

## CHAPTER 7

# ALTERATIONS—LEVEL 3

### SECTION 701 GENERAL

**701.1 Scope.** Level 3 alterations as described in Section 305 shall comply with the requirements of this chapter.

**701.2 Compliance.** In addition to the provisions of this chapter, work shall comply with all of the requirements of Chapters 5 and 6. The requirements of Sections 603, 604, and 605 shall apply within all work areas whether or not they include exits and corridors shared by more than one tenant and regardless of the occupant load.

**Exception:** Buildings in which the reconfiguration of space affecting exits or shared egress access is exclusively the result of compliance with the accessibility requirements of Section 506.2 shall not be required to comply with this chapter.

### SECTION 702 SPECIAL USE AND OCCUPANCY

**702.1 High-rise buildings.** Any building having occupied floors more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access shall comply with the requirements of Sections 702.1.1 and 702.1.2.

**702.1.1 Recirculating air or exhaust systems.** When a floor is served by a recirculating air or exhaust system with a capacity greater than 15,000 cubic feet per minute (701 m<sup>3</sup>/s), that system shall be equipped with approved smoke and heat detection devices installed in accordance with the *Mechanical Code of New York State*.

**702.1.2 Elevators.** Where there is an elevator or elevators for public use, at least one elevator serving the work area shall comply with Section 607.1 of the *Fire Code of New York State*.

**702.2 Boiler and furnace equipment rooms.** Boiler and furnace equipment rooms adjacent to or within the following facilities shall be enclosed by 1-hour fire-resistance-rated construction: day nurseries, children's shelter facilities, residential childcare facilities, and similar facilities with children below the age of 2½ years or that are classified as Group I-2 occupancies, shelter facilities, residences for the developmentally disabled, group homes, teaching family homes, transitional living homes, rooming and boarding houses, hotels, and multiple dwellings.

#### Exceptions:

1. Furnace and boiler equipment of low-pressure type, operating at pressures of 15 pounds per square inch gauge (psig) (103.4 KPa) or less for steam equipment or 170 psig (1171 KPa) or less for hot water equipment, when installed in accordance with manufacturer recommendations.

2. Furnace and boiler equipment of residential R-3 type with 200,000 British thermal units (Btu) ( $2.11 \times 10^8$  J) per hour input rating or less is not required to be enclosed.
3. Furnace rooms protected with automatic sprinkler protection.

**702.2.1 Emergency controls.** Emergency controls for boilers and furnace equipment shall be provided in accordance with the *Mechanical Code of New York State* in all buildings classified as day nurseries, children's shelter facilities, residential childcare facilities, and similar facilities with children below the age of 2½ years or that are classified as Group I-2 occupancies, and in group homes, teaching family homes, and supervised transitional living homes in accordance with the following:

1. Emergency shutoff switches for furnaces and boilers in basements shall be located at the top of the stairs leading to the basement; and
2. Emergency shutoff switches for furnaces and boilers in other enclosed rooms shall be located outside of such room.

**702.3 Nightclubs.** Where existing nightclubs contain or are located within Level 3 alteration work areas, the building or portion thereof in which the nightclub is located shall comply with the provisions of this subdivision.

**702.3.1.** Interior finishes in nightclubs and the means of egress therefrom shall be in conformance with Table 803.4 of the *Building Code of New York State*.

**702.3.2.** Where an automatic sprinkler system is required to be installed by Section 903 of the *Building Code of New York State*, an adequate water supply shall be deemed to be available where the automatic sprinkler system can be designed and installed without installation of a fire pump. Where an adequate water supply is not available, the code enforcement official may accept alternative means for protecting occupants. A written report shall be prepared and submitted by a registered design professional which provides documentation that the proposed alternative(s) meet this performance standard.

**702.3.3.** Where an automatic fire detection system is required to be installed by Section 907 of the *Building Code of New York State*, it shall be installed in conformance with the provisions of Section 907.2.1 of the *Fire Code of New York State*.

