

**LOCAL LAWS**  
**OF**  
**THE CITY OF NEW YORK**  
**FOR THE YEAR 1987**

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**No. 58**

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By Council Member Spigner (by request of the Mayor) and the Vice-Chairman (Council Member Vallone); also Council Members Clark, Castaneira Colon, Eisland, Friedlander, Foster, Harrison, Messinger, Michels, Robles, Wooten, Horwitz, O'Donovan, Gerges, Dryfoos, Povman, Ward and Williams. (Passed under a message of necessity from the Mayor.)

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to providing facilities for people having physical disabilities.**

*Be it enacted by the Council as follows:*

Section 1. Article four of subchapter one of chapter one of title twenty-seven of the administrative code of the city of New York is amended to add a new section 27-123.1 to read as follows:

***§27-123.1 Alterations, additions, repairs and changes in occupancy or use requiring facilities for people having physical disabilities.***-*The provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven of this code shall apply to alterations, additions and repairs made to buildings, as well as to changes in occupancy or use, as set forth below. The provisions of sections 27-115, 27-116, 27-117, 27-118 and 27-120 of this code shall not govern the application of the provisions of such subarticle.*

*(a) 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 twelve-month period immediately following the filing of the application exceed fifty percent 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. 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 subarticle two of article two of subchapter four of chapter one of title twenty-seven in other portions of buildings described in this sentence.*

*(b) 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. 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.*

*(c) When any work not otherwise required to comply with the provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven is done on an interior accessible route in existing residential buildings, other than in occupancy group J-3, which work involves plumbing fixtures, that work shall be required to comply with section 27-292.8 of this code for the extent of the work being performed, provided such work will not require any structural changes or additional partitions; ordinary repairs and replacement of existing piping shall be exempt from the provisions of this sentence.*

*(d) Where additions or alterations subject parts of existing systems to loads exceeding those permitted herein, such parts shall be made to comply with this code.*

*(e) The provisions of subarticle two of article two of subchapter four of chapter one of title twenty-seven of this code and of subdivisions b and c of this section shall not apply to the alteration of existing residential buildings, other than adult residential care facilities, which are classified in occupancy group J-2 and contain no more than three dwelling units or which are classified in occupancy group J-3 and are being altered to contain three dwelling units, and which satisfy the requirements of subdivision (d) of section 27-357 of this code, when the cost of any alterations, additions or repairs, other than ordinary repairs, made within any twelve-month period immediately following the filing of the application do not exceed fifty percent 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.*

§2. Section 27-232 of such code is amended by inserting between the definitions of accessory use and access stair the definitions of accessible and accessible route to read as follows:

*ACCESSIBLE.-A building or portion thereof and the accessory public areas thereof are accessible when they comply with subarticle two of article two of subchapter four of chapter one of title twenty-seven of this code and can be approached, entered and used by people having physical disabilities.*

*ACCESSIBLE ROUTE.-A continuous unobstructed path connecting all accessible spaces and rooms in a building that can be negotiated by all categories of people having physical disabilities. Interior accessible routes may include corridors, doorways, floors, ramps, elevators, lifts and clear floor space adjacent to fixtures. Exterior accessible routes may include parking access aisles, curb ramps, walks, ramps and lifts.*

§3. Such section of such code is further amended by inserting between the definitions of access stair and addition the definition of adaptable dwelling units to read as follows:

*ADAPTABLE DWELLING UNITS.-Dwelling units which are constructed on an accessible route and equipped as set forth in reference standard RS 4-6, so that they may be*

*converted to be used, with a minimum of structural change, by all categories of people having physical disabilities.*

§4. Such section of such code is further amended by inserting between the definitions of person and pile, the definition of physical disability to read as follows:

*PHYSICAL DISABILITY.-Any of the following:*

- (a) impairment requiring use of a wheelchair; or*
- (b) impairment causing difficulty or insecurity in walking or climbing stairs or requiring the use of braces, crutches or other artificial supports; or impairment caused by amputation, arthritis, spastic condition or pulmonary, cardiac or other ills rendering the individual semi-ambulatory; or*
- (c) total or partial impairment of hearing or sight causing insecurity or likelihood of exposure to danger in public places; or*
- (d) impairment due to conditions of aging and incoordination.*

*The term "physical handicap" shall have the same meaning as the term "physical disability" and the phrase "people having physical disabilities" shall include those having one or more physical disabilities.*

§5. Such section of such code is further amended by inserting between the definitions of premises and private garage the definition of primary entrance(s) to read as follows:

*PRIMARY ENTRANCE(S).-The principal entrance(s) to a building primarily and expressly utilized for day-to-day pedestrian ingress and egress. Side, rear and other entrances solely used for freight and service shall not constitute a primary entrance.*

§6. Such section of such code is further amended by inserting between the definitions of uniformly distributed load and use (used) the definition of usable dwelling units to read as follows:

*USABLE DWELLING UNITS.-Dwelling units which are accessible, constructed and equipped as set forth in reference standard RS 4-6, so as to be usable by all categories of people having physical disabilities.*

§7. Article two of subchapter four of chapter one of such title and code and sections 27-291 and 27-292 of such code are given new designations to read as follows:

## **ARTICLE 2**

### **BUILDING ACCESS**

#### **SUBARTICLE 1**

#### **FIRE DEPARTMENT ACCESS**

§8. Article two of subchapter four of chapter one of such title and code is amended by adding a new subarticle two to read as follows:

#### *SUBARTICLE 2*

#### *FACILITIES FOR PEOPLE HAVING PHYSICAL DISABILITIES*

**§27-292.1 Scope.**-As set forth in this subarticle, buildings shall be provided with accessible routes, usable or adaptable space and accessible elements and facilities to make buildings accessible and usable by, and to establish a safe environment for, all categories of people having physical disabilities.

**§27-292.2 Standards.**-The pertinent provisions of reference standard RS 4-6 shall be part of this subarticle.

**§27-292.3 Definitions.**-For definitions to be used in the interpretation of this subarticle, see section 27-232 and reference standard RS 4-6.

