

## CHAPTER 10

# HISTORIC BUILDINGS

### SECTION 1002 REPAIRS

#### SECTION 1001 GENERAL

**1001.1 Scope.** It is the intent of this chapter to provide means for the preservation of historic buildings. Historical buildings shall comply with the provisions of this chapter relating to their repair, alteration, relocation and change of occupancy.

**1001.2 Report.** A historic building undergoing alteration, or change of occupancy shall be investigated and evaluated. If it is intended that the building meet the requirements of this chapter, a written report shall be prepared and filed with the code enforcement official by a registered design professional when such a report is necessary in the opinion of the code enforcement official. Such report shall be in accordance with Chapter 1 and shall identify:

1. Each required safety feature that is in compliance with the provisions of this chapter.
2. Where compliance with provisions of other chapters would damage the contributing historic character or contributing historic features.

**1001.2.1 Compliance.** For purposes of compliance with Section 104.3, NFPA 914, *Code for Fire Protection in Historic Structures*, and NFPA 101A, *Alternative Approaches to Life Safety*, may be used.

**1001.3 Special occupancy exceptions.** Historic buildings used for purposes such as museums, libraries, exhibits, and similar uses less than 3,500 square feet (325.5 m<sup>2</sup>) per floor and under four stories in height, shall be regulated as a Group B occupancy. Adequate means of egress shall be provided and shall, as applicable, include:

1. A means of maintaining doors in an open position to permit egress,
2. A limit on building occupancy to an occupant load permitted by the means of egress capacity,
3. A limit on occupancy of certain areas or floors, or
4. Supervision by a person knowledgeable in the emergency exiting procedures.

**1001.4 Flood hazard areas.** In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with Section 1612 of the *Building Code of New York State*.

**Exception:** If a historic building will continue to be a historic building after the proposed work is completed, then the proposed work is not considered a substantial improvement.

**1002.1 General.** Repairs to any portion of a historic building or structure shall be permitted with original or like materials and original methods of construction, subject to the provisions of this chapter.

**1002.2 Dangerous buildings.** When a historic building is determined to be dangerous, no work shall be required except as necessary to correct identified unsafe conditions.

**1002.3 Relocated buildings.** Foundations of relocated historic buildings and structures shall comply with the *Building Code of New York State*. Relocated historic buildings shall otherwise be considered a historic building for the purposes of this code. Relocated historic buildings and structures shall be sited so that exterior wall and opening requirements comply with the *Building Code of New York State* or with the compliance alternatives of this code.

**1002.4 Chapter 4 compliance.** Historic buildings undergoing repairs shall comply with all of the applicable requirements of Chapter 4, except as specifically permitted in this chapter.

**1002.5 Replacement.** Replacement of existing or missing features using original materials shall be permitted. Partial replacement for repairs that match the original in configuration, height, and size shall be permitted. Such replacements shall not be required to meet the materials and methods requirements of Section 401.2.

**Exception:** Replacement glazing in hazardous locations shall comply with the safety glazing requirements of the *Building Code of New York State*, except for historic glazing identified in Section 1001.2 which is permitted to remain, or may be replaced in kind to match historic glazing.

### SECTION 1003 FIRE SAFETY

**1003.1 Scope.** Historic buildings undergoing alterations, changes of occupancy, or that are moved shall comply with Section 1003.

**1003.2 General.** Every historic building that does not conform to the construction requirements specified in this code for the occupancy or use and that does not safeguard the occupancy or use from the hazard of fire and explosion shall be provided with an automatic fire-extinguishing system. However, an automatic fire-extinguishing system shall not be used to substitute for, or act an alternative to, the required number of exits from any facility

**1003.3 Means of egress.** Existing door openings and corridor and stairway widths less than those specified elsewhere in this code may be approved, provided that there is sufficient width and height for a person to pass through the opening or traverse the means of egress. When approved by the code enforcement

official, the front or main exit doors need not swing in the direction of the path of exit travel, provided that other approved means of egress having sufficient capacity to serve the total occupant load are provided.

**1003.4 Transoms.** In fully sprinklered buildings of Group R-1, R-2 or R-3 occupancy, existing transoms in corridors and other fire-resistance-rated walls may be maintained if fixed in the closed position. A sprinkler shall be installed on each side of the transom.

**Exception:** Transoms conforming to Section 1005.8 shall be accepted in unsprinklered buildings.

**1003.5 Interior finishes.** Historic wall and ceiling finishes identified in Section 1001.2 shall be accepted.

**1003.6 Stairway enclosure.** In buildings of less than four stories, exit enclosure construction shall limit the spread of smoke by the use of tight-fitting doors and solid elements. Such elements are not required to have a fire-resistance rating.

