OFFICIALS

OF THE

TOWN OF RYE

Town Hall

10 Pearl Street
Port Chester, New York 10573
Telephone: 914/939-0250

1981

ANTHONY J. POSILLIPO	**Supervisor**
BERNARD J. GIOFFRE, M.D.	**Councilman**
ANTHONY J. ZACCAGNINO	**Councilman**
SAM LERNER	**Councilman**
DONALD B. GIOFFRE	**Councilman**
MILTON BERNER, ESQ.	**Town Attorney**
FRANCES NUGENT	**Town Clerk**
DOM J. PATAFIO	**Comptroller**
REUBEN SIRLIN	**Town Justice**
BRUNO GIOFFRE	**Town Justice**
FELIX N. FIDELIBUS	**Town Engineer**
PHILIP GASPARINI	**Town Accountant**
DONALD BROWN	**Superintendent of Highways**
SALVATORE J. ROLLO	**Assessor**
JAMES JACKSON	**Receiver of Taxes**

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1982

ANTHONY J. POSILLIPO	**Supervisor**
ANTHONY J. ZACCAGNINO	**Councilman**
DONALD B. GIOFFRE	**Councilman**
FREDERICK J. GIOFFRE	**Councilman**
JOHN COLANGELO, ESQ.	**Councilman**
DANIEL PYKETT, ESQ.	**Town Attorney**
ALDO VITIGLIANO, ESQ.	**Deputy Town Attorney Purchasing Agent**
FRANCES NUGENT	**Town Clerk**
PHILIP GASPARINI	**Comptroller**
FELIX FIDELIBUS	**Town Engineer/Building Inspector**
REUBEN SIRLIN	**Town Justice**
BRUNO GIOFFRE	**Town Justice**
DOM J. PATAFIO	**Executive Secretary to Supervisor**
DONALD BROWN	**Superintendent of Highways**
FRANK GENDALIA	**Chief of Police**
SALVATORE ROLLO	**Assessor**
JAMES JACKSON	**Receiver of Taxes**
TERRENCE NUGENT, JR.	**Superintendent of Recreation**
SAM PASSERO	**Park Director-Rye Town Park**

2-25-82

PREFACE

According to historical records, the first white settlers came to what is now the Town of Rye in the year 1660, and traded a few items for Manursing Island. Subsequently, settlements developed at Poningo Neck, now the site of the City of Rye, and at "Saw Pit" on the banks of the Byram River, now the site of the Village of Port Chester.

Because of its location near New York City and on the border of Connecticut, the area which comprises the Town of Rye was "debatable land" during the American Revolution and was subject to raids by British Loyalists as well as by outlaws. Development began again at the close of that war, and in 1837 the term "Saw Pit" was changed to Port Chester. Today the Town of Rye is composed of the Village of Port Chester; that part of the Village of Mamaroneck which is east of the Mamaroneck River (known as Rye Neck); and the remainder of the unincorporated area lying northwest of the Village of Port Chester.

During the various eras, the Town of Rye adopted ordinances appropriate for those days, and in succeeding years it faced changing conditions from time to time with corresponding changes in its ordinances. That its citizens are still community-conscious is evidenced in the decision of their town officials to revise and codify their ordinances in this volume.

While only a few simple laws were necessary in the early days, the complexity of modern life has created the need for detailed laws or ordinances for the government of a town. The collection of local law is an aspect of municipal history and as the orderly development of the community progresses this collection must keep pace.

Modernization and orderly development apply to all phases of local affairs and most particularly to the ordinances and laws which govern.

More people mean more homes, more business, more problems and the need for more control — to wit: more ordinances. And these ordinances must be more than mere chronological enactments lost in history in the pages of old minute books. They must be available. They must be logically arranged for easy findings. They must be reviewed from time to time in light of current trends and changes. They must be kept current and up-to-date.

It is essential that the full powers reserved to the municipality be represented and exercised so that no phase of the local franchise be lost. All rightful areas of administration not specifically recognized or defined become the subject of new ordinances. It should be noted that the powers of a Town Board are only those which are expressly conferred by statute and consequently, in the area of legislation, many times the Board is not empowered to act.

This codification of the ordinances of the Town of Rye represents a deep appreciation of the needs of a progressive community. The Town of Rye, like many other municipalities, finds itself faced with fundamental changes involving every aspect of community life. Its elected and appointed officials must solve problems that daily increase in number and complexity, involving everything from minor details to broad aspects of orderly community planning.

By this codification, the town is establishing a system which provides for the orderly arrangement of its laws. This will permit the inclusion of new material in a logical order and allow changes and amendments to

be made in existing ordinances in such a way that their current adoption is included within the original ordinance. The user of this Code will be able to quickly and easily locate the ordinance under consideration, with its current status made evident.

The Code itself is divided into chapters, their order being a logical progression from one general subject to another. Thus, all ordinances relating to Bicycles will be found in the Chapter on Bicycles; all ordinances relating to Zoning will be found in the Chapter on Zoning, etc.

The Table of Contents outlines the arrangement of material by chapter and subject matter as an aid to locating the major areas of the law.

A unique page-number system has been used making it possible to add or change pages in any part of the volume at any time without upsetting the sequence of subsequent pages or index entries. The page order follows the sequence of chapters. Thus, Chapter 1, begins on page 101; Chapter 2 on page 201, etc.