**§27-292.4 General requirements.-**

- (a) This subarticle shall apply to all buildings or portions thereof and their accessory areas, except as specified in this subarticle.
- (b) The provisions of this subarticle shall be supplemental to and take precedence over less restrictive provisions of this code in the following articles and sections and in their referenced national standards:
  - (1) Subchapter four, building limitations
    - a. §27-308 ramps
  - (2) Subchapter six, means of egress
    - a. §27-357
    - b. §27-371
    - c. §27-377 ramps
    - d. building access
    - e. door opening width
  - (3) Subchapter seven, special uses and occupancies
    - a. Article ten, public garages
    - b. Article eleven, open parking structures
    - c. Article thirteen, open parking lots
    - d. Article fifteen, swimming pools
  - (4) Subchapter eight, places of assembly
    - a. §27-531 Seating in assembly spaces
  - (5) Subchapter sixteen, plumbing and gas piping
    - a. Reference standard RS-16, paragraph (c) of section P104.1 Facilities for physically handicapped
    - b. Reference standard RS-16, paragraph (d) of section P104.1 accessibility
  - (6) Subchapter seventeen, fire alarm, detection and extinguishing equipment
    - c. Article six smoke detecting devices
  - (7) Subchapter eighteen, elevators and conveyors

*a. Reference standard RS 18-1*

- (c) Facilities in existence on the effective date of this subarticle which comply with the requirements of this subarticle or of other provisions of this code relating to the provision of facilities for people with physical disabilities shall not be diminished to less than those which would be required were the building in which the facilities are located hereafter erected.*

**§27-292.5 Accessibility.**

- (a) Primary entrance(s).-The primary entrance(s) for buildings shall be accessible, except for buildings classified in occupancy group A, J-3 and/or other spaces which normally are not frequented by the public or employees of the facility.*

- (b) Exterior accessible route.-Except as provided in this subarticle, buildings shall be provided with an exterior accessible route to permit entry at the primary entrance(s) of the building from the following locations:*

- (1) Public street or sidewalk*
- (2) Driveways*
- (3) Parking areas*
- (4) Passenger loading zones*
- (5) Transportation stops*

- (c) Interior accessible route.-Except as provided in this subarticle, in buildings having (an) interior route(s) to one or more of the following spaces or facilities, such route(s) shall be (an) interior accessible route(s) from the entrance(s) usable by all categories of people having physical disabilities to adaptable or usable dwelling units and other spaces and facilities on the same premises including but not limited to:*

- (1) Laundry rooms*
- (2) Refuse disposal locations*
- (3) Mailbox areas*
- (4) Recreational, assembly and tenants' meeting rooms*
- (5) Storage rooms*
- (6) Management offices*
- (7) Stores*
- (8) Dining areas*
- (9) Parking areas*

*Where the only route to one or more of such spaces or facilities is an exterior route, such route shall be accessible.*

- (d) Path of travel.-The path of travel in exterior and interior accessible routes shall provide unobstructed safe access and applicable items in such path of travel shall comply with the requirements set forth in reference standard RS 4-6.*

- (e) *Elevators.-Where provided, all elevators shall comply with subchapter eighteen, reference standard RS 18-1, where an interior accessible route is required.*
- (f) *Assembly occupancies.-For assembly occupancies having a mezzanine or balcony which provides a similar view as that from the main floor, accessibility to the mezzanine or balcony shall not be required provided toilet rooms are on the main floor.*
- (g) *Restaurants.-For restaurants, dining rooms and similar occupancies having the same services on levels other than the main floor, accessibility to such levels shall not be required provided that toilet rooms are on the main floor.*
- (h) *Storage.-For buildings in which the intended use is the storage of goods or merchandise, the only requirement shall be accessibility at the primary entrance and an interior accessible route to offices where business may be conducted.*
- (i) *Non-grade stories of small non-residential buildings.-The following non-residential buildings or parts thereof are exempt from the provisions of this subarticle concerning requirements for people having physical disabilities, to the extent set forth in subdivisions (1) and (2) of this subsection:*
  - (1) *construction of such new buildings the total floor area of which is two thousand five hundred square feet or less;*
  - (2) *alterations to such building already existing where the alterations are being made to an above-grade story having a total floor area of two thousand five hundred square feet or less or to a below-grade story having a total floor area of two thousand square feet or less.*

*Notwithstanding the foregoing, floor areas frequented by the public for assembly, governmental, public utility or health facility purposes shall not be exempted unless equivalent functional accessible facilities are provided on the first story.*

- (j) *Where the floor area is more than two thousand five hundred square feet but less than five thousand square feet, a vertical wheelchair lift enclosed in construction having the required fire-resistance rating and connecting not more than two contiguous levels is permitted in lieu of an accessible route as set forth in reference standard RS 4-6.*
- (k) *Where the below-grade cumulative floor area is more than two thousand square feet but not more than five thousand square feet, a vertical wheelchair lift enclosed in construction having the required fire-resistance rating and connecting not more than two contiguous levels is permitted in lieu of an accessible route as set forth in reference standard RS 4-6.*

**§27-292.6 Waiver of requirements.**

- (1) *The commissioner may waive the requirements of this subarticle or of subdivision (d) of section 27-357 of this code for the alteration of existing buildings, provided that such waiver would not significantly adversely affect provisions for health, safety and security and that equally safe and proper alternatives are prescribed and, further, that such waiver is based upon a specific finding that strict compliance with the requirement:*
  - (a) *would create an undue economic burden; or*

- (b) would not achieve its intended objective; or*
  - (c) would be physically or legally impossible; or*
  - (d) would be unnecessary in light of alternatives which insure the achievement of the intended objective or which, without a loss in the level of safety, achieve the intended objective more efficiently, effectively or economically; or*
  - (e) would entail a change so slight as to produce a negligible additional benefit consonant with the purposes of this code.*
- (2) The mayor's office for the handicapped or its successor agency shall be consulted by and shall advise the commissioner concerning each application for a waiver under subdivision (1) of this section.*

**§27-292.7 Special requirements of other city departments.**-*The commissioner upon good cause may waive the requirements of this subarticle for the construction of buildings or spaces, or for the alteration of existing buildings to meet the special requirements of other city departments in regard to any of the following:*