**Exception:** An enclosure for one existing stair in the building may be omitted where such stair:

1. is identified in Section 1001.2, and
2. serves only one adjacent floor and
3. is limited to one level.

**1003.7 One-hour fire-resistant assemblies.** Where 1-hour fire-resistance-rated construction is required by these provisions, it need not be provided where the existing wall and ceiling finish is wood or metal lath and plaster.

**1003.8 Glazing in fire-resistance-rated systems.** Historic glazing materials in interior walls required to have a 1-hour fire-resistance rating may be permitted when provided with approved smoke seals and when the area affected is provided with an automatic sprinkler system.

**1003.9 Stairway railings.** Grand stairways shall be permitted to remain without complying with the handrail and guard requirements. Existing handrails and guards at all stairs shall be permitted to remain, provided they are not structurally dangerous.

**1003.10 Guards.** Guards shall comply with Sections 1003.10.1 and 1003.10.2.

**1003.10.1 Height.** Existing guards shall comply with the requirements of Section 405.

**1003.10.2 Guard openings.** The spacing between existing intermediate railings or openings in existing ornamental patterns shall be permitted to remain. Missing elements or members of a guard may be replaced to match historic features.

**1003.11 Exit signs.** Where exit sign or egress path marking location would damage the historic character or contributing historic features identified in Section 1001.2, alternative exit signs are permitted with approval of the code enforcement official or the State Historic Preservation Officer. Alternative signs shall identify the exits and egress path.

**1003.12 Automatic fire-extinguishing systems.**

**1003.12.1 General.** Every historical building that does not conform to the construction requirements specified in the *Building Code of New York State* for the occupancy or use and that does not safeguard the occupancy or use from the hazard of fire and explosion shall be deemed to be in compliance if provided with an automatic fire-extinguishing system in accordance with Section 903 of the *Building Code of New York State*.

However an automatic fire-extinguishing system shall not be used to substitute for, or act as an alternative to, the required number of exits or total capacity from any facility.

**1003.12.2 Paneled doors.** Existing paneled doors that are contributing historic features and are located in corridors required to have a one-hour fire rating may remain, provided that:

1. The doors are tight fitting, and
2. The building is equipped with a quick response automatic sprinkler system and
3. A quick response sprinkler head is located at each side of the door.

**1003.13 Historic wall and floor-ceiling assemblies in mixed use occupancies.** In buildings less than 3,500 sf/floor (325m<sup>2</sup>) and less than four stories in height, an existing historic wall or floor/ceiling assembly identified in Section 1001.2 may remain, provided that all vertical and horizontal penetrations are protected and the entire building is equipped with an approved automatic fire alarm and smoke or heat detection system in accordance with Section 907 of the *Building Code of New York State*.

**Exception:** Group A-2 and H occupancies and areas where open flames are used or commercial cooking occurs as defined by the *Fire Code of New York State*.

## SECTION 1004 ALTERATIONS

**1004.1 Accessibility requirements.** The provisions of Section 506 shall apply to buildings and facilities designated as historic structures that undergo alterations, unless technically infeasible. Where compliance with the requirements for accessible routes, ramps, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the code enforcement official or the State Historic Preservation Officer, the alternative requirements of Sections 1004.1.1 through 1004.1.5 for that element shall be permitted.

**1004.1.1 Site arrival points.** At least one main entrance shall be accessible.

**1004.1.2 Multilevel buildings and facilities.** An accessible route from an accessible entrance to public spaces on the level of the accessible entrance shall be provided.

**1004.1.3 Entrances.** At least one main entrance shall be accessible.

**Exceptions:**

1. If a main entrance cannot be made accessible, an accessible nonpublic entrance that is unlocked while the building is occupied shall be provided; or
2. If a main entrance cannot be made accessible, a locked accessible entrance with a notification system or remote monitoring shall be provided.

**1004.1.4 Toilet and bathing facilities.** Where toilet rooms are provided, at least one accessible toilet room shall be provided for each sex, or a unisex toilet room complying with Section 1109.2.1 of the *Building Code of New York State* shall be provided.

**1004.1.5 Ramps.** The slope of a ramp run of 24 inches (610 mm) maximum shall not be steeper than one unit vertical in eight units horizontal (12-percent slope).

