



## Legislation Details (With Text)

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12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 95

By Council Member Koo

A Local Law to amend the administrative code of the city of New York, in relation to public access stairways

Be it enacted by the Council as follows:

Section 1. Section 28-101.4.3 of the administrative code, as amended by local law 141 for the year 2013, is amended to add a new exception 20, to read as follows:

20. Alterations requiring compliance with public access stairway provisions. Where the cost of alteration equals or exceeds 60 percent of the value of the building, a public access stairway shall be designated in accordance with section 1009.15 of the New York city building code and compliance with section 1009.15 shall be required. Such stairway shall be subject to special provisions for prior code buildings as set forth in such section. For the purposes of this exception, the cost of alterations shall be determined by adding the estimated cost of the proposed alteration, excluding minor alterations and ordinary repairs, computed as of the time of submitting the application for construction document approval, to the actual cost of any and all

alterations made in the preceding 12-month period. Where the proposed alteration includes an enlargement, the value of such alteration shall include the cost of the enlargement.

§2. Section 403.5.3 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

403.5.3 Stairway door operation. Doors opening into interior stair enclosures shall not be locked from either side. However, a door locked from the stair side may be permitted provided that such door is equipped with an automatic fail safe system for opening in the event of the activation of any automatic fire detection system, or when any elevator recall is activated, or when any signal is received from the fire command center. Such door shall be deemed as openable from the stair side. Stair reentry signs shall be posted throughout the stairway indicating that reentry is provided only during fire emergencies. Such signs shall be in accordance with Section 1030.4.2.

Exception: Public access stairway door operation shall comply with Section 1008.1.9.10.

§3. Section 1002.1 of the New York city building code, as amended by local law 141 for the year 2013, is amended by adding two new definitions, in alphabetical order, to read as follows:

PUBLIC ACCESS STAIRWAY DOOR SIDELIGHTS. Fixed transparent panels, which form part of a fire door assembly and are immediately adjacent to the vertical edge of an opening in which a public access stairway door is located.

STAIRWAY, PUBLIC ACCESS. A continuous interior stairway that complies with Section 1009.15 and enables building occupants to utilize stairs to travel between the building entrance level and other levels.

§4. Section 1008.1.9.10 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

1008.1.9.10 Stairway doors. Interior stairway means of egress doors, including public access stairway doors, shall be openable from both sides without the use of a key or special knowledge or effort.

Exceptions:

[1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.

2. This section shall not apply to doors arranged in accordance with Section 403.5.3.

3. In stairways serving not more than four stories, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

4. This section shall not apply to buildings permitted to be served by one exit in accordance with Item 4 or 5 of Section 1021.2.]

1. Doors serving interior stairways, other than public access stairways, under the following conditions:

1.1 Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.

1.2 This section shall not apply to doors arranged in accordance with Section 403.5.3.

1.3 In stairways serving not more than four stories, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

1.4. In buildings five stories in height or more but not subject to Section 403, any door locked from the stair side of an interior stairway shall be equipped with an automatic fail safe system for opening in the event of the activation of any automatic fire detection system, or when any elevator recall is activated, or when any signal is received from the fire command center.

1.5 This section shall not apply to buildings permitted to be served by one exit in accordance with Item

4 or 5 of Section 1021.2.

2. Doors serving public access stairways, under the following conditions:

2.1 On levels other than the building entrance level, where access to the level from the elevator is restricted to individuals by use of security devices, such as keys, codes, or card key access, doors serving a public access stairway on such levels may be locked from the egress side provided any such door shall be openable by such individuals using the same security devices. In stairways serving not more than four stories, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side.

2.2 On the building entrance level, where access to all other levels from the elevator is restricted to individuals by use of security devices, such as key, codes, or card key access, access to the public access stairway on the building entrance level may be locked on the side opposite the egress side, provided any such door shall be openable by such individuals using the same security devices. Public access stairway discharge doors shall be openable from the egress side.