- (a) Firehouses*
- (b) Correctional facilities*
- (c) Cargo handling facilities on the waterfront*
- (d) Wholesale food markets*

**§27-292.8 Adaptable dwelling units.**-

- (a) General requirements.*
  - (1) Adaptable dwelling units are units that contain habitable rooms, kitchens, kitchenettes and bathrooms in residential buildings other than in occupancy group J-3 which when constructed are on an accessible route (except as set forth in this subdivision) and are constructed and equipped as defined in section 27-232 and as set forth in this subarticle so that they can be converted to be used, with a minimum of structural change, by all categories of people having physical disabilities.*
  - (2) Such units shall be provided with door widths and clear floor spaces for making dwelling units usable as set forth in reference standard RS 4-6 when occupied by people having physical disabilities.*
  - (3) Interior access, floor surfaces, adaptable kitchens, adaptable kitchenettes and adaptable bathrooms in these dwelling units shall comply with the requirements set forth in reference standard RS 4-6.*
  - (4) Where an adaptable dwelling unit occupies two or more stories within itself, accessibility shall only be required at the first story of such dwelling unit provided that:*
    - a. The second story is accessible from without; or that*
    - b. Equivalent accessible functional facilities are provided on the first story; or that*
    - c. The stair within the dwelling unit has a minimum width of three feet.*

*(b) Number of adaptable dwelling units.-*

- (1) All dwelling units in buildings with elevators shall be adaptable unless usable dwelling units are provided in accordance with section 27-292.9.*
  - (2) At least one but not less than twenty-five percent of the total number of dwelling units in buildings without an elevator, which have dwelling units on the ground floor and which contain three or more dwelling units, shall be adaptable, unless usable dwelling units are provided in accordance with section 27-292.9. Such adaptable dwelling unit(s) shall be located on the ground floor. Where determination by percentage results in a number containing a decimal of 0.5 or more, the next higher number shall be used, but such number shall not exceed the number of dwelling units actually proposed for the ground floor.*
- (c) Adaptable bathrooms, kitchens and kitchenettes.-Adaptable bathrooms, kitchens and kitchenettes within adaptable dwelling units shall be constructed and equipped in accordance with requirements set forth in reference standard RS 4-6 with respect to the following:*
- Access doorway or opening*
  - Clear floor space*
  - Floor surface*
  - Bathroom, kitchen and kitchenette facilities and controls capable of being made usable*
  - Space and utilities for usable range, (or cooktop or oven), refrigerator/freezer, (dishwasher if provided).*
- Such items shall include water closet and toilet paper dispenser, lavatory and removable base cabinet, mirrors, medicine cabinet, bathtub and controls, bathtub and shower enclosure, reinforced areas for grab bars, clearance between opposing base cabinets, counter tops, appliances and walls, adjustable or replaceable sink and removable base cabinet, as well as storage cabinets, drawers and shelves.*
- (d) Washing machines and clothes dryers within adaptable dwelling units.-Where washing machines and clothes dryers are located within adaptable dwelling units, they shall comply with or be capable of being converted to the requirements set forth in reference standard RS 4-6.*
  - (e) Emergency warning devices within adaptable dwelling units.-Emergency warning devices within adaptable dwelling units shall be capable of being converted to audible and visual indication as required and to conform to the requirements set forth in subchapter seventeen, article six, reference standard RS 17-11, reference standard RS 17-12 and reference standard RS 4-6.*

**§27-292.9 Usable dwelling units.**

*(a) General requirements.-*

- (1) Usable dwelling units are units in residential buildings in other than occupancy group J-3 which are accessible, constructed and equipped, as defined in section 27-232 and as set forth in this subarticle, so as to be usable by people having physical disabilities. A usable dwelling unit shall be established by conversion*



*from an adaptable dwelling unit when the unit becomes occupied by a person having a physical disability.*

- (2) *Access, storage, controls, windows, doors, floor surfaces, kitchens, kitchenettes and bathrooms, appliances and emergency warning devices in these units shall comply with the requirements set forth in reference standard RS 4-6.*

*(b) Number of usable dwelling units.*

- (1) *Hotels-In lieu of the requirements of section 27-292.8 in buildings in occupancy group J-1 having ten or more units, not less than five percent of the total number of units shall be constructed as usable units. In all buildings in occupancy group J-1 there shall be available portable smoke detectors of both audible and visual design. The number of detectors available shall be three percent of the number of sleeping rooms with a minimum of one operational detector per building. Proprietors shall post conspicuously a sign at least three inches in height, at the main desk or other similar station, advising of the availability of such detectors. Such detectors shall have a flash frequency range of sixty to one hundred twenty flashes per minute; and, where the average illuminance with motion present is more than twenty lumens per square foot, the visible signaling appliance shall have an effective intensity rating between one hundred and one thousand candela. Hard wiring of audible/visual detectors into an existing central closed-circuit alarm system shall be permitted in lieu of such portable detectors. Where determination by percentage results in a number containing a decimal of 0.5 or more, the next higher number shall be used. Notwithstanding the foregoing, entrance doors to all dwelling units in occupancy group J-1 having ten or more units, and to all bathrooms in such units, shall be no less than thirty-two inches in width.*

- (2) *Adult residential care facilities.-All units in adult residential care facilities shall be usable. "Adult residential care facility" shall mean a family type home for adults, a shelter for adults, a residence for adults, an enriched housing program or an adult home, which contains three or more dwelling units and which provides board and temporary or long-term residential care and services to adults who, though not requiring continual medical or nursing care, are by reason of physical or other limitations associated with age, physical or mental disabilities or other factors unable or substantially unable to live independently. Such facilities shall be considered to be within occupancy group J-2.*

- (c) *Usable bathrooms, kitchens and kitchenettes.-Usable bathrooms, kitchens and kitchenettes within usable dwelling units shall be constructed and equipped in accordance with requirements set forth in reference standard RS 4-6 with respect to the following:*