The Index at the end of the Code constitutes both a key to the whereabouts of information as well as a perpetual inventory of all ordinances. Since it is expected that this Code will be used extensively by persons without legal training, the Index has deliberately been formulated to enable lay persons to find quickly a particular ordinance section. Each section of each ordinance has been indexed in detail and as new ordinances are added and changes effected, index lines on them will be included with the supplement.

The Appendix contains a generality of information relative to town affairs, including all special districts with their boundaries, rules and regulations.

Supplementation of this Code will be periodic, the main endeavor being to include new ordinances, changes and repeals as soon thereafter as they are passed. This same endeavor will be applied to include new districts as they are established along with their rules and regulations.

This codification will prove to be invaluable to the people of the Town of Rye who may have questions relating to the ordinances of the town, and will greatly facilitate the orderly administration and enforcement of its ordinances.

Essential to the publishing of this Code are the legal experience and ability of the Town Attorney. Credit for the completion of this major accomplishment is due the Town Attorney, Irving Wein, Esq.

We of General Code Publishers are proud to be taking a part in this most desirable project.

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Part I

RYE CODE

Chapter 1

GENERAL PROVISIONS

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 2

(RESERVED)

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Chapter 3

ALCOHOLIC BEVERAGES

ARTICLE I
Consumption in Public

[HISTORY: Adopted Rye Town Board: Article I, 7-18-78. Amendments noted where applicable.]

GENERAL REFERENCES

Consumption in parks — See Ch. 44.

ARTICLE I
Consumption in Public
[Adopted 7-18-78]

§ 3-1. Prohibited areas.

No person shall consume liquor, beer, wine or other alcoholic beverages while such person is on any public highway, public street, public sidewalk, public parking area or in any vehicle, public park or public place, except those premises duly licensed for the sale and consumption of alcoholic beverages on the premises.

§ 3-2. Exceptions.

The Town Board upon request and for good cause shown may by resolution, at its discretion, permit the drinking of alcoholic beverages at public parks or other places for an authorized function. The resolution shall set forth the hours within which the alcoholic beverages may be consumed.

§ 3-3. Penalties for offenses.

A violation of this ordinance shall constitute an offense punishable by a fine not exceeding twenty-five dollars ($25.) or by imprisonment for ten (10) days, or by both such fine and imprisonment, for the first offense, and by a fine not exceeding fifty dollars ($50.) or by imprisonment for a second or subsequent offense.

§ 3-4. Severability.

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional.

§ 3-5. When effective.

The foregoing ordinance shall take effect ten (10) days after its adoption, publication and posting as provided by law.

Chapter 4

AMUSEMENTS

[HISTORY: Adopted Rye Town Board 5-31-66.]

§ 4-1. Classes of entertainment.

For the purposes of providing for the regulation and licensing of theatric, dramatic and operatic entertainments, shows, amuse-

Editor's Note: See also Ch. 19, Entertainments, Carnivals and Gaming Devices.

ments, field games and public exhibitions of every kind intended to amuse, instruct or entertain, where such entertainments, shows, amusements, games and exhibitions are given for gain, for admission to which a fee is charged, such entertainments, shows, amusements, games and exhibitions are divided into eleven (11) classes, as follows:

A. All entertainments of theatrical, dramatic or operatic character, all lectures, readings or recitations, exhibitions of paintings or statuary or other exhibitions or art, all musical entertainments, shall belong to and be known as entertainments of the First Class.

B. All circuses, menageries or combined circuses and menageries, all caravans, sideshows, concerts, minstrel or musical entertainments given under a covering of canvas or within any structure or enclosure intended for temporary use and capable of easy travel and removal, all swings and itinerary shows such as lifting machines, blowing and striking machines, all other exhibitions and devices, all merry-go-rounds, revolving wheels, or other machines or apparatus carrying passengers, slides and all similar amusements, given, operated or performed in any given place or places in the town shall belong to and be known as entertainments of the Second Class.

C. All poultry shows, stock shows, flower shows, dog shows, cat shows and all other shows or exhibitions of like character, all automobiles, locomobiles and horseless carriages of like nature shall belong to and be shown as entertainments of the Third Class.

D. Exhibitions of fireworks shall belong to and be known as entertainments of the Fourth Class.

E. All rinks or places where roller skating or ice skating is conducted or carried on as an amusement or where instruction is given in roller skating or ice skating shall belong to and be known as entertainments of the Fifth Class.

F. When several amusement enterprises, such as shooting-the-shoots, revolving wheels, merry-go-rounds, shooting galleries, giant swings, panoramas, musical and theatrical entertainments and various other devices or entertainments are carried on or conducted in any garden, park or other enclosure whether carried on or conducted as one (1) enterprise or by several concessionaires and whether one (1) admission fee is charged for all such entertainments or a separate fee is charged, such entertainment, enterprises and various entertainments offered and conducted shall be considered one (1) enterprise and shall belong to and be known as entertainments of the Sixth Class.

G. All exhibitions of moving pictures known as mutoscope, kinetoscope, cinematograph or other like articles of moving picture devices, and all penny arcades, so-called, or similar entertainments, all museums of anatomy and exhibitions of monsters and freaks of nature shall belong to and be known as entertainments of the Seventh Class.

