

The City of New York
HOUSING AND DEVELOPMENT ADMINISTRATION
Department of Buildings

DIRECTIVE NO. 10 OF 1972

TO: Borough Superintendents

DATE: October 26, 1972

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Sections C26-100.5, C26-103.0 Administrative Code
Applicability of 1968 Code to Construction

BACKGROUND:

- A. Under the provisions of section C26-100.5 of the 1968 Building Code, new buildings for which applications were filed prior to December 6, 1969, may comply with the provisions of the 1938 code or laws previously in force.
- B. Under section C26-103.0 of the 1968 code, specified alterations may comply with the 1938 code or laws previously in force.
- C. These provisions shall be construed to mean that the construction entering into the alteration may comply with the 1938 code or laws previously in force where permitted, but that all administrative and procedural provisions of the 1968 code shall apply.
- D. Materials and assembly approvals (Section C26-106) are to remain as stated in Directive 1/1970, dated January 15, 1970.

PROCEDURES TO BE FOLLOWED:

1. The provisions of the 1938 code or laws previously in force (as applicable) may be applied, where permitted for height and area limitations, exits, methods of construction and design, materials and equipment, design loads and stresses, fire protection, fire prevention, fire alarms, plumbing, sprinklers, standpipes, ventilation, air conditioning, fuel oil storage, elevators, provided public safety and welfare is not endangered. Design details of fire alarms, sprinklers or standpipes must, however, conform with the 1968 code, based on Section C26-1700.1.
2. Where applications are approved for buildings or portions of buildings constructed under prior (old) codes, the provisions of the 1968 (new) code shall apply for procedural items as follows:

Applications, permits, applications for certificates of occupancy, inspections by inspectors of the Building Department, controlled inspections, borings, soil tests and other soil investigations, shoring of banks of excavations, soil inspections underpinning, tests and approvals of material and equipment testing, approval of fire retardant treated wood, and noise requirements pertaining to exterior mechanical equipment.

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631

PROCEDURES TO BE FOLLOWED: continued

3. All the provisions of Article 19 of the 1968 code, "Safety of Public and Property During Construction Operations", shall apply to all construction whether the building construction conforms to the 1938 code, laws previously in force or the 1968 code.
4. Effective date of this Directive:

All applications filed after November 1, 1972. The Borough Superintendent may require these procedures to be applicable to applications filed prior to November 1, 1972, where he deems the public safety and welfare in danger.


Thomas V. Burke, P.E.
Director of Operations

TVB/PEO/sl

cc: Exec. staff
BCAC
Industry