

**RESCINDED BY BUILDINGS
BULLETIN 2023-013**

**THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: April 26, 1979

TO: Borough Superintendents

FROM: Irwin Fruchtman, P.E., Commissioner

SUBJECT: Use of Vacant Second Stories of Buildings for Accessory Store Storage where there is no direct means of egress from such story.

The following conditions are to be met for a store occupying an otherwise vacant building to use its second floor for accessory store storage and to provide for such exiting via an interior stair through the store:

1. There is no zoning non-compliance.
2. The second floor to be capable of carrying a live load of 100lb./sq. ft.
3. The interior stair is of steel and is enclosed.
4. The stair from the second floor terminates not more than 25 ft. from the first floor building line.
5. Automatic wet sprinklers are provided on the first and second floors and any other spaces (cellar or third floor) that the store communicates to.
6. Wire connected smoke detectors are provided at strategic locations at the first and second stories.
7. Fire Department access panels are provided as required by C26-401.2.
8. Such access panel, if at the second story, shall be openable from the inside and be provided with an acceptable non-combustible ladder for emergency use.
9. The Fire Department concurs.


Irwin Fruchtman, P.E.
Commissioner

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