H. All public pool, billiard and bowling places, alleys and rooms, so-called belong to and be known as entertainments of the Eighth Class.

I. All baseball, basketball and football games shall belong to and be known as entertainments of the Ninth Class.

J. All place swhere motorscoots, motorcycles, automobiles or other motor-driven vehicles are operated as a business

and/or for profit, except upon a public highway, shall belong to and be known as entertainments of the Tenth Class.

K. All other exhibitions, performances, entertainments or amusements not included in any of the foregoing classes shall belong to and be known as entertainments of the Eleventh Class.

§ 4-2. Amusements restricted to commercial districts.

The operation of amusement enterprises such as shooting-the-shoots, revolving wheels, merry-go-rounds, shooting galleries, giant swings, miniature trains, pony rides, panoramas, lifting machines, blowing and striking machines, machines or apparatus carrying passengers, motorscoots, motorcycles, automobiles or other motor-driven vehicles or devices operated as a business and/or for profit, and any other similar amusement, enterprise, device, machine or apparatus, by whatever name known, or called, shall be restricted to a commercial district, in the Town of Rye, as defined in the Zoning Ordinance of said township.

§ 4-3. License and fees required.

Entertainments within the Town of Rye, outside the Incorporated Village of Port Chester or Incorporated Village of Mamaroneck, County of Westchester and State of New York, hereinbefore referred to, shall be given only after the issuance by the Town Clerk, with the approval of the Town Board of said Town of Rye, of a license therefor, upon payment of the following license fee, applicable to the respective classes mentioned:

For entertainments of the First Class, five dollars ($5.) per day, or fraction thereof;

For entertainments of the Second Class, one hundred dollars ($100.) per day, or fraction thereof;

For entertainments of the Third Class, five dollars ($5.) per day, or fraction thereof;

For entertainments of the Fourth Class, five dollars ($5.) per day, or fraction thereof;

For entertainments of the Fifth Class, twenty-five dollars ($25.) per day or fraction thereof;

For entertainments of the Sixth Class, two hundred fifty dollars ($250.) per year, or fraction thereof;

For entertainments of the Seventh Class, one hundred dollars ($100.) per year, or fraction thereof;

For entertainments of the Eighth Class, twenty-five dollars ($25.) per year, or fraction thereof;

For entertainments of the Ninth Class, one hundred dollars ($100.) per year, or fraction thereof;

For entertainments of the Tenth Class, two hundred fifty dollars ($250.) per year, or fraction thereof;

For entertainments of the Eleventh Class, the amount of the license fee to be charged shall be determined in each case by the Town Board at its discretion.

Where any entertainment, show, exhibition, performance, amusement or enterprise embraces two (2) or more of the classes above enumerated, such entertainment, show, exhibition, performance, amusement or enterprise shall be classified and charged for a belonging wholly to that class for which the highest fee may be charged.

§ 4-4. License to be obtained for performances.

No entertainment, exhibition, or performance mentioned or included in any of the eleven (11) classes specified and defined in this ordinance shall be conducted, produced or presented for gain or profit other than from a duly licensed theater, opera house, hall, enclosure or place if a license is required in such theater, opera house, hall, or enclosure, without first procuring from the Town Clerk, license for that purpose, provided, however, that no license fee shall be charged for amateur athletic games.

§ 4-5. License to be displayed.

Every license issued under the provisions of this ordinance, shall at all times for the term for which it is issued, be posted in a conspicuous place at or near the principal entrance of the premises described in such license so that the same may be easily seen and read by an person passing in and out of such premises.

§ 4-6. License subject to ordinances of town.

Every license granted under the provisions of this ordinance, and all privileges pertaining thereto, shall at all times be subject to the ordinances of the Town of Rye in effect when such license shall be issued or which shall be thereafter adopted so far as the same shall be applicable thereto.

§ 4-7. Restrictive provisions of license.

All licenses for entertainments where a license is required shall contain a provision that no gaming, lottery or chance, gift distribution of money or articles of chance shall be connected therewith or allowed by the person operating such place, or

in any wise permitted or held out as an inducement to visitors; such license shall also state the number of persons such licensed theater, hall, building or place has accommodations for and no more than that number shall be allowed to occupy such theater, hall, building or place at any one (1) time.

§ 4-8. Issuance of license; revocation.

All licenses herein provided for shall be procured from the Town Clerk and issued in the discretion of the Town Board and any such licenses may be revoked by said Town Board upon complaint after first holding a hearing. All licenses issued under this ordinance shall expire on the 31st day of December next succeeding issuance. Each applicant shall, prior to the issuance of any license under this ordinance, file with the Town Clerk a signed written application therefor giving such information as required by the Town Board.

§ 4-9. Noise restrictions.

No carousel or merry-go-round or similar device shall be operated with music accompaniment from 10:00 P.M. to 9:00 A.M.; no skating-rink machine having a sound-producing medium, or shooting gallery shall be operated at any time unless the noise therefrom shall be so muffled that the same shall not be carried a distance of more than five hundred (500) feet away.

Loudspeakers, announcing devices, horns or other noise-producing devices shall be operated at all times in such a manner so as not to disturb the occupants of the premises in the vicinity of the device and shall be so toned down, muffled or subdued so that the sound therefrom shall not carry more than five hundred (500) feet outside of the buildings or grounds on which the device is operated.