2.3 In buildings five stories in height or more, any door serving a public access stairway that is permitted to be locked shall be equipped with an automatic fail safe system for opening in the event of the activation of any automatic fire detection system, or when any elevator recall is activated, or when any signal is received from the fire command center. In stairways serving not more than four stories, any door serving public access stairway that is permitted to be locked must be capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

1008.1.9.10.1 Interior Stairways. Interior stairways that are designated as public access stairways in prior code buildings that are subject to this section pursuant to Item 18 of Section 28-101.4.3 of the

Administrative Code shall comply with Section 1008.1.9.10, notwithstanding any provisions of Sections 27-371(j)(b)(2), (3), or (4) of the 1968 building code that previously permitted doors to be locked from the stair side.

§5. Section BC 1008 of the New York city building code, as amended by local law 141 for the year 2013, is amended by adding a new section 1008.1.11, to read as follows:

1008.1.11 Glazing in Doors. All doors serving a public access stairway required by Section 1009.15 shall have fire-protection rated glazing in accordance with Section 715.3.4.1. Such glazing shall be at least 10 square feet (3050 square mm) in area for such doors at the building entrance level and at least 7 square feet (2135 square mm) in area for all other doors. Such glazing may be of any width, however, a portion shall be located between 4 feet (1,220 mm) and 6 feet (1,830 mm) above the finished floor landing.

Exception: Glazing in doors shall not be required where Public Access Stairway Door Sidelights are provided on one or both sides of a door serving a public access stairway. The combined area of such sidelights must be equal to or greater than the square footage required for glazing in doors pursuant to Section 1008.1.11. Such sidelights may be of any width, however, a portion shall be located between 4 feet (1,220 mm) and 6 feet (1,830 mm) above the finished floor landing.

§6. Section BC 1009 of the New York city building code, as amended by local law 141 for the year 2013, is amended by adding a new Section 1009.15, to read as follows:

1009.15 Public Access Stairway. At least one public access stairway in compliance with Sections 715.4, 1008.1.9.10, 1008.1.11, 1022.8.5, 1030.3, and 1030.13 shall be provided in buildings or structures. All levels within a building or structure shall have access to at least one public access stairway.

Exceptions:

1. Buildings in which an elevator or escalator is not provided.
2. Buildings or portions of buildings in occupancy group E under the jurisdiction of the New York City

Department of Education.

3. Public access stairway doors serving the following spaces:

3.1 Doors in places of detention or restraint that are permitted to be locked pursuant to item 1 of Section 1008.1.9.3 or to Section 27-371(j)(1)(a)(2) of the 1968 building code.

3.2 Doors in banks, jewelry stores and other places where extra safeguards are required that are permitted to be locked pursuant to item 2 of Section 1008.1.9.3 or to Section 27-371(j)(1)(a)(2) of the 1968 building code, subject to the approval of the commissioner.

3.3 Doors in museums that are permitted to be locked pursuant to item 2 of Section 1008.1.9.3 or to Section 27-371(j)(1)(a)(2) of the 1968 building code, subject to the approval of the commissioner and the fire commissioner.

3.4 For prior code buildings subject to this section pursuant to item 18 of Section 28-101.4.3 of the Administrative Code, doors opening directly into a dwelling unit or tenant's space without an intervening hall, vestibule or corridor.

3.5 For prior code buildings subject to this section pursuant to item 18 of Section 28-101.4.3 of the Administrative Code, doors that are permitted to be locked to prevent access to the stair at the street floor pursuant to Section 27-371(j)(1)(b)(1) of the 1968 building code.

3.6 For prior code buildings subject to this section pursuant to item 18 of Section 28-101.4.3 of the Administrative Code, doors providing access to the roof that are permitted to be locked pursuant to Section 27-371(j)(1)(a)(3) of the 1968 building code.

1009.15.1 Entry location. Where the common entrance area at the building entrance level provides direct access to an elevator, direct access to a public access stairway shall also be provided within the same common entrance area.

Exception for prior code buildings subject to this section pursuant to item 18 of Section 28-101.4.3 of

the Administrative Code: Where the common entrance area at the building entrance level provides direct access to an elevator, but does not provide direct access to a stairway within such area, compliance with the provisions of Section 1009.15.1 regarding providing direct access to a public access stairway in the common entrance area shall not be required. Instead, the stairway with an opening closest to such common entrance area shall be designated the public access stairway.