*Access doorway or opening*

*Gear floor space*

*Floor surface*

*Bathroom, kitchen and kitchenette facilities and controls*

*Space and utilities for usable range, (or cooktop or oven), refrigerator/freezer, (dishwasher if provided).*

*Such items shall include usable water closet and toilet paper dispenser, lavatory and base cabinet, bathtub and controls, bathtub and shower enclosure, grab bars, clearance between opposing base cabinets, counter tops, appliances and walls, sink and base cabinet.*

- (d) Washing machines and clothes dryers within usable dwelling units.-Where washing machines and clothes dryers are located within usable dwelling units, they shall comply with or be capable of being converted to the requirements set forth in reference standard RS 4-6.*
- (e) Emergency warning devices within usable dwelling units.-Emergency warning devices within usable dwelling units shall be capable of being converted to audible and visual indication as required and to conform to the requirements set forth in subchapter seventeen, article six, reference standard RS 17-11, reference standard RS 17-12 and reference standard RS 4-6.*

**§27-292.10 Usable spaces.**

*(a) Functional spaces and rooms.*

- (1) Except as otherwise provided in section 27-292.5, spaces and rooms intended for general public and occupant use shall be accessible and usable. Such spaces and rooms include but are not necessarily limited to the following:*

*Mercantile spaces*

*Industrial spaces*

*Business spaces*

*Assembly spaces*

*Educational spaces*

*Institutional spaces*

*Toilet rooms*

*Bathrooms, bathing facilities, shower rooms.*

- (2) Doors and floor surfaces in usable spaces shall comply with the requirements set forth in reference standard RS 4-6.*
- (3) Where seating, tables and/or work stations are provided in usable spaces, at least one and not less than five percent shall comply with the requirements set forth in reference standard RS 4-6.*

*(b) Toilet rooms.*

- (1) The location and number of water closets, urinals and lavatories shall be provided in accordance with the requirements set forth in table RS 16-5.*
- (2) Except where exempted in subdivision (i) of section 27-292.5 or section 27-292.6, facilities for people having physical disabilities shall be provided in toilet rooms or in a readily accessible location. Where such toilet room is designed for use by not more than one person at a time and has provision for locking from the inside, such toilet room shall be permitted to be used by either sex.*

(3) *Where toilet rooms are not accessible by elevator, they shall be located so that people having physical disabilities need not travel more than one story thereto by ramp.*

(c) *Bathing facilities.*

(1) *The location and number of plumbing fixtures shall be provided in accordance with the requirements set forth in table RS 16-5 and in reference standard RS 4-6.*

(2) *Each required bathing facility shall be accessible and at least one of each type of fixture or accessory that is provided in such bathing facility shall comply with the requirements set forth in table RS 16-4 and in reference standard RS 4-6.*

**§27-292.11 Assembly spaces.**

(a) *Assembly spaces other than places of assembly shall be provided with a minimum of accessible wheelchair viewing positions as follows:*

<u>Capacity of Assembly Spaces</u>	<u>Number of Viewing Positions</u>
1 to 25	Minimum 1
26 to 50	Minimum 2
51 to 74	Minimum 3

(b) *Places of assembly shall be provided with accessible wheelchair viewing positions in accordance with subparagraph h of paragraph (1) of subdivision (a) of section 27-531.*

(c) *Size and placement of wheelchair location, surfaces, access to performing area and listening systems, where required, shall comply with the provisions of reference standard RS 4-6. These positions may be utilized by persons who do not use wheelchairs provided that the positions are delineated on the approved seating plans, the seating is readily removable and the positions are unsold one full working day before the performance.*

**§27-292.12 Public toilet rooms.**-*Where public toilet rooms are provided, there shall be at least one water closet stall and lavatory fixture for each sex which is accessible to and usable by people having physical disabilities and complies with the requirements of paragraph (c) of section P104.1 of reference standard RS 16-1 and reference standard RS 4-6.*

**§27-292.13 Drinking fountains.**

(a) *Location and number of drinking fountains shall be provided in accordance with the requirements set forth in table 16-5.*

(b) *At least one drinking fountain on a story on which drinking fountains are provided shall be accessible and comply with the requirements set forth in reference standard RS 4-6.*

(c) *Where outside drinking fountains are provided, at least one shall be accessible and comply with the requirements set forth in reference standard RS 4-6.*

**§27-292.14 Public telephones.**-At each location where public telephones are provided, at least one telephone shall be accessible and usable by people who use wheelchairs and at least one telephone shall be accessible and usable by persons with hearing impairment, and each such accessible telephone shall comply with the requirements set forth in reference standard RS 4-6.

**§27-292.15 Alarms.**-Where emergency warning systems are provided in spaces used by people having physical disabilities such systems shall comply with the requirements set forth in reference standard RS 4-6. Portable audible/visual smoke detecting devices in existing group J-1 occupancies shall comply with the provisions of paragraph (1) of subdivision (b) of section 27-292.9.

**§27-292.16 Controls and operating mechanisms.**-Where controls and operating mechanisms for light switches, dispensers, alarms and other similar devices are provided, they shall be accessible and comply with the requirements set forth in reference standard RS 4-6.

**§27-292.17 Tactile warnings.**-Tactile warnings shall be provided at hazardous locations on floors, doors, stairs, hazardous vehicular areas and pools, and shall comply with applicable requirements as set forth in reference standard RS 4-6.

**§27-292.18 Signage.**

(a) Symbols of accessibility shall be provided at the following locations:

*Parking spaces designated as reserved for people having physical disabilities*

*Passenger loading zones*

*Public toilet and bathing facilities*

*Drinking fountains*

*Public telephones*

(b) Information and directional signage shall be provided where deemed necessary.

(c) Symbols and characters shall comply with the applicable requirements set forth in reference standard RS 4-6.

**§27-292.19 Parking spaces.**

(a) Where parking areas or garages are provided, at least one parking space but not less than five percent of the total number of parking spaces provided shall be suitable for use by people having physical disabilities. Where determination by percentage results in a number containing a decimal of 0.5 or more, the next higher number shall be used.

(b) Location space, size and signage for parking spaces suitable for use by people having physical disabilities shall comply with provisions set forth in reference standard RS 4-6.

