

CHAPTER 2

DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the other *Codes of New York State*, such terms shall have the meanings ascribed to them in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 202 GENERAL DEFINITIONS

ACCESSIBLE ROUTE. A continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts and clear floor space at fixtures. Exterior accessible routes may include parking, access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps and lifts.

ADDITION. An extension or increase in floor area, number of stories, or height of a building or structure.

ALTERATION. Any construction or renovation to an existing structure other than repair or addition. Alterations are classified as Level 1, Level 2, and Level 3.

CHANGE OF OCCUPANCY. In the purpose or level of activity within a building that involves a change in application of the requirements of this code.

DANGEROUS. Any building or structure or any individual member with any of the structural conditions or defects described below shall be deemed dangerous:

1. The stress in a member or portion thereof due to all factored dead and live loads is more than one and one third the nominal strength allowed in the *Building Code of New York State* for new buildings of similar structure, purpose, or location.
2. Any portion, member, or appurtenance thereof likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons.
3. Any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not anchored, attached, or

fastened in place so as to be capable of resisting a wind pressure of two thirds of that specified in the *Building Code of New York State* for new buildings of similar structure, purpose, or location without exceeding the nominal strength permitted in the *Building Code of New York State* for such buildings.

4. The building, or any portion thereof, is likely to collapse partially or completely because of dilapidation, deterioration or decay; construction in violation of the *Building Code of New York State*; the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation; damage due to fire, earthquake, wind or flood; or any other similar cause.
5. The exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

EQUIPMENT or FIXTURE. Any plumbing, heating, electrical, ventilating, air conditioning, refrigerating, and fire protection equipment, and elevators, dumb waiters, escalators, boilers, pressure vessels and other mechanical facilities or installations that are related to building services. Equipment or fixture shall not include manufacturing, production, or process equipment, but shall include connections from building service to process equipment.

EXISTING BUILDING. Any building or structure that has been issued a certificate of occupancy or has been legally occupied.

[B] FLOOD HAZARD AREA. The greater of the following two areas:

1. The area within a flood plain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

HISTORIC BUILDING. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

LOAD BEARING ELEMENT. Any column, girder, beam, joist, truss, rafter, wall, floor or roof sheathing that supports any vertical load in addition to its own weight or any lateral load.

DEFINITIONS

NIGHTCLUB. Any use of a building or portion thereof where the subject space is classified in Group A-2 or as a dance hall in Group A-3 occupancy; and at least 20 percent of the subject assembly space is for concentrated occupancy, with or without fixed seating, where the net assembly floor area per person is 7 square feet (0.65 m²) or less; and live or recorded entertainment, including but not limited to vocalists, bands, musical reviews, comedy acts, dance music and similar entertainment is normally provided. Entertainment shall not be deemed to include jukeboxes, background music or similar uses of live or recorded music.

REHABILITATION. Any work, as described by the categories of work defined herein, undertaken in an existing building.

REHABILITATION, SEISMIC. Work conducted to improve the seismic lateral force resistance of an existing building.

REPAIR. The restoration to good or sound condition of any part of an existing building for the purpose of its maintenance.

SEISMIC LOADING. The assumed forces prescribed herein, related to the response of the structure to earthquake motions, to be used in the analysis and design of the structure and its components.

[B] SUBSTANTIAL DAMAGE. For the purpose of determining compliance with the flood provisions of this code, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure, before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the code official and that is the minimum necessary to assure safe living conditions, or
2. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

SUBSTANTIAL STRUCTURAL DAMAGE. A condition where:

1. In any story, the vertical elements of the lateral-force-resisting system, in any direction and taken as a whole, have suffered damage such that the lateral load-carrying capacity has been reduced by more than 20 percent from its pre-damaged condition, or
2. The vertical load-carrying components supporting more than 30 percent of the structure's floor or roof area have suffered a reduction in vertical load-carrying capacity to below 75 percent of the *Building Code of New York State*

required strength levels calculated by either the strength or allowable stress method.

TECHNICALLY INFEASIBLE. An alteration of a building or a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements for new construction and that are necessary to provide accessibility.

UNSAFE BUILDINGS OR EQUIPMENT. Buildings or existing equipment that is insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitutes a fire hazard, or that is otherwise dangerous to human life or the public welfare or that involves illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition.

WORK AREA. That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.