

CHAPTER 5

ALTERATIONS—LEVEL 1

SECTION 501 GENERAL

501.1 Scope. Level 1 alterations as described in Section 303 shall comply with the requirements of this chapter. Level 1 alterations to historic buildings shall comply with this chapter, except as modified in Chapter 10.

501.2 Conformance. An existing building or portion thereof shall not be altered such that the building becomes less safe than its existing condition.

Exception: Where the current level of safety or sanitation is proposed to be reduced, the portion altered shall conform to the requirements of the *Building Code of New York State*.

501.3 Flood hazard areas. In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Section 1612 of the *Building Code of New York State*.

SECTION 502 SPECIAL USE AND OCCUPANCY

502.1 General. Alteration of buildings classified as special use and occupancy as described in the *Building Code of New York State* shall comply with the requirements of Section 501.1 and the scoping provisions of Chapter 1 where applicable.

502.2 Nightclubs. Foam plastic materials that are not permitted to be used in new construction by the *Building Code of New York State* shall be removed in existing nightclubs.

SECTION 503 BUILDING ELEMENTS AND MATERIALS

503.1 Interior finishes. All newly installed interior finishes shall comply with the flame spread requirements of the *Building Code of New York State*.

503.2 Carpeting. New carpeting used as an interior floor finish material shall comply with the radiant flux requirements of the *Building Code of New York State*.

503.3 Materials and methods. All new work shall comply with materials and methods requirements in the NFPA 70, *Building Code of New York State*, *Mechanical Code of New York State*, and *Plumbing Code of New York State*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

[FG] 503.3.1 Fuel Gas Code of New York State. The following sections of the *Fuel Gas Code of New York State* shall constitute the fuel gas materials and methods requirements for Level 1 alterations.

1. All of Chapter 3, entitled “General Regulations,” except Sections 303.7 and 306.

2. All of Chapter 4, entitled “Gas Piping Installations,” except Sections 401.8 and 402.3.

2.1. Sections 401.8 and 402.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums.

3. All of Chapter 5, entitled “Chimneys and Vents.”

4. All of Chapter 6, entitled “Specific Appliances.”

[E] 503.3.2 Energy Conservation Code of New York State. See Section 101.2 Exception 4.

SECTION 504 FIRE PROTECTION

504.1 General. Alterations shall be done in a manner that maintains the level of fire protection provided.

SECTION 505 MEANS OF EGRESS

505.1 General. Means of egress for buildings undergoing alteration shall comply with the requirements of Section 501.1 and the scoping provisions of Chapter 1 where applicable.

SECTION 506 ACCESSIBILITY

506.1 General. A building, facility, or element that is altered shall comply with the applicable provisions in Sections 506.1.1 through 506.1.12, Chapter 11 of the *Building Code of New York State*, and ICC A117.1 unless technically infeasible. Where compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent technically feasible.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 506.2.

2. Accessible means of egress required by Chapter 10 of the *Building Code of New York State* are not required to be provided in existing buildings and facilities.

- Type B dwelling or sleeping units required by Section 1107 of the *Building Code of New York State* are not required to be provided in existing buildings and facilities.

506.1.1 Entrances. Where an alteration includes alterations to an entrance, and the building or facility has an accessible entrance on an accessible route, the altered entrance is not required to be accessible unless required by Section 506.2. Signs complying with Section 1110 of the *Building Code of New York State* shall be provided.

506.1.2 Elevators. Altered elements of existing elevators shall comply with ASME A17.1, A17.1a, A17.1s and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

506.1.3 Platform lifts. Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

506.1.4 Ramps. Where steeper slopes than allowed by Section 1010.2 of the *Building Code of New York State* are necessitated by space limitations, the slope of ramps in or providing access to existing buildings or facilities shall comply with Table 506.1.4.

**TABLE 506.1.4
RAMPS**

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

506.1.5 Dining areas. An accessible route to raised or sunken dining areas or to outdoor seating areas is not required provided that the same services and decor are provided in an accessible space usable by any occupant and not restricted to use by people with a disability.

506.1.6 Performance areas. Where it is technically infeasible to alter performance areas to be on an accessible route, at least one of each type of performance area shall be made accessible.

506.1.7 Jury boxes and witness stands. In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and shall be permitted to be located outside these spaces where ramp or lift access poses a hazard by restricting or projecting into a required means of egress.

506.1.8 Dwelling or sleeping units. Where Group I-1, I-2, I-3, R-1, R-2, or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *Building Code of New York State* for accessible or Type B units and Chapter 9 of the *Building Code of New York State* for accessible alarms apply only to the quantity of the spaces being altered.

506.1.9 Toilet rooms. Where it is technically infeasible to alter existing toilet and bathing facilities to be accessible, an accessible unisex toilet or bathing facility is permitted. The unisex facility shall be located on the same floor and in the same area as the existing facilities.

506.1.10 Dressing, fitting, and locker rooms. Where it is technically infeasible to provide accessible dressing, fitting, or locker rooms at the same location as similar types of rooms, one accessible room on the same level shall be provided. Where separate sex facilities are provided, accessible rooms for each sex shall be provided. Separate sex facilities are not required where only unisex rooms are provided.

506.1.11 Thresholds. The maximum height of thresholds at doorways shall be $\frac{3}{4}$ inch (19.1 mm). Such thresholds shall have beveled edges on each side.

506.1.12 Extent of application. An alteration of an existing element, space, or area of a building or facility shall not impose a requirement for greater accessibility than that which would be required for new construction. Alterations shall not reduce or have the effect of reducing accessibility of a building, portion of a building, or facility.

506.2 Alterations affecting an area containing a primary function. Where an alteration affects the accessibility to, or contains an area of, primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities or drinking fountains serving the area of primary function. For the purposes of complying with this section, an area of primary function shall be defined by applicable provisions of 49 CFR Part 37.43(c) or 28 CFR Part 36.403.

Exceptions:

- The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.
- This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.
- This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems, and abatement of hazardous materials.
- This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility, or element.

**SECTION 507
STRUCTURAL**

507.1 General. Where alteration work includes replacement of equipment that is supported by the building or where a reroofing permit is required, the structural provisions of this section shall apply.

507.2 Design criteria. Existing structural components supporting alteration work shall comply with this section.

507.2.1 Replacement of roofing or equipment. Where replacement of roofing or equipment results in additional dead loads, structural components supporting such reroofing or equipment shall comply with the vertical load requirements of the *Building Code of New York State*.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings constructed in accordance with the *Residential Code of New York State* or the conventional construction methods of the *Building Code of New York State* and where the additional dead load from the equipment is not increased by more than 5 percent.

507.3 Roof diaphragm. Where roofing materials are removed from more than 50 percent of the roof diaphragm of a building or section of a building where the roof diaphragm is a part of the main windforce-resisting system the integrity of the roof diaphragm shall be evaluated and if found deficient because of insufficient or deteriorated connections, such connections shall be provided or replaced.

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