1009.15.1.1 Stairways. Stairways that are permitted to be unenclosed from the building entrance level pursuant to Section 1022.1 shall be permitted to serve as a portion of a public access stairway, provided that the top of such stairway has direct access to a public access stairway to the upper levels.

1009.15.2 Roof top access. In a building where access to the roof is provided by an elevator, such roof shall also be served by a public access stairway.

Exception: Where doors are permitted to be locked pursuant to Section 1008.1.9.3, Item 6.

1009.15.3 Multiple occupancies. Where multiple tenant spaces are not served by a common elevator, such tenant spaces shall be permitted to be served by separate public access stairways, provided that each such stair has access at the building entrance level.

§7. Section 1020.1 of the New York city building code, as amended by Local Law 141 of 2013, is amended to read as follows:

1020.1 General. Exits shall comply with Sections 1020 through 1026 and the applicable requirements of Sections 1003 through 1013. An exit shall not be used for any purpose that interferes with its function as a means of egress. The use of an exit for access between floors of a public access stairway in accordance with Section 1009.15 shall not be deemed to interfere with its function as a means of egress. Once a given level of exit protection is achieved, such level of protection shall not be reduced until arrival at the exit discharge.

§8. The New York city building code, as amended by local law 141 for the year 2013, is amended by adding a new Section 1022.8.5, to read as follows:

1022.8.5 Public access stairway identification sign. A public access stairway identification sign shall be provided on the occupied side of each door leading to a public access stairway, in accordance with the rules of the Department of Health and Mental Hygiene. Signs shall be mounted on the wall surface directly adjacent to the latch-side of the door, such that in no case shall there be more than 6 inches (152.4 mm) from the door to the edge of the sign. Where the wall surface directly adjacent to the latch side is too narrow to accommodate the sign, the sign may be placed on the adjacent perpendicular wall. The top of such sign shall be located no higher than 5 feet (1,525 mm) above the finished floor. Such signs shall comply with Section E107.3.

§9. Section BC 1022 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

1030.3 Stairway and elevator identification signs. Stairway floor number and stairway identification signs shall be provided in accordance with Section 1022.8. Elevator identification and emergency signs shall be provided in accordance with Section 3002.3. A public access stairway identification sign shall be provided in accordance with Section 1022.8.5. Stair prompt signs shall be provided in accordance with Section 3002.3.2. Where stair side doors provide restricted access in accordance with Section 1008.1.9.10, signs shall be posted in accordance with Section 1030.13.

§10. Section BC 1030 of the New York city building code, as amended by local law 141 for the year 2013, is amended by adding a new section 1030.13, to read as follows:

1030.13 Public access stairway, restricted access list. Where stair side doors provide restricted access in accordance with Section 1008.1.9.10, restricted access list signs shall be posted and maintained on the stair side at all public access stair doors at every floor. Such signs shall read: "DOORS TO THE FOLLOWING FLOORS ARE OPENABLE USING SECURITY DEVICES:...ALL OTHER DOORS ARE FULLY OPENABLE". Such signs shall comply with Section E107.3. In buildings where free access is provided on every floor, no such sign is required.

§11. Section BC 3002 of the New York city building code, as amended by local law 141 for the year



2013, is amended by adding a new section 3002.3.2, to read as follows:

3002.3.2 Public Access Stairway Prompt. A public access stairway prompt sign shall be posted and maintained on each wall where an elevator call button is located, in accordance with the rules of the Department of Health and Mental Hygiene. The contents of the sign shall comply with the rules of the Department of Health and Mental Hygiene. Signs shall be mounted on the wall surface directly adjacent to the elevator call station. Where there are two or more elevators, signs shall be centrally mounted on the wall between such elevators. The top of such sign shall be located no higher than 5 feet (1,525 mm) above the finished floor. Such signs shall comply with Section E107.3.

§12. This local law takes effect January 1, 2019 except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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