

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

DIRECTIVE NO. 4 OF 1973

TO: Borough Superintendents

DATE: March 7, 1973

FROM: Thomas V. Burke, P.E., Assistant Commissioner

SUBJECT: FIRE SAFETY REQUIREMENTS and Controls in Certain Office Buildings
Local Law 5/1973 - Approved by Mayor 1/18/73

BACKGROUND:

Local Law 5/1973 to amend the Administrative Code in relation to Fire Safety Requirements and Controls in Certain Office Buildings was signed by the Mayor on January 18, 1973.

A direct result of the two serious fatal fires of 1970 in high-rise office buildings, Local Law 5/1973, mandates additional responsibilities to the Building Department, in assuring that the new requirements specified in said law are achieved. The purpose of this directive is two fold:

- (1) Uniform interpretation of Local Law provisions.
- (2) Implementation of provisions of the new law that are effective immediately or within the next several months.

EFFECTIVE DATE:

The effective date of Local Law 5/1973 is January 18, 1973.

DEFINITION OF "Existing Office Building 100 ft. or More in Height"

A. Section 3 of Local Law 5/1973 defines an **EXISTING OFFICE BUILDING, 100 FT. OR MORE IN HEIGHT** - as follows:

EXISTING OFFICE BUILDING, 100 FT. OR MORE IN HEIGHT.- An office building 100 ft. or more in height or a building classified in occupancy group E, 100 ft. or more in height.

- (1) which on the effective date of this local law is complete or under construction, or
- (2) for which plans have been filed before such effective date and construction commenced within one year after such effective date, or
- (3) for which plans are filed within one year after such effective date and construction commenced within two years after such effective date and further provided that all the requirements for such existing office buildings are fully complied with in the course of construction and before completion.

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DEFINITION OF "EXISTING OFFICE BUILDING 100 FT. IN HEIGHT continued

B. The requirements of the subject local law shall apply also to existing buildings with mixed occupancy, occupied in part for Class E occupancy under the current Building Code or for offices under the old code as hereinafter specified.

Where "occupancy load" is specified in the following, it shall mean occupancy (actual or occupancy indicated on the certificate of occupancy or other department records, whichever is greater) by more than 100 persons above or below the street level or more than a total of 500 persons in the entire building. Also, where office is specified it shall mean occupied for Class E occupancy under the current Building Code or for offices under the old code.

Further, where the requirements of the law are applicable, they shall apply for all floors up to and including the highest floor having office occupancy.

1. Where offices with an office "occupancy load" are located less than 100 ft. above grade, the provisions relating to buildings less than 100 ft. in height shall apply.
2. Where the office portion of a building has an "occupancy load" and there are offices located above the 100 ft. level, the provisions relating to office buildings 100 ft. or over in height shall apply.
3. Where there are offices above the 100 ft. level in a mixed occupancy building, and 50% or more of the sum of the floor area of all the floors up to the highest level of office occupancy are devoted to office use, the provisions relating to office space over 100 ft. in height shall apply.

APPLICABLE TO ALTERATION AND BUILDING NOTICE APPLICATIONS:

Alteration, including partition work in existing buildings shall be required to comply with Section 236 and 237 in regard to compartmentation in that portion of the building being altered. This includes Alteration, Building Notice and Amendments to New Building Applications for insert work or non-sprinklered floors of heretofore non-occupied new office buildings.

These requirements shall apply to Applications and Amendments that have not yet been approved.

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SIGNS:

1. No final certificate of occupancy shall be issued after April 18, 1973, for office buildings, 100 ft. or more in height until stair and elevator signs required by sub-article C26-608.0 have been satisfactorily installed.
2. After April 18, 1973, Construction Inspectors, when in the normal course of their duties visit an office building 100 ft. or more in height they shall inspect for compliance with stair and elevator sign requirements and place violation orders if not in compliance.
3. No application shall be required for installation of signs in conformance with sub-article C26-608.0. Existing signs painted on walls are not acceptable. See Section C26-608.6. Existing signs not in compliance with the requirements of sub-article 608.0 shall not be accepted, except upon written request addressed to the Borough Superintendent and only when the Borough Superintendent finds such existing signs will adequately accomplish the intended purpose. He may modify requirements as to location, as specified in Section C26-608.7.

DOORS TO STAIRS:

Exit doors opening on stair enclosures shall not be locked from either side, with only those exceptions permitted that are specified in sub-paragraph b of paragraph (1) of subdivision j of section C26-604.4. Doors that are locked to prevent access to a stair at street floors shall be provided with panic bolts on the stair side of the door.


Thomas V. Burke, P.E.
Assistant Commissioner

TVB/PEO/sl

ATTACHMENT Local Law 5/1973
(Man. 150, Bklyn. 50, Queens 70,
Bronx 50, Richmond 30)

CC: (W/attachments)
Exec. Staff
BCAC
CICI
Industry

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