



# NEW YORK STATE DEPARTMENT OF STATE

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## ***TECHNICAL BULLETIN***

Revised

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Source Document: 19 NYCRR 1221 - Building Code of New York State (BCNYS)  
19 NYCRR 1225 - Fire Code of New York State (FCNYS),  
19 NYCRR 1240 - Energy Code of New York State (ECNYS)

Topic: Occupancy Classification of APA Hunting and Fishing Cabins

This document provides information with regard to the occupancy classification of hunting and fishing cabins.

A "hunting and fishing cabin" is defined, in the regulations of the Adirondack Park Agency (APA), as "a cabin, camp or lean-to or other similar structure designed for occasional occupancy for hunting, fishing, or similar purposes." These buildings are not "single family dwellings" in the APA regulations. These structures do not have connections to public utilities (i.e., no commercial electric power nor telephone service).

Building Code of New York State (BCNYS) defines the term dwelling unit as "A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation." Hunting and fishing cabins in New York State are designed for occasional use and meet the described definition. Pressurized water systems for potable water, solar panels or propane/gas electric systems, gray water systems, chemical toilets, sanitary pit privies, residential onsite wastewater treatment systems are permitted.

It is the opinion of the Division of Code Enforcement and Administration that a building meeting the APA definition of hunting and fishing cabin is classified most appropriately as Group U occupancy by the BCNYS section 312.1. The BCNYS provides that buildings classified as Group U occupancy shall comply with provisions relating to the adequacy of the structural system. Such buildings may be constructed on properly designed foundations of concrete blocks or on piers. BCNYS section 1103.2.5 exempts U occupancy buildings from its provisions for accessibility by physically disabled persons. There are no fire protection equipment requirements; however, section 508.1 exception 3 of the Fire Code of New York State (FCNYS) provides that buildings classified as Group U occupancy be at least 50 feet from the property lines. Such buildings are classified as "low energy use" buildings by Energy Conservation Construction Code (ECNYS) section 101.4.11 or as "renewable energy usage" buildings by ECNYS section 101.4.1.2, as applicable.

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