**702.3.4.** The means of egress from nightclubs shall be in conformance with Section 1010 of the *Fire Code of New York State*. Existing nightclubs required to conform with provisions of the *Uniform Fire Prevention and Building Code* in effect on and after January 1, 1984 shall not be required to conform with Section 1010.

## SECTION 703 BUILDING ELEMENTS AND MATERIALS

**703.1 Existing shafts and vertical openings.** Existing stairways that are part of the means of egress shall be enclosed in accordance with Section 603.2.1 between the highest work area floor and the level of exit discharge and all floors below.

**703.2 Fire partitions in Group R-3.** Fire separation in Group R-3 occupancies shall be in accordance with Section 703.2.1.

**703.2.1 Separation required.** Where the work area is in any attached dwelling unit in Group R-3 or any multiple single family dwelling (townhouse), walls separating the dwelling-units that are not continuous from the foundation to the underside of the roof sheathing shall be constructed to provide a continuous fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be performed on the side of the dwelling unit wall that is part of the work area.

**Exception:** Where alterations or repairs do not result in the removal of wall or ceiling finishes exposing the structure, walls are not required to be continuous through concealed floor spaces.

**703.3 Interior finish.** Interior finish in exits serving the work area shall comply with Section 603.4 between the highest floor on which there is a work area to the floor of exit discharge.

## SECTION 704 FIRE PROTECTION

**704.1 Automatic sprinkler systems.** Automatic sprinkler systems as required and in accordance with the *Building Code of New York State* shall be provided in all work areas.

**704.1.1 High-rise buildings.** In high-rise buildings, work areas shall be provided with automatic sprinkler protection where the building has a sufficient municipal water supply system to the site. Where the work area exceeds 50 percent of floor area, sprinklers shall be provided in the specified areas where sufficient municipal water supply for design and installation of a fire sprinkler system is available at the site.

**704.1.2 Rubbish and linen chutes.** Rubbish and linen chutes located in the work area shall be provided with sprinklered protection where protection of the rubbish and linen chute would be required under the provisions of the *Building Code of New York State* for new construction and the building has sufficient municipal water supply available to the site.

**704.2 Fire alarm and detection systems.** Fire alarm and detection systems complying with Sections 604.4.1 and 604.4.3 shall be provided throughout the building in accordance with the *Building Code of New York State*.

**704.2.1 Manual fire alarm systems.** In Group A, B, E, F, H, I, M, R-1, and R-2 occupancies a manual fire alarm system shall be provided on all floors in the work area. Alarm

notification appliances shall be provided on such floors and shall be automatically activated as required by the *Building Code of New York State*.

### Exceptions:

1. Where the *Building Code of New York State* does not require a manual fire alarm system.
2. Alarm-initiating and notification appliances shall not be required to be installed in tenant spaces outside of the work area.
3. Visual alarm notification appliances are not required, except where an existing alarm system is upgraded or replaced or where a new fire alarm system is installed.

## SECTION 705 MEANS OF EGRESS

**705.1 General.** The means of egress shall comply with the requirements of Section 605 except as specifically required in Sections 705.2 and 705.3.

**705.2 Means-of-egress lighting.** Means of egress from the highest work area floor to the floor of exit discharge shall be provided with artificial lighting within the exit enclosure in accordance with the requirements of the *Building Code of New York State*.

**705.3 Exit signs.** Means of egress from the highest work area floor to the floor of exit discharge shall be provided with exit signs in accordance with the requirements of the *Building Code of New York State*.

## SECTION 706 ACCESSIBILITY

**706.1 General.** A building, facility, or element that is altered shall comply with Section 506.

**706.2 Type B units.** Where more than four Group R-2 or R-3 dwelling units or sleeping units are being altered, 25 percent shall comply with Section 1107.6 of the *Building Code of New York State*.

**Exception:** Buildings without elevator service where the lowest story containing Group R-2 or R-3 dwelling units is not the ground floor.