**§27-292.20 Passenger loading zones.**-Where passenger loading zones are provided, location and access aisles for at least one vehicle (with respect to multiple dwellings) or zones (with respect to other buildings) shall comply with the requirements set forth in reference standard RS 4.6.

§9. Section 27-308 of such code is amended to read as follows:

**§27-308 Ramps.**

(a) When a building erected prior to December sixth, nineteen hundred sixty-nine is altered to provide access to individuals [in] *who use* wheelchairs, ramps constructed to provide such access may, with the approval of the commissioner, project beyond the street line for a distance of not more than forty-four inches.

(b) *Ramps shall comply with the applicable provisions of reference standard RS 4-6.*

§10. Subdivision (d) of section 27-357 of such code is amended to read as follows:

(d) Building access.- All buildings classified in other than occupancy groups A, [B-1 or B-2, open structures] *mechanical and electrical equipment rooms and boiler and furnace rooms* of D-2 or J-3 shall have at least one primary entrance accessible to and usable by individuals [in] *who use* wheelchairs. Such entrance shall provide access to a level that makes elevators available in buildings where elevators are provided. Where ramps are used to comply with this requirement, they shall have a slope not greater than one in twelve and shall otherwise conform to the provisions of section 27-377 and reference standard RS 4-6.

The commissioner may waive the requirements of this section in the alteration of buildings existing on the effective date of this code [where compliance would impose such a hardship because of the physical impossibility of construction of the required ramp or access without making the building virtually unusable]*in accordance with section 27.292 of this code.*

§11. Subdivision (e) of section 27-371 of such code is amended by adding a new paragraph seven to read as follows:

(7) *Door openings for people having physical disabilities shall additionally comply with the requirements of reference standard RS 4-6.*

§12. Subdivision (c) of section 27-377 of such code is amended to add a new paragraph seven to read as follows:

(7) *Ramps for people having physical disabilities shall additionally comply with the requirements of reference standard RS 4-6.*

§13. Article ten of subchapter seven of chapter one of title twenty-seven of such code is amended to add a new section 27-459.1 to read as follows:

**§27-459.1 Parking spaces for people having physical disabilities.**-*Parking spaces for people having physical disabilities shall comply with the requirements of section 27-292.19 and reference standard RS 4-6.*

§14. Article eleven of such subchapter, chapter, title and code is amended to add a new section 2-472.1 to read as follows:

**§27-472.1 Parking spaces for people having physical disabilities.**-*Parking spaces for people having physical disabilities shall comply with the requirements of section 27-292.19 and reference standard RS 4-6.*

§15. Article thirteen of such subchapter, chapter, title and code is amended to add a new section 27-483 to read as follows:

**§27-483 *Parking spaces for people having physical disabilities.***-*Parking spaces for people having physical disabilities shall comply with the requirements of section 27-292.19 and reference standard RS 4-6.*

§16. Article fifteen of such subchapter, chapter, title and code is amended to add a new section 27-493.1 to read as follows:

**§27-493.1 *Facilities for people having disabilities.***-*Facilities for people having physical disabilities shall comply with the requirements of subarticle two of article two of subchapter four and of subchapter sixteen.*

§17. Sub-paragraph h of paragraph one of subdivision (a) of section 27-531 of such code is amended to read as follows:

- h. Performance viewing positions shall be provided for [wheelchair] persons *who use wheelchairs* in accordance with the following schedule.

<u>Capacity of Assembly Space</u>	<u>Number of Viewing Positions</u>
75 to [500] <i>100</i>	minimum [2] <i>4</i>
[501 to 1000] <i>101 to 150</i>	minimum [3] <i>5</i>
[1000 to 1500] <i>151 to 200</i>	minimum [4] <i>6</i>
[Over 1500-minimum 4 plus 1 for each 4000 over 1500]	
<i>201 to 300</i>	<i>7</i>
<i>301 to 400</i>	<i>8</i>
<i>401 to 500</i>	<i>9</i>
<i>501 to 1000</i>	<i>2 percent of total</i>
<i>Over 1000</i>	<i>20 plus 1 for each 100 over 1000</i>

These positions shall be located so as not to interfere with egress from any row of seats and shall be reachable by means of ramps and/or elevators. Steps shall not be allowed in line of travel from the main approach entry to the designated locations. *Size and placement of wheelchair locations, surfaces, access to performing area and listening systems where required, shall comply with the provisions of reference standard RS 4-6. These positions may be utilized by persons who do not use wheelchairs provided that the positions are delineated on the approved seating plans, the seating is readily removable and the positions are unsold one full working day before the performance.*

§18. Reference standard RS-4 of the appendix to chapter one of title twenty-seven of this code is amended by adding a list of referenced national standards to read as follows:

***LIST OF REFERENCED NATIONAL STANDARDS***

FEMA	<i>Maps of the special flood hazard areas of the city of New York, community-panel Numbers 3604970001 to 0131 inclusive, effective date: November 16, 1983 .... 1983</i>
A-CE	<i>Flood-proofing regulations-EP-1165 2 314 (engineer pamphlet, army corps. of engineers), dated June 1972 ... 1972</i>
FEMA	<i>HUD FIA-7/January 1981 -design and construction manual for residential buildings in coastal high hazard areas .... 1981</i>
ANSI A117.1	<i>American national standard for buildings and facilities providing accessibility and usability for physically handicapped people, as modified .... 1986</i>

§19. Reference standard RS-4 of the appendix to subarticle two of article two of subchapter four of such chapter, title and code is amended by adding a new standard RS 4-6 to read as follows:

*REFERENCE STANDARD RS 4-6*

*FACILITIES FOR PEOPLE HAVING PHYSICAL DISABILITIES*

*ANSI A117.1-1986, as modified.-American national standard for buildings and facilities providing accessibility and usability for physically handicapped people.*

*Modifications.-The provisions of ANSI A117.1-1986 shall be subject to the following modifications:*