§ 4-10. Sound restrictions.

It shall be unlawful to operate a loud speaker, announcing device or horn for the purpose of advertising merchandise for sale or attracting patrons to a store or place of business by causing or permitting the sound therefrom to be transmitted outside of the said store or place of business into the public streets of the town or for any other purpose within the unincorporated area of the Town of Rye.

§4-11. Hours of operation restricted.

All carousels, shows, exhibitions, entertainments, performances, pool, billiard and bwling places, alleys and rooms, or any other form of entertainment described or set forth under § 4-1, and licensed pursuant to this ordinance, shall be closed during the period from 12:00 midnight until 9:00 A.M.

§ 4-12. Exceptions.

The provisions of this ordinance shall not apply to or include picnics, bazaars, fairs and kindred amusements wherein the profit ensuing therefrom shall be for benefit of charity, a religious, benevolent society, public or private school, or for public benefit churches, organizations or churches, organized fire departments or United States Veterans of any and all former wars, including auxiliaries of such organizations. Provided, however, that if such churches, organizations of churches, organized fire department or United States Veterans of any and all former wars, including auxiliaries of such organizations, shall conduct any menageries, caravans, sideshows, carnivals in connection with or as a part of such picnic, bazaar, fair or kindred amusement, such as churches, organized fire department or United States Veterans of any and all former wars, including auxiliaries of such organizations shall be required to obtain the license and pay the fee required as provided in § 4-3.

§ 4-13. Violations and penalties.

Any violation by person, firm, association, or corporation, of any of the provisions of this ordinance, shall be and hereby is declared to be a misdemeanor, and upon conviction shall be subject to a fine of not to exceed one hundred dollars ($100.) and an imprisonment in the Westchester County penitentiary of not to exceed six (6) months, or both. Every day, or part thereof, that such violation shall continue, shall be deemed to be a separate and distinct violation of the provisions of this ordinance.

§ 4-14. Validity.

The declaration of any portion of this ordinance by a court of competent jurisdiction to be invalid shall not invalidate the entire ordinance but only that part thereof so declared to be invalid and the remainder of said ordinance shall remain in full force and effect.

§ 4-15. Effective date.

This ordinance shall become effective ten (10) days after first publication and posting thereof.

Chapter 5

(RESERVED)

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Chapter 6

BICYCLES

[HISTORY: Adopted Rye Town Board 4-19-55.]

§ 6-1. Registration of bicycles.

No resident shall ride or propel a bicycle on any public street, walk or path, outside the limits of any incorporated village, in the Town of Rye, unless such bicycle is duly registered as herein provided and a registration plate thereto attached. Where a bicycle is owned by a minor, the father of such minor, if living, and if the minor be living with him, or if he be deceased or the minor be not living with his father, the mother or other person having the custody of such minor shall be jointly responsible with the minor for the proper registration of such bicycle and the attachment of a registration plate thereto before it is driven in the town. The following rules and regulations shall govern the registration of bicycles, to wit:

A. Each bicycle ridden or propelled in the town shall be registered annually with the Town Clerk of the town. The annual registration period shall be from January 1 in each year to December 31 of that year. Application for such registration shall be made upon a form to be furnished by the town and to be of such composition and wording as may be prescribed by the Town Clerk; and such application shall be made and signed by the owner of the bicycle.

B. Upon making application to the Town Clerk for registration of the bicycle, there shall be paid to him a fee of twenty-five cents ($0.25).

C. Before registering a bicycle, the Police Department shall cause each bicycle to be inspected and a license shall be refused for any bicycle which is determined by the Police Department to be in unsafe mechanical condition, defective or not equipped in conformity with the requirements of law.

D. The Town Clerk, upon receiving proper application therefor, shall assign a number to the bicycle and register it in a book to be kept for that purpose, and he shall thereupon issue to the applicant a certificate of registration stating the year for which it is issued and to be of such further contents and in such form as may be prescribed by such Clerk.

E. With the issuance and delivery of the certificate of registration as aforesaid, the Town Clerk shall also issue and deliver to the applicant a registration plate made of metal, plastic or other substance, bearing the number assigned to the bicycle, the year of registration and the name of the town, and to be of such color, style and dimensions as may be prescribed by such Clerk.

F. On receipt of the registration plate, the applicant shall cause the same to be firmly attached to the frame of the bicycle for which issued. The plate shall at all times remain so attached to the bicycle while it is being used in the town during the year for which the plate was issued.

G. Except when duly authorized, it shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number of any registration plate,

or written certificate of registration issued under the provisions of this Article during the time in which such registration is operative.

H. The registration of a bicycle as herein provided shall be effective only for the year for which the certificate of registration is issued and also only as long as the particular applicant securing the registration is the owner of the bicycle registered. In the event of change of ownership of a registered bicycle, the existing registration shall forthwith terminate and the new owner shall procure a new registration. No vehicle registered for a particular year shall be operated in the town following December 31 of such year, unless it is registered for the new year in which it is operated.

I. The book to be kept by the Town Clerk for the registration of bicycles as hereinbefore provided shall contain a record of the name and address of the owner of the bicycle applying for registration, the make, style and color of the bicycle, the number on the frame of the bicycle, if it has a number, the number of registration, the date of the registration and a statement of the year for which the registration is issued and such other data as the Clerk may deem advisable.

