

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

*File*

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DEPARTMENTAL MEMORANDUM

DATE: April 4, 1975

TO: Borough Superintendents  
FROM: Jeremiah T. Walsh, P.E., Commissioner  
SUBJECT: Group Homes *der*

Intro No. 717 has been introduced in the City Council to delineate in the Building Code the decision of the New York State Court of Appeals and Corporation Counsel Opinion No. 108,058 regarding group homes, and to authorize a reduction in the stair width for four story buildings in occupancy group J-3 to 33 inches.

Based on the above-mentioned legal rulings, group homes conforming with Section 374 (c) of the Social Services Law, may be considered as analogous to one family dwellings, and subject to Building Code requirements for occupancy group J-3, and Zoning Resolution provisions applicable to Use Group 1 or 2 as appropriate for all current applications.

Note, however, that the rules of the New York State Board of Social Welfare requires a fire escape as a second means of egress where a second interior vertical exit is not provided. Further, present code provisions regarding J-3 occupancies, including present stairway width requirements, must be adhered to unless the enclosed proposed legislation is enacted into law.

*Jeremiah T. Walsh*  
Jeremiah T. Walsh, P.E.  
Commissioner

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