*Figure 29(b) Sidewall*

*Delete 42 min/1065 minimum dimension of sidewall grab bar.*

*Add 15 min/380.*

*Figure 47(a) clear floor space for adaptable bathrooms.*

*Delete 36 min/915 and 18 min/455 at the water closets.*

*Add 33 min/838 and 16½ min/419.*

*Figure 48 Location of grab bars and controls of adaptable bathtubs.*

*Delete 15 max/380 at the control area.*

*Add a new sentence at the end of subsection 4.32.4.1 Doors to read as follows:*

*Doors may swing into the bathroom of an adaptable dwelling unit if the door, door buck and adjacent space is designed and constructed so that remounting the hinges is the only change required to swing the door out as shown in Fig. 53.*

*Add a new subsection 4.32.4.8 to section 4.32.4 Bathrooms to read as follows:*

*4.32.4.8 Minimum sized adaptable bathrooms may be as shown in figure 53 and figure 54. Fig. 53(A) shows desirable minimum conditions. Where such a plan is not possible to attain, then the arrangement in Fig. 53(B) may be acceptable.*

*Amend paragraph (1) of subsection 4.32.5.10 Kitchen Storage to read as follows:*

*(1) The adjustable maximum height shall be 48 in. (1220mm) for at least one shelf of all cabinets and storage shelves mounted above work counters (see figure 50).*

*Add a new subsection 4.32.5.11 to section 4.32.5 Kitchens to read as follows:*

*4.32.5.11 Minimum sized adaptable kitchens or kitchenettes may be as shown in figure 55, figure 56, figure 57 and figure 58.*

*In dwelling units where a dishwasher is provided, but where no other space otherwise is available in the kitchen for the installation of a dishwasher, one may be installed under a work surface described in subsection 4.32.5.4; provided that, at the option of a person with a disability residing in the dwelling unit, the dishwasher shall be removed, and the work surface made to conform with said subsection, by and at the sole expense of the owner of the dwelling unit.*

§20. Paragraph (c) of section P104.0, of reference standard RS-16 of the appendix to subchapter sixteen of such chapter, title and code is amended to read as follows:

(c) In every building where public toilet facilities are provided, there shall be at least one water closet stall *for each sex* which is accessible to the physically handicapped, at least 3 ft. wide by 5 ft.-6 in. in depth, having a door (if used) that is 32 in. wide and swings out to accommodate a wheelchair. The water closet seat [in this one stall] shall be set [20 in.] *17 to 19 in.* above the floor. The stall shall be provided with grab bars on each side, the grab bars shall have an outside diameter of 1 ½ in., and shall be *33 to 36 in.* above and parallel to the [floors]*floor*, with 1 ½ in. clearance from the wall. One drinking fountain facility, not of the recessed type, [set 30 in. above the floor,] shall be provided. *The provisions of reference standard RS 4-6 shall supplement the foregoing requirements.*

§21. This local law shall take effect immediately, except that this local law shall not apply to applications for approval of plans filed with the department prior to September first nineteen hundred eighty-seven.



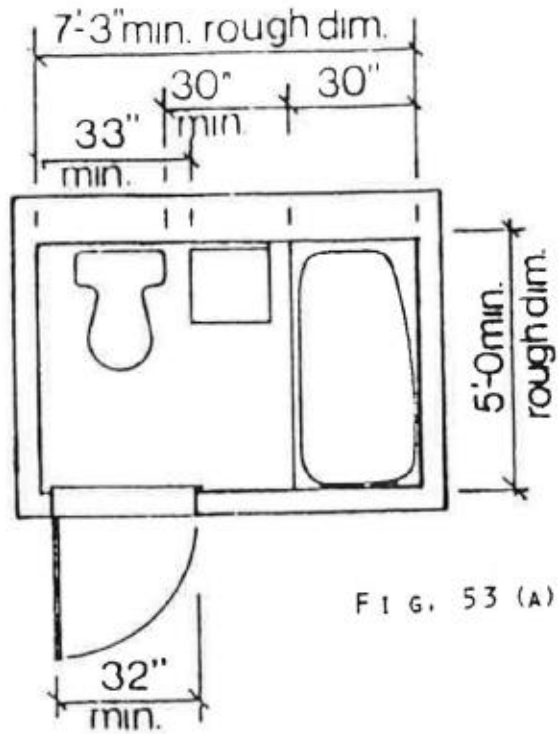


FIG. 53 (A)

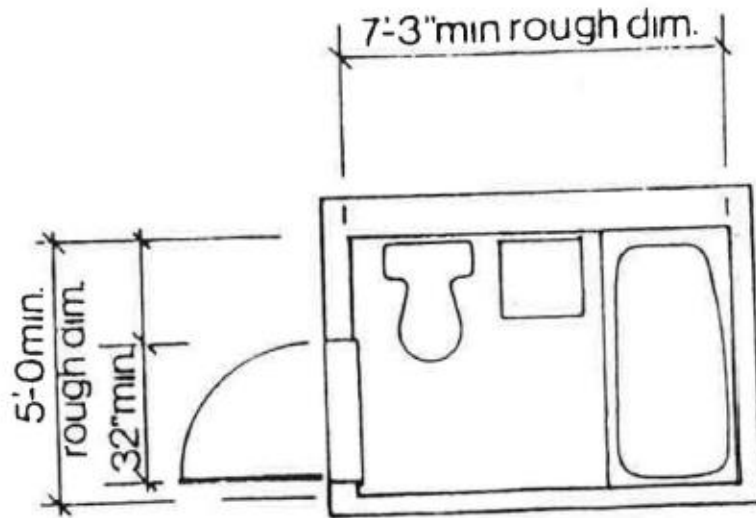


FIG. 53 (B)

FIG. 53 MINIMUM SIZED ADAPTABLE BATHROOMS.