J. The Town Clerk shall not register any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of or entitled to possession of the bicycle.

K. No license shall be issued until the Police Department knows or has reasonable ground to believe that the applicant, or any child under sixteen (16) years of age for whose use the said bicycle is to be registered, is familiar with the traffic laws and regulations that apply to the operation and use of a bicycle. The Police Department may give or cause to be given reasonable tests to

ascertain whether the applicant or such child is familiar with the traffic laws and regulations applicable to bicycles and is capable of complying with them when operating a bicycle.

L. No person shall rent or offer any bicycle for rent unless such bicycle is registered and a registration plate is attached thereto as provided herein.

§ 6-2. Equipment.

A. Every bicycle, operated or driven upon any public highway in this state, shall be provided with adequate brakes and steering mechanism in good working order and sufficient to control such vehicle at all times when the same is in use, and a suitable and adequate horn, bell or other device, which shall produce a sound sufficiently loud to serve as a danger warning but which shall not be used other than as such warning nor be unnecessarily loud or harsh, and a front reflector and rear reflector, each of a type approved by the Commissioner of Motor Vehicles of the State of New York, to be applied and adjusted to the bicycle in such manner as to be visible for at least two hundred (200) feet when approached by a motor vehicle displaying lawful undimmed headlights at night on an unlighted highway. Every bicycle which is operated or driven on any public highway in this state during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise shall display a lighted lamp on the front which shall be visible from a point five hundred (500) feet ahead of such bicycle and which shall project either white or yellow light.

B. No person shall rent or offer any bicycle for rent unless such bicycle is equipped with adequate brakes, steering mechanism in good order, bell or other signaling device and a front and rear reflector as hereinbefore provided.

§ 6-3. Traffic rules.

A. Every bicycle operated in the town shall be operated in full compliance with all traffic ordinances and regulations applicable to the operation of a motor vehicle, except as to those provisions of ordinances and regulations which by their nature can have no application and except as herein otherwise expressly provided.

B. No person shall propel, operate or ride upon any bicycle within the town for a distance of one-eighth (1/8) of a mile at a greater rate of speed than ten (10) miles per hour. Provided, however, that no bicycle shall be ridden or operated by or past a pedestrian at a greater speed than five (5) miles per hour.

C. No person shall at any time propel or ride upon any bicycle upon any of the sidewalks within the town.

D. No person, while riding a bicycle, shall hold on to a moving bus, truck or other vehicle.

E. No person shall ride on the handle bars, frame or rear package rack on any bicycle, nor shall two (2) persons ride on any bicycle unless it is provided with proper seats for two (2) persons.

F. No person shall ride, propel or operate any bicycle upon any street of the town abreast with another bicycle and two (2) or more bicycles proceeding on a street shall be so operated that one (1) shall follow the other.

G. No person riding, propelling or operating a bicycle shall drive the same or coast with his feet off the pedals or with his hands off the guiding apparatus thereof; nor shall any person, riding a bicycle, stand on one (1) pedal thereof with a foot or feet.

H. No person riding, propelling or operating a bicycle shall carry any package, bundle or article which prevents him from keeping both hands on the handle bars.

I. Whenever a usable path for bicycles has been provided adjacent to a roadway or street, bicycle riders shall use such path and shall not use the roadway.

J. Every person propelling or operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one (1) proceeding in the same direction.

K. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across the alley or way, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

L. A person propelling or operating a bicycle shall obey the instructions of official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

M. Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

N. No person shall park a bicycle except against the curb, or upon the sidewalk in a rack or against a building in such manner as to afford the least obstruction to pedestrian traffic. Provided, however, that no person shall park a bicycle in any parking-meter space set aside for motor vehicles.

§ 6-4. Penalties.

Every person violating any provision of this ordinance shall, upon conviction therefor in a Court of Special Sessions, be

punished by a fine of not more than five dollars ($5.) or by imprisonment for not more than five (5) days, or by both such fine and imprisonment, for each violation and, in addition, upon conviction of any owner of a bicycle of any such violation, he shall forfeit his certificate or registration, if any, and the registration plate shall be removed from the bicycle, and such bicycle shall not be reregistered until the expiration of six (6) months from the date of such conviction. In addition to the penalty herein provided, the Town Clark may, on recommendation of the Police Department, revoke or suspend for not more than thirty (30) days the certificate of registration issued under the provisions of this ordinance for any violation of the provisions of this Article or for the violation of the New York State Vehicle and Traffic Law as they relate to street traffic insofar as the same are applicable or for any good cause, and no such bicycle shall be used on any of the public highways of said town during the period of such revocation or suspension. Such revocation shall become effective upon the mailing of a notice of revocation to the applicant at the address of said applicant as it appears upon the application for such certificate.

§ 6-5. Definition.

BICYCLE — Every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is over twenty (20) inches in diameter, shall be deemed a bicycle to which this ordinance is applicable.

§ 6-6. When effective.

This ordinance shall take effect immediately upon its adoption, publication and posting as provided by law.

Chapter 7

(RESERVED)

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Chapter 8

BLASTING AND EXPLOSIVES

[HISTORY: Adopted Rye Town Board 11-21-50.]

§ 8-1. Title.

