



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner

ISSUANCE #69

GEORGE E. BERGER, P.E.  
Assistant Commissioner  
Building Construction

TECHNICAL  
POLICY AND PROCEDURE NOTICE #10/87

TO: BOROUGH SUPERINTENDENTS

FROM: George E. Berger, P.E.  
Assistant Commissioner

Date: DECEMBER 11, 1987

RE: PERMISSIBLE OPENINGS IN EXTERIOR WALLS

This Notice supersedes DIRECTIVE 19 of 1970.

There have been numerous inquiries as to the proper interpretation of the pertinent provisions of law relating to permissible openings in exterior walls, particularly buildings with lot line walls which are considerably greater in height than buildings on adjoining lots. Accordingly, you are to be guided as follows in regard to this matter:

- I. Table 3-4 and the footnotes thereunder prescribe the basic limitations in regard to permissible openings in exterior walls, and basic requirements for the fire-resistive ratings of exterior walls.
- II. Section 27-331(a)[C26-503.1(a)] prescribes additional requirements for exterior wall openings in buildings over 40 feet in height which are less than 30 feet from either a roof having a fire-resistance rating of less than 1 hour or protected openings therein, or which are less than 30 feet from frame buildings.
- III. Section 27-331(f)[C26-503.1(f)] prescribes requirements for the fire resistive rating of spandrel walls in buildings of certain occupancy groups.

- IV. Footnote b of Table 3-4 authorizes the Commissioner to permit, upon special application, exterior wall openings to be constructed in excess of the permitted area established by Table 3-4 if such openings at the time of their construction are located at least 60 feet in a direct line from any neighboring building except as otherwise permitted by footnote f; and, further, provides that such additional openings may not, however, be credited toward meeting any of the mandatory light and ventilation requirements of Article 12. This footnote further stipulates that if any neighboring building is later altered or constructed to come within the listed distances in Table 3-4, the effected exterior wall openings shall be immediately closed with construction meeting the fire resistive rating requirements for exterior wall construction of the building in which they are located.
- V. Hereafter, the Borough Superintendent may authorize exterior openings which are less than 60'-0" distant (measured in a direct line either horizontally, vertically, or diagonally) from another building under the following conditions:
1. Neither building is classified in Occupancy Group A (high-hazard).
  2. Both buildings are of Class I (incombustible) construction.
  3. The permitted amount of opening is that which is permitted by Table 3-4, where the exterior separation is  $\frac{1}{2}$  the distance of the exterior space between buildings.
  4. The existing building previously constructed or altered has openings which comply with the limitation of paragraph (3) above.
  5. The plans submitted by the applicant indicate all pertinent facts regarding adjoining buildings and are verified from Department Records.
  6. The required fire resistive rating of the exterior wall as specified in Table 3-4 for the applicable exterior separation is provided, and Sections 27-331(a) and 27-331(f) are complied with. Note that the applicable exterior separation is that determined by the definition of exterior separation (Section 27-323).

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7. The owner of the building in which the openings will occur indicates in writing that (s)he is aware of the requirements imposed by footnote b of Table 3-4, and files a deed restriction with the COUNTY CLERK'S Office making such requirements binding on all successors prior to requesting either a Letter of Completion or Certificate of Occupancy.
  8. The specification sheet includes the mandate to close exterior openings in the future if, due to construction on the adjacent site, the exterior openings would not be permitted by the limitations of paragraph (3) above. The final Certificate of Occupancy shall, in addition, state the page and liber number of the deed restriction.
  9. The structural and mechanical plans shall not be approved unless they have the capacity to accommodate human occupancy and the additional loads, presuming that the exterior wall enclosures are in place.
  10. All such openings 30'-0" or less from the nearest wall or roof are protected as described in Section 27-331(b) or Section VII of this Notice.
- VI. Where the exterior distance between buildings, or parts thereof, is at least 60'-0" (measured horizontally, vertically, or diagonally), exterior openings of unrestricted area may be authorized by the Borough Superintendent under the conditions of footnote b of Table 3-4. Such openings need not be protected except as otherwise provided by law. The conditions of paragraphs 7, 8, and 9 of Section V. of this Notice shall apply. Openings above the top of any chimney within the distances specified in Section 27-858 (26-1501.4) shall be fixed.
- VII. As per Section 27-521.04(c)(2) [C26-720.4] glass that is wired, laminated or tempered and is provided with sprinklers on the occupied side spaced no more than 6 feet apart (with not less than one head per window) and a distance away from the glass so as to insure complete glass wetting upon activation are permitted as an equivalent to an opening protective.

GEB:RSH:rmr  
cc: Executive Staff  
Industry