## SECTION 707 STRUCTURAL

**707.1 General.** Where buildings are undergoing Level 3 alterations including structural alterations, the provisions of this section shall apply. Seismic provisions of this chapter shall apply only to buildings built after January 1, 2003, except parapet bracing referred to in Section 707.8 shall apply to all buildings undergoing Level 3 alterations.

**707.2 Reduction of strength.** Alterations shall not reduce the structural strength or stability of the building, structure, or any individual member thereof.

**Exception:** Such reduction shall be allowed provided that the structural strength and the stability of the building are not reduced to below the *Building Code of New York State* levels.

**707.3 New structural members.** New structural members in alterations, including connections and anchorage, shall comply with the *Building Code of New York State*.

**707.4 Minimum design loads.** The minimum design loads on existing elements of a structure that do not support additional loads as a result of an alteration shall be the loads applicable at the time the building was constructed.

**707.5 Structural alterations.** Buildings and structures undergoing structural alterations or buildings in which the seismic base shear is increased by more than 5 percent because of alterations shall comply with this section.

**707.5.1 Evaluation and analysis.** An engineering evaluation and analysis that establishes the structural adequacy of the altered structure shall be prepared by a registered design professional and submitted to the code enforcement official. Where more than 30 percent of the total floor and roof areas of the building or structure has been or is proposed to be involved in structural alteration within a 12-month period, the evaluation and analysis shall demonstrate that the altered building or structure complies with the *Building Code of New York State* for wind loading and with reduced *Building Code of New York State* level seismic forces as specified in Section 407.1.1.3 for seismic loading. For seismic considerations, the analysis shall be based on one of the procedures specified in Section 407.1.1.1. The areas to be counted toward the 30 percent shall be those areas tributary to the vertical load-carrying components such as joists, beams, columns, walls, and other structural components that have been or will be removed, added, or altered, as well as areas such as mezzanines, penthouses, roof structures, and in-filled courts and shafts.

**Exceptions:**

1. Buildings of Group R occupancy with no more than five dwelling units or sleeping units used solely for residential purposes that are altered based on the conventional light-frame construction methods of the *Building Code of New York State* or in compliance with the provisions of the *Residential Code of New York State*.
2. Where such alterations involve only the lowest story of a building and the change of occupancy provisions of Chapter 8 do not apply, only the lateral-force-resisting components in and below that story need comply with this section.

**707.5.2 Limited structural alteration.** Where not more than 30 percent of the total floor and roof areas of the building is involved in structural alteration within a 12-month period, the evaluation and analysis shall demonstrate that the altered building or structure complies with the loads applicable at the time the building was constructed.

**707.6 Additional vertical loads.** Where gravity loading is increased on the roof or floor of a building or structure, all structural members affected by such increase shall meet the gravity 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 of Group R occupancy with no more than five dwelling units or sleeping units used solely for residential purposes that are altered based on the conventional light-frame construction methods of the *Building Code of New York State* or in compliance with the provisions of the *Residential Code of New York State*.

**707.7 Voluntary lateral-force-resisting system alterations.** Alterations of existing structural elements that are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure and that are not required by other sections of this code shall not be required to be designed for forces conforming to the *Building Code of New York State* provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced;
2. The lateral loading to existing structural elements is not increased beyond their capacity;
3. New structural elements are detailed and connected to the existing structural elements as required by the *Building Code of New York State*;
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by the *Building Code of New York State*; and
5. A dangerous condition as defined in this code is not created.

Voluntary alterations to lateral-force-resisting systems conducted in accordance with Appendix A and the referenced standards of this code shall be permitted.

**707.8 Parapet bracing and wall anchors.** For buildings of Seismic Use Group III classification as defined in the *Building Code of New York State*, unreinforced masonry bearing wall buildings classified as Seismic Design Category D, E or F shall have parapet bracing and wall anchors installed at the roof line. Such parapet bracing and wall anchors shall be designed in accordance with the reduced *Building Code of New York State* level seismic forces as specified in Section 407.1.1.3 and design procedures of Section 407.1.1.1.

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