This ordinance shall be known as an ordinance regulating blasting and the use of explosives in blasting operations.

§ 8-2. License and permit.

No person shall blast or use any explosives in blasting operations in that portion of the Town of Rye outside the limits of any incorporated village therein, unless he is a holder of a blaster's license in the Town of Rye, and unless he obtains a permit for the proposed work from the Building Inspector of the Town of Rye.

§ 8-3. Blaster's license.

Blaster's license shall be issued by the Building Inspector of the Town of Rye upon application on forms prescribed by him. Applicants shall be at least twenty-one (21) years of age, of good character and habits and shall satisfy the Building Inspector as to their experience in handling explosives and ability to use the same without undue risk. The license shall not be issued until the applicant shall furnish a bond by a solvent fidelity or surety company, authorized to transact such business, in the sum of twenty-five thousand dollars ($25,000.) covering the period of his license, which said bond must meet with the approval of the Town Counsel as to form, correctness and sufficiency of surety, and after such approval, said bond shall be filed with the Town Clerk, and in addition, each applicant shall be covered by a public liability insurance policy for not less than fifty thousand dollars ($50,000.). Each application shall be accompanied by a fee of twenty-five dollars ($25.). Licenses shall expire on December 31 next following the date of their issuance and may be renewed by the Building Inspector for a period of one (1) year on the payment of a registration fee of five dollars ($5.) for each renewal. Each applicant for renewal of license shall furnish a bond as hereinabove provided. License may be revoked if in the opinion of the Building Inspector the holder of such license has proven himself incompetent or careless. If so revoked, no new license shall be issued to the same person for a period of three (3) months and then only upon satisfying the Building Inspector of his fitness for such license.

§ 8-4. Conditioning of bonds.

All bonds herein required shall be conditioned for the payment to the Town of Rye, in full or in part, or to any person entitled thereto, for any loss, damage or injury resulting to persons or property by reason of any use of any explosives in blasting operations, and for the strict and full compliance with the provisions of this ordinance, and with such other regulations pertaining to explosives as may hereinafter be lawfully made and enacted.

§ 8-5. Permits for blasting.

A. Permits for blasting shall only be issued by the Building Inspector of the Town of Rye to persons holding a blaster's license or to contractors who have in their employ persons holding such a license.

B. The permit shall state the location for which it is approved, the date issued, the name of the person or persons authorized to do the blasting and such other information as the Building Inspector may deem necessary. The permit shall be good only for the one (1) location designated therein, shall not be transferable and shall expire not later than one (1) year from date thereof. Application for such permit shall be accompanied by an inspection fee of one dollar ($1.).

§ 8-6. Hours of blasting.

It shall be unlawful to blast or carry on any blasting operation after 7:00 P.M. or before 8:00 A.M., nor shall any blasting be done on Sunday, except with the approval of the Building Inspector.

§ 8-7. Quantity of explosive per hole.

No person shall use in a blasting operation a quantity of explosives greater than necessary to properly start the rock.

§ 8-8. Covering blasts.

Before firing any blasts, except where the same is in a tunnel, the material to be blasted shall be covered on the top and sides with timber, held securely together by strong chains or ropes of iron or steel, and covered with sheets of tin or heavy woven material of rope or wire.

§ 8-9. Firing.

It shall be unlawful to explode a blasting charge by means of time fuse, slow-burning or safety fuse, or by any means other than some form of electrical apparatus. At least three (3) minutes before firing a blast, the blaster shall give warning thereof by causing a competent man, carrying a red flag, to be stationed at a reasonable distance from the blast at each avenue of approach or point of danger.

§ 8-10. Shoring.

The blasting of rock contiguous to any structure shall be so conducted as not to cause damage thereto. To this end, weak walls or other supports shall be shored up, and rotten or decomposed rock shall be removed only by the use of gads, picks or crowbars. When blasting in the vicinity of a weak structure is unavoidable, only light-face blasts with short lines of resistance and small charges shall be used.

§ 8-11. Tamping.

Blasting charges shall be tamped only by means of wooden tamping rods and explosives shall be pressed or set into place by steady, even pressure only. All strokes or blows with the tamping rods are forbidden and no tamping rod shall be used which is frayed or split at the end.

§ 8-12. Unexploded charge.

Immediately after firing a blast, the blaster shall cause all debris to be removed, and shall thoroughly examine the rock and the drill holes to ascertain whether there remains any unexploded charge, and until this is done, no drills shall be set up. In case a charge shall fail to explode, it must be exploded by drilling one (1) hole at least twelve (12) inches away which shall be loaded and fired in the usual manner, but in no cases shall the charge and tamping be removed from the hole without the special permission of the Building Inspector. In case a blast shall fail to carry away the entire drill hole, and leaves the lower part intact, no further drilling shall be done in that hole.

§ 8-13. Blaster's helpers.

No person shall load holes in blasting operations except the blaster authorized in the permit, provided, however, that while holes are being actually loaded, drillers and drill-helpers may act as blaster's helpers under the direct supervision and responsibility of the blaster.

§ 8-14. Capping cartridges.

Cartridges, while being capped, shall be removed from any magazine to a distance of not less than fifty (50) feet and, after being capped, shall not be returned to a magazine. Cartridge shall be capped only as required for the work and for immediate use.

