



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner

August 17, 1988

Mr. Michael M. Robbins, Ass. AIA
Wank Adams Slavin Associates
Architects and Engineers
740 Broadway - 10th Floor
New York, N.Y. 10003

GEORGE E. BERGER, P.E.
Assistant Commissioner
Building Construction

RE: Fordham University Law School
at Lincoln Center, Manhattan

Dear Mr. Robbins:

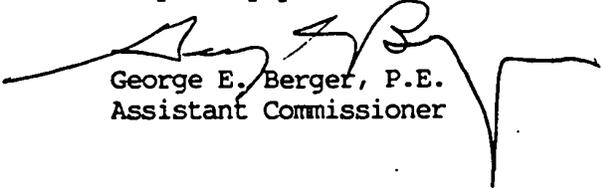
My letter to you dated July 12, 1988 in regards to classrooms which have an occupancy of 75 or more persons seems to have caused some confusion and requires clarification.

Although C26-116.0 of the 1938 Building Code, definition of Place of Assembly, includes a room or space which is used for educational purposes, it clearly exempts "instruction rooms, libraries, lecture rooms, recreation rooms, lunch rooms or classrooms in elementary or high schools, as defined in Section C26-132.0 or in colleges which are licensed to operate by the state board of regents, when such rooms are used solely and exclusively by the students of such schools or colleges".

This is not the case for occupancies that came into effect under the 1968 Building Code. Therefore, any room or space that has an occupancy of 75 or more persons under an application covered by the 1968 Building Code will require a Place of Assembly Permit as per Section 27-232. Any such room or space existing under the 1938 Building Code will not be considered a Place of Assembly.

I trust this shall clarify any confusion in this matter.

Very truly yours,


George E. Berger, P.E.
Assistant Commissioner

GEB:lg

cc: Executive Staff
Chief Joseph DeMeo, Fire Department
Borough Superintendents