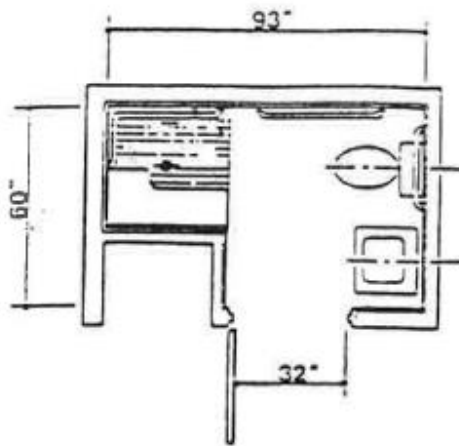


FIG. 54 (A)

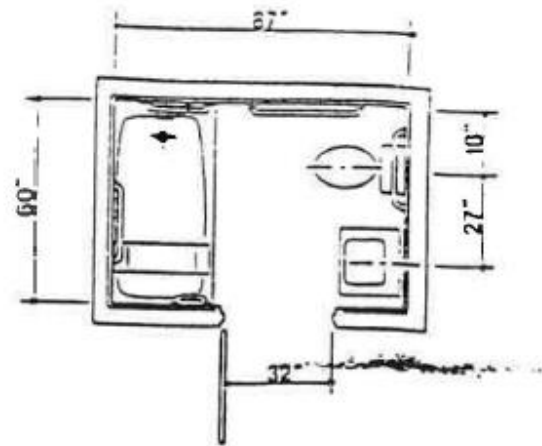


FIG. 54 (B)

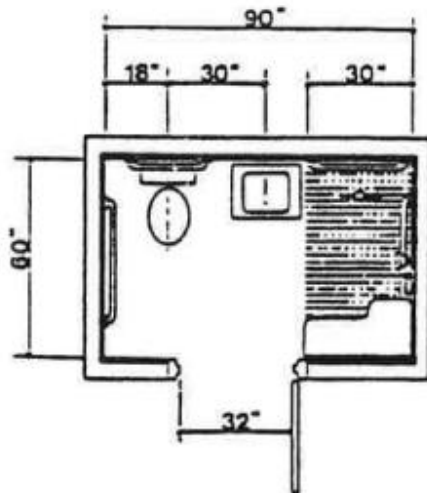


FIG. 54 (c)

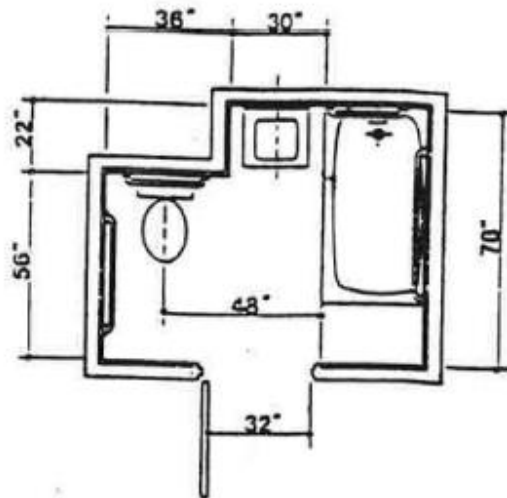


FIG. 54 (D)

Symbol Key    ▲ Shower Location  
                   • Bath, Shower Controls  
                   ◆ Drain

FIG. 54

Minimum Sized Adaptable Bathrooms

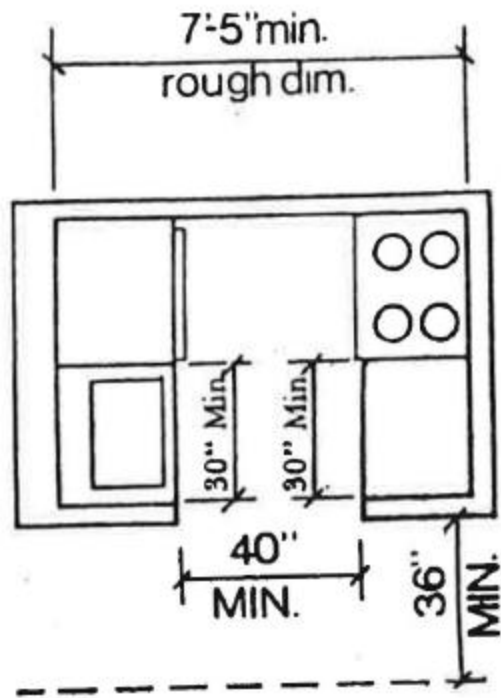


FIG. 55  
MINIMUM SIZED ADAPTABLE KITCHEN OR KITCHENETTE

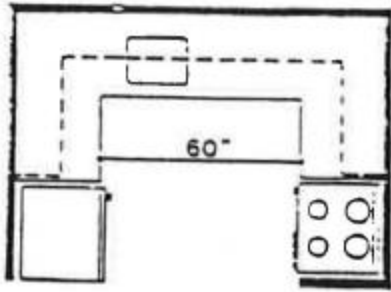


FIG. 56 (A)

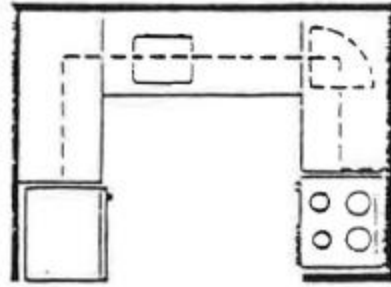
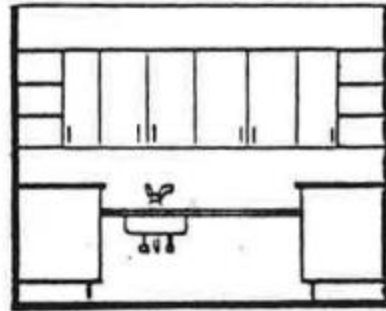
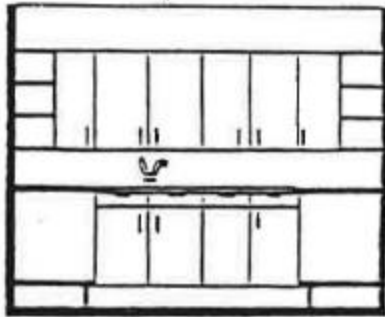
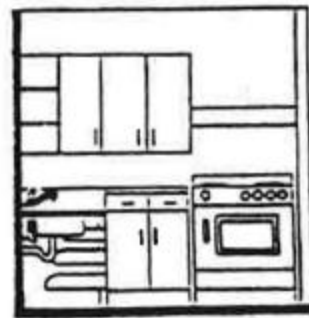


FIG. 56 (B)



Accessible; before removal of cabinets and base.