§ 8-15. Violation and penalty.

The violation of any of the provisions of this ordinance, or failure to comply therewith, shall be a misdemeanor and punishable by a fine which shall not exceed fifty dollars ($50.) or

imprisonment not exceeding six (6) months, or both such fine and imprisonment, and each day such violation shall be permitted to exist shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of the prohibited conditions.

§ 8-16. Invalidity.

If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

§ 8-17. Repeal of prior ordinance.

An ordinance adopted by the Town Board of the Town of Rye on the 18th day of April, 1950, and commonly known as "An Ordinance Regulating Blasting and the Use of Explosives in Blasting Operations in that Portion of the Town of Rye outside the limits of any incorporated village therein," as amended, is hereby repealed.

§ 8-18. When effective.

This ordinance shall take effect immediately upon adoption and publication as provided by law.

Chapter 9

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 10

BONFIRES AND BURNING

[HISTORY: Adopted Rye Town Board 11-6-30.]

§ 10-1. Bonfires and burning of leaves, rubbish or other inflammable materials prohibited.

It shall be unlawful for any person to light or cause to be lighted any bonfire or to burn or to cause to be burned any leaves, rubbish or other inflammable material on any concrete pavement or against or adjacent to any concrete curb on any public highway within the limits of the Town of Rye, outside the incorporated Villages of Port Chester, Rye or Mamaroneck.

§ 10-2. Definition.

The term PERSON as used in this ordinance shall mean to include one (1) or more persons of either sex, natural persons, corporations, partnerships, associations, joint stock companies, societies and all other entities of any kind capable of being sued.

§ 10-3. Penalties.

Any person who, himself or itself, or by his or its agent or employee, shall violate any of the provisions of this ordinance, or any order, code, rule or regulation made in pursuance thereof, shall be liable to a penalty not exceeding in any one (1) case of violation fifty dollars ($50.) to be recovered with costs, and shall upon conviction of such violation be subject to a fine of not less than ten dollars ($10.) or more than fifty dollars ($50.) or to imprisonment for not less than ten (10) days or more than fifty (50) days, or to both such fine and imprisonment, and each day on which such violation continues shall constitute a separate offense.

§ 10-4. Repeal of inconsistent ordinances.

Any ordinance or part of any ordinance inconsistent with the provisions of this ordinance is hereby repealed.

§ 10-5. When effective; publication.

This ordinance shall take effect at the earliest date allowed by law, and the Town Clerk of the Town of Rye is authorized and directed to have the same published in the Port Chester Daily Item and posted in at least three (3) public places in the town pursuant to law.

Chapter 11

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 12

BOWLING ALLEYS

[HISTORY: Adopted Rye Town Board 5-31-55.]

§ 12-1. Definition.

BOWLING ALLEY — Shall mean any public bowling alley or any other place wherein the game of bowling is played or wherein is located any apparatus or paraphernalia for the playing of bowling, and which place is conducted as a business for profit.

§ 12-2. License required.

No bowling alley shall be operated or conducted in the Town of Rye until such bowling alley shall first have been duly licensed for such purpose pursuant to the provisions of this ordinance. Such license shall be issued by the Town Clerk as provided in Section 137 of the Town Law, upon the payment of an annual license fee of one hundred dollars ($100.), and posted in a conspicuous place near the main entrance of the licensed premises, and such license shall expire on the 31st day of December next following its issuance.

§ 12-3. Application for license.

A. Application for license shall be made to the Town Clerk. Applications shall contain the following information:

(1) Name, residence and age of applicant; if a corporation or firm, the names, residences and ages of the principal officers and managing agents thereof.

(2) With respect to the applicant or applicants (or, if a firm or corporation, with respect to the managing agent thereof), the length of time he or they has or have resided at the last address, his or their previous places of employment, whether he or they are married or single, whether he or they have ever been convicted of a felony or misdemeanor and, if so, the date, offense and court concerned.

(3) The address of the premises where such bowling alley is to be conducted.

(4) Whether the same is to be conducted in connection with some other business.

(5) Whether the applicant or applicants (if a corporation or firm, the managing agent thereof) has or have previously conducted or been employed in any bowling alley, and, if so, the date, place and period of such employment.

(6) A floor plan of the building in which the bowling alley is to be located.

(7) The number of bowling-alley beds in such place.

(8) Such other information as the Town Clerk may from time to time require.

B. Each application shall be signed and acknowledged before a notary public or other officer authorized to administer oaths.

§ 12-4. Grounds for refusal.

The Town Clerk may refuse a license to any person who, in his judgment, shall be an undesirable person or incapable of properly conducting the business of bowling alley. No license shall be issued to any person who within a period of one (1) year prior to the application therefor has been adjudged to have committed a second violation of the provisions of this ordinance or who, within a period of five (5) years prior to the date of such application, has been convicted of a felony, nor shall any license be issued to any firm or corporation any member of which has been so adjudged or convicted.

§ 12-5. Hours.

No person who conducts a bowling alley shall keep such bowling alley open to the public or permit any person or persons to remain in the same on any day between the hours of 1:00 A.M. and 10:00 A.M. On the first day of the week, commonly called Sunday, it shall be lawful to keep open to the public and to conduct or participate in games of bowling between the hours of 2:00 P.M. and 12:00 midnight, in accordance with Section 2145 of the Penal Law of this state. Nothing contained in this section shall be construed to prevent necessary work in cleaning or maintenance by anyone who conducts a bowling alley or

by his employees nor to prohibit the conducting of any other business on the premises, which business is lawful during or between those hours, provided that the facilities for bowling are not used or played upon.

