

THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 25, 1980

TO The Borough Superintendents, Industry and Executive Staff
FROM: Irving Polsky, P.E., Executive Engineer
SUBJECT: Section C26-1202.2 Administrative Code,
Natural light sources and locations.

Please advise your staff to correct the above section in their Building Code books so as to be in accord with Local Law 61 for the year 1969.

The underlined, in the following extract, was omitted:

J-1. Section C26-1202 of such code, as added by local law number seventy six of the year nineteen hundred sixty-eight, is hereby amended to read as follows:

§ (C26-1202.2 Natural light sources and location.--(a) Natural light, when required, shall be provided by windows, skylights, muntins, glazed doors, transoms, fixed lights, jalousies or other natural light transmitting media. Such sources shall not be located in recesses having a width of less than 6 ft., and such sources shall not be located so as to create a habitable room whose depth exceeds 30 ft., except in dwelling units of group 1 construction containing more than three habitable rooms. Such sources, except as provided in (b) below, shall face or open upon the sky or upon a public street, space, alley, park, highway, or right of way, or upon a yard, court, plaza, or space above a setback. ~~When such yard, court, plaza, or space above a setback is located upon the same lot and is of the dimensions required by the applicable provisions of the zoning resolution.~~ Where dwelling units in buildings or spaces classified in occupancy group J-1 or J-2 are located in a cellar or a basement such dwelling unit or units shall have at least 1/2 of their height and all of their window surfaces above every part of an "adequate adjacent space." Such "adequate adjacent space" shall be open to the sky and shall be a continuous surface area outside the dwelling unit or units not less than 30 ft. in its least dimension and abutting at same level or directly below every part of the exterior walls of such dwelling unit or units. Such "adequate adjacent space" shall include only spaces which are located on the same lot or plot as the building, or on a public street, space, alley, park, highway or right of way and the level of such areas which abut or adjoin the habitable room, at least shall be 6 in. below the window sills of any windows.

(b) Natural light sources may face or open upon an enclosed or partially enclosed balcony or space above a setback when such balcony or space faces upon a public street, space, alley, park, highway or right of way or upon a yard, court, plaza, or space above a setback when such yard, court, plaza, or space above a setback is located upon the same lot and is of the same dimensions required by the applicable provisions of the zoning resolution, the maximum depth of any habitable room is at most 30 ft. measured from the outer face of the wall forming the partial or full enclosure of the balcony or space, the enclosure of the balcony or space is not more than one story in height, and the balcony or space complies with either of the following:

(1) The front of the balcony or space above a setback has an opening to the outer air whose area is equal to at least 75 per cent of the floor surface area of such balcony or space.

(2) The front of the balcony or space above a setback may be completely enclosed when the building is of group 1 construction provided the outer enclosing walls are glazed with clear plate glass or with plastic equivalent complying with section C26-1201(c) and such glazed wall area is equal to at least 50 per cent of the interior wall enclosing such balcony or space and at least 50 per cent of the required area is operable and no window from any bathroom, water-closet, compartment or kitchen whose area is 50 sq. ft. or less opens on such balcony or space.

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