Cabinets and base removed, counter height lowered.

Example of Adaptable Kitchen - U-Shaped Plan

FIG. 56

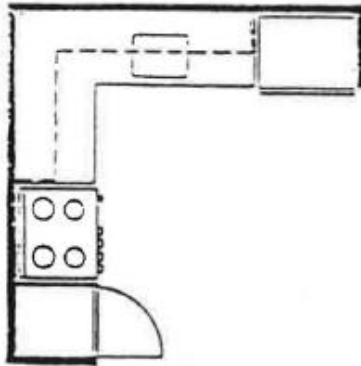


FIG. 57 (A)

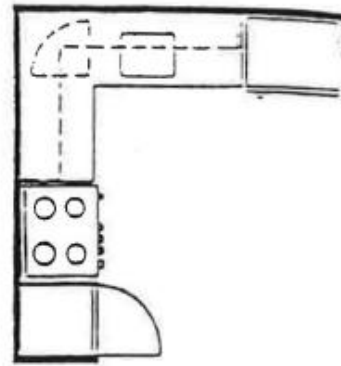
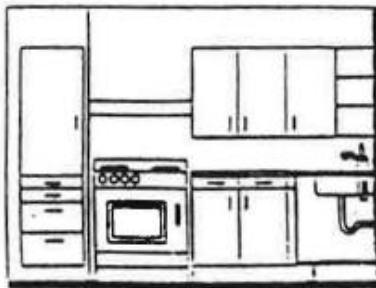
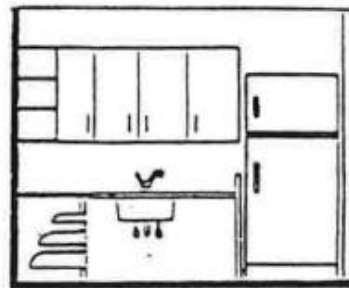
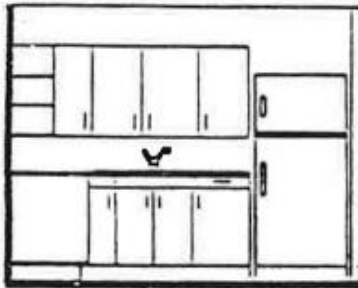
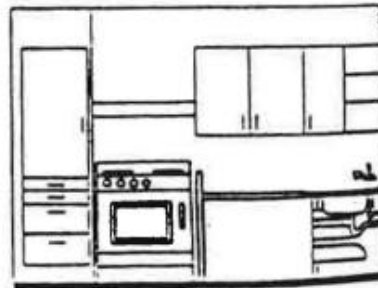


FIG. 57 (B)



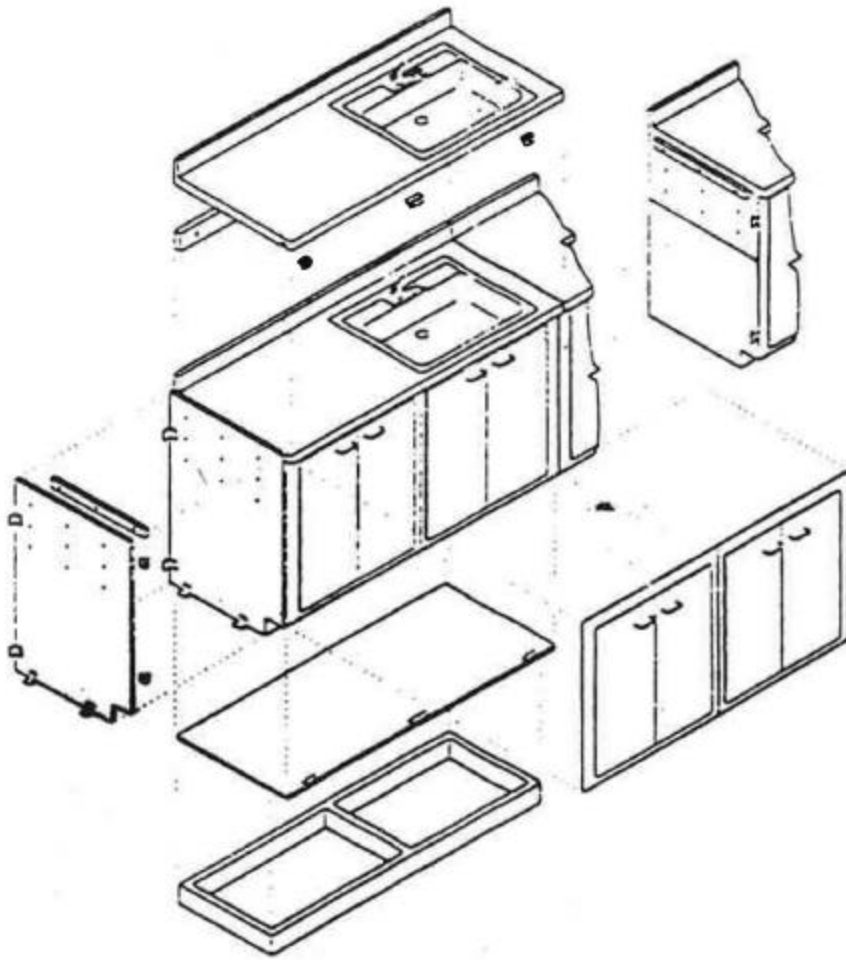
Accessible; before removal of cabinets and base.



Cabinets and base removed, counter height lowered.

Example of Adaptable Kitchen - L-Shaped Plan

FIG. 57



Exploded Axonometric for Adaptable Kitchen

FIG. 58

THE CITY OF NEW YORK, OFFICE OF THE THE CITY CLERK, S.S:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on July 14, 1987, and approved by the Mayor on August 5, 1987.

CARLOS CUEVAS, City Clerk, Clerk of Council.

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CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed local law (Local Law 58 of 1987, Council Int. No. 780-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on July 14, 1987: 34 for, 0 against.

Was approved by the Mayor on August 5, 1987.

Was returned to the City Clerk on August 5, 1987.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.