## SECTION 1005 CHANGE OF OCCUPANCY

**1005.1 General.** Historic buildings undergoing a change of occupancy shall comply with the applicable provisions of Chapter 8, except as specifically permitted in this chapter. When Chapter 8 requires compliance with specific requirements of Chapter 4, Chapter 5, or Chapter 6 and when those requirements are subject to the exceptions in Section 1002, the same exceptions shall apply to this section.

**1005.2 Building area.** The allowable floor area for historic buildings undergoing a change of occupancy shall be permitted to exceed by 20 percent the allowable areas specified in the *Building Code of New York State*.

**1005.3 Location on property.** Historic structures undergoing a change of use to a higher hazard category in accordance with Section 812.4.3 may use alternative methods to comply with the fire resistance and exterior opening protective requirements per Section 103.3.

**1005.4 Occupancy separation.** Required occupancy separations of 1 hour may be omitted when the building is provided with an approved automatic sprinkler system throughout.

**1005.5 Roof covering.** Regardless of occupancy or use group, roof-covering materials not less than Class C shall be permitted where a fire-retardant roof covering is required.

**1005.6 Means of egress.** Existing door openings and corridor and stairway widths less than those specified elsewhere in this code shall be approved, provided that there is sufficient width and height for a person to pass through the opening or traverse the exit and that the capacity of the exit system is adequate for the occupant load, or where other operational controls to limit occupancy are approved.

**1005.7 Door swing.** When approved by the code enforcement official, existing front doors need not swing in the direction of exit travel, provided that other approved exits having sufficient capacity to serve the total occupant load are provided.

**1005.8 Transoms.** In corridor walls required by these provisions to be fire-resistance rated, existing transoms may be maintained if fixed in the closed position, and fixed wired glass set in a steel frame or other approved glazing shall be installed on one side of the transom.

**Exception:** Transoms conforming to Section 1003.4 shall be accepted.

**1005.9 Finishes.** Where finish materials are required to have a flame-spread classification of Class III or better, existing nonconforming materials shall be surfaced with an approved fire-retardant paint or finish.

**Exception:** Existing nonconforming materials need not be surfaced with an approved fire-retardant paint or finish where the building is equipped throughout with an automatic fire-suppression system installed in accordance with the *Building Code of New York State* and the nonconforming materials are identified as historic per Section 1001.2.

**1005.10 One-hour fire-resistant assemblies.** Where 1-hour fire-resistance-rated construction is required by these provisions, it need not be provided, regardless of construction or occupancy, where the existing wall and ceiling finish is wood lath and plaster.

**1005.11 Stairs and railings.** Existing stairways shall comply with the requirements of these provisions. The code enforcement official shall grant alternatives for stairways and railings if alternative stairways are found to be acceptable or are judged to meet the intent of these provisions.

**Exception:** For buildings less than 3,500 square feet (325.5 m<sup>2</sup>), per floor and less than four stories in height, existing conditions are permitted to remain at all stairs and rails.

**1005.12 Reserved.**

**1005.13 Exit stair live load.** Existing historic stairways identified in Section 1001.2 in buildings changed to a Group R-1 or R-2 occupancy shall be accepted where it can be shown that the stairway can support a 75-pounds-per-square-foot (366 kg/m<sup>2</sup>) live load.

**1005.14 Natural light.** When compliance with the natural light requirements of this code will damage historic features or historic character as determined by the code enforcement official or the State Historic Preservation Officer, the existing level of natural lighting shall be considered acceptable.

**1005.15 Accessibility requirements.** The provisions of Section 812.5 shall apply to buildings and facilities designated as historic structures that undergo a change of occupancy, unless technically infeasible. Where compliance with the requirements for accessible routes, ramps, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the code enforcement official or the State Historic Preservation Officer, the alternative requirements of Sections 1004.1.1 through 1004.1.5 for those elements shall be permitted.

**SECTION 1006  
STRUCTURAL**

**1006.1 General.** Historic buildings shall comply with the applicable structural provisions for the work as classified in Chapter 3.

**Exception:** The code enforcement official may accept existing floors and approve operational controls that limit the live load on any such floor.

**1006.2 Unsafe structural elements.** Where the code enforcement official determines that a component or a portion of a building or structure is dangerous as defined in this code and is in need of repair, strengthening, or replacement by provisions of this code, only that specific component or portion shall be required to be repaired, strengthened, or replaced.

**1006.3 Seismic.** Where compliance with the provisions of this code would damage historic character or contributing historic features identified in Section 1001.2, alternative methods per Section 103.3 may be used.

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