Department Certificate of Fitness for Supervision of Special Amusements (F-63). Operation of one-way emergency voice communication system shall be performed by a person holding a Fire Department Certificate of Fitness (F-53). The Commissioner or the Fire Commissioner may require additional staff if the facility presents heightened safety concerns.

C. Decorations and scenery. Decorations and scenery shall be flame-resistant in accordance with the New York City Fire Code requirements.