



**State of New York
Department of State
Division of Code Enforcement & Administration**

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**Rules And Regulations - Department of State
TITLE 19 (NYCRR)
CHAPTER XXXIII - STATE FIRE PREVENTION & BUILDING CODE COUNCIL
SUBCHAPTER A - UNIFORM FIRE PREVENTION & BUILDING CODE**

PART 1227. EXISTING BUILDING CODE

Effective Date 12/28/2010

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PART 1227. EXISTING BUILDING CODE

Section 1227.1. Existing building code.

(a) The 2010 EBCNYS. Except as otherwise provided in section 1227.2, the repair, alteration, change of occupancy, addition and relocation of existing buildings shall comply with the requirements of the publication entitled "Existing Building Code of New York State" (Publication Date: August 2010), published by International Code Council, Inc. Said publication (hereinafter referred to as the 2010 EBCNYS) is incorporated herein by reference. Copies of the 2010 EBCNYS may be obtained from the publisher at the following address:

International Code Council, Inc.
500 New Jersey Avenue, NW, 6th Floor
Washington, D.C. 20001

The 2010 EBCNYS is available for public inspection and copying at:

New York State Department of State
99 Washington Ave.
Albany, NY 12231-0001

(b) Referenced standards. Certain published standards are denoted in the 2010 EBCNYS as incorporated by reference into 19 NYCRR Part 1227. Such standards are incorporated by reference into this Part 1227. Such standards are identified in the 2010 EBCNYS, and the names and addresses of the publishers of such standards from which copies of such standards may be obtained are specified in the 2010 EBCNYS. Such standards are available for public inspection and copying at the office of the New York State Department of State specified in subdivision (a) of this section.

(c) Existing building. For the purposes of this Part, the term “existing building” shall have the meaning ascribed to that term in section 202 of the 2010 EBCNYS.

(d) Changes to the text of the 2010 EBCNYS. For the purposes of applying the 2010 EBCNYS in this State, the 2010 EBCNYS shall be deemed to be amended in the manner specified in this subdivision (d).

(1) 2010 EBCNYS Section 506.1. The introductory portion of Section 506.1 of the 2010 EBCNYS (which reads as follows: “506.1 General. Seismic provisions of this chapter shall only apply to buildings built after January 1, 2003. Repairs of structural elements shall comply with this section.”) shall be deemed to be amended by deleting the first sentence, and the introductory portion of Section 506.1 of the 2010 EBCNYS shall be deemed to be amended and restated in its entirety to read as follows: “506.1 General. Repairs of structural elements shall comply with this section.”

Section 1227.2. Exceptions.

(a) A building or a portion of a building that has not been previously occupied or used for its intended purpose shall comply with the requirements of the 2010 BCNYS (the publication referred to in section 1221.1 (Building code) of Part 1221 of this Title) for new construction.

(b) Repairs, alterations, changes of occupancy, existing buildings to which additions are made, historic buildings, and relocated buildings complying with the requirements of the 2010 BCNYS (the publication referred to in section 1221.1 (Building code) of Part 1221 of this Title), the requirements of 2010 FCNYS (the publication referred to in section 1225.1 (Fire code) of Part 1225 of this Title), the requirements of the 2010 MCNYS (the publication referred to in section 1223.1 (Mechanical code) of Part 1223 of this Title), the requirements of the 2010 PCNYS (the publication referred to in section 1222.1 (Plumbing code) of Part 1222 of this Title), requirements of the 2010 FGCNYS (publication referred to in section 1224.1 (Fuel gas code) of Part 1224 of this Title), or the requirements of the 2010 RCNYS (publication referred to in

section 1220.1 (Residential code) of Part 1220 of this Title), as applicable, shall be considered in compliance with the requirements of the 2010 EBCNYS (the publication referred to in section 1227.1). For the purposes of this subdivision, the term “historic building” shall have the meaning ascribed to that term in section 202 of the 2010 EBCNYS.

(c) Detached one- and two- family dwellings not more than three stories in height above grade with a separate means of egress, and their accessory structures, and multiple one-family dwellings (townhouses) not more than three stories in height above grade with a separate means of egress, and their accessory structures, or changes in occupancy thereto, shall comply with the requirements of the 2010 RCNYS (the publication referred to in section 1220.1 (Residential code) of Part 1220 of this Title).

(d) The requirements referred to in section 1227.1 shall not apply to agricultural buildings, including barns, sheds, poultry houses, and other buildings and equipment on the premises used directly and solely for agricultural purposes. In this subdivision, the term “agricultural building” shall mean a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products, excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

(e) Energy conservation measures in existing buildings shall conform with section 101.4.2 through 101.4.4 of the 2010 ECCCNY (the publication referred to in section 1240.1 (Energy code) of Part 1240 of this title).