



**DEPARTMENT OF BUILDINGS**

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**ISSUANCE #535**

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**TECHNICAL  
POLICY & PROCEDURE NOTICE #3/98**

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TO: Distribution

FROM: Satish K. Babbar, R.A. 

DATE: March 3, 1998

SUBJECT: **Local Law 58/87 - Change of Use of Spaces in Existing Buildings**

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**EFFECTIVE:** Immediately

**PURPOSE:** To clarify the requirements of Administrative Code §27-123.1 (b) pertaining to the accessibility of a space in a building where there is a proposed change in the occupancy type or in how "such space" is used.

**SUPERSEDES:** TPPN #5/92

**REFERENCES:** Administrative Code §27-123.1, "Alterations, additions, repairs and changes in occupancy or use requiring facilities for people having physical disabilities" and subarticle two of article two of subchapter four of chapter one of title twenty-seven ("§§27-292.1 et seq."), "Facilities for People Having Physical Disabilities."

**ONLY FOR PROJECTS  
FILED BEFORE 12-31-14\***

**SPECIFICS:**

1. A change in the occupancy type or in how "such space" is used as per §27-123.1 (b) shall be interpreted to mean as being a change in the Building Code Occupancy Classification under §27-237 or the Zoning Resolution Use Group.
2. "Such space" must comply with the provisions of §§27-292.1 et seq. Therefore, the immediate entrance(s) to a space in a building is considered a part of "such space." When there is a change in the occupancy type or use of a space in a building, such immediate **entrance(s)** must comply with the provisions of Code §§27-292.1 et seq. This may require widening the doorway(s). When the change in occupancy type or use is made to a space, whose elevation is within 18" of the sidewalk, that has direct access to grade, such **access** shall be made accessible pursuant to the requirements of Code §§27-292.1 et seq. Moreover, this may require the removal of interior or exterior lobby steps, if the only entrance to such space is through the building lobby.

The Commissioner may waive the requirements pursuant to §27-292.6.

LL58/87-ppn.wpd