§ 12-6. Minors prohibited.

No person who conducts a bowling alley shall permit or allow any minor actually or apparently under the age of sixteen (16) years to, nor shall any such minor, play upon any bowling alley or be or remain in or frequent, except upon business, any bowling alley unless accompanied by the parent or guardian of such minor or unless such minor is employed therein with the consent of his parent or guardian. No minor, as aforesaid, shall represent himself falsely to be over sixteen (16) years of age for any of the purposes prohibited herein. No person shall play in a game of bowling with any minor under the age of sixteen (16) years with knowledge of such minority or engage in any such game for money or other valuable thing with such minor or make a wager with any such minor upon the result of any game.

§ 12-7. Gambling and disorderliness.

No person who conducts a bowing alley shall:

A. Suffer or permit gambling of any kind in said bowling alley or any other place appertaining thereto or connected therewith.

B. Suffer or permit such bowling alley to become disorderly.

C. Harbor intoxicated persons therein or allow intoxicated persons access thereto.

D. Allow foul, profane or obscene language to be used or obscene acts to be committed therein.

§ 12-8. Compliance and investigation before issuing license.

No bowling alley license shall be issued until it shall be found that the premises comply and conform to all regulations for the protection of public health and safety of buildings and for the protection of the public from fire, panic and other hazards; that the premises comply with all town ordinances, rules and regulations; that they are properly soundproofed and ventilated and supplied with sufficient toilet conveniences and that they are a safe and proper place for the purposes for which they are used. The Police Department, the Fire Department and the Building Inspector shall conduct an investigation of any application filed with the Town Clerk and report of such investigation shall be attached to the application for the consideration of the Town Clerk.

§ 12-9. Refusal of license.

The Town Clerk may refuse to issue any bowling alley license for the reasons stated herein and in Section 137 of the Town Law, and the applicant may apply to the Town Board of the Town of Rye after such refusal, all as provided in Section 137 of the Town Law and any license issued pursuant to this ordinance may be revoked after a hearing as provided herein.

§ 12-10. License revocable.

The Town Board may, after public hearing as provided in Section 137 of the Town Law, revoke any license issued pursuant to this ordinance to any person whom the Town Board shall determine to be an undesirable person or incapable of properly conducting the trade or business of bowling alley previously licensed.

§ 12-11. Endorsement..

All licenses shall have endorsed thereon this statement: "THIS LICENSE IS REVOCABLE."

§ 12-12. Notice of hearing.

Notice of such hearing and the reason or reasons for the same, in writing, shall be served upon the person named in the application or license by mailing the same to the address given in the application at least seven (7) days prior to such hearing.

§ 12-13. Refunds.

No refunds of license fees, when a license shall be revoked, nor refund of unearned portion of license fee, shall be made.

§ 12-14. Violations and penalties.

In addition to revocation of license in this ordinance provided, any person, firm or corporation who fails to comply with any of the requirements of this ordinance shall be guilty of a misdemeanor and shall be liable to a fine, which shall not exceed one hundred dollars ($100.), or by imprisonment not exceeding fifty (50) days, or by both such fine and imprisonment. Violations shall be prosecuted and penalties collected in the manner prescribed by law, effective in the Town of Rye.

§ 12-15. Saving clause.

If any clause, sentence, paragraph or part of this ordinance shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or any parts thereof, but such invalidity shall be confined in its operation of the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

§ 12-16. When effective.

This ordinance shall take effect immediately upon its adoption, publication and posting as required by law.

Chapter 13

(RESERVED)

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Chapter 14

BUILDING CODE[1]

ARTICLE I
Administration

[1] Editor's Note: See also Ch. 59, Uniformity of Buildings, pp. 5901 ff.

ARTICLE II
General Provisions

[HISTORY: Adopted Rye Town Board 12-5-50.]

ARTICLE I
Administration

§ 14-1. Scope.

A. Code remedial.

This code is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof, which are public safety, health and welfare, through structural strength and stability, means of egress, adequate light and ventilation and safety to life and property from fire and hazards incident to the

design, construction, alteration, repair, removal or demolition of buildings or structures.

B. All new work to conform.

(1) No building or structure shall hereafter be constructed, altered, repaired or removed, nor shall the equipment of a building, structure or premises be constructed, installed, altered, repaired or removed, except in conformity with the provisions of this code.

(2) It shall be unlawful to maintain, occupy or use a building or structure, or part thereof, that has been erected or altered in violation of the provisions of this code.

§ 14-2. Building Inspector.

A. Appointment.

(1) The office of Building Inspector is hereby created.

(2) The Building Inspector shall be appointed as required by law.

B. Duties.

It shall be the duty of the Building Inspector to enforce all laws relating to the construction, alteration, removal and demolition of buildings and structures.

C. Rules.

(1) The Building Inspector shall promulgate rules as prescribed in this code and consistent therewith, it being the intent of this requirement that the standards of federal or state bureaus, national technical organizations or fire underwriters, as the same may be amended from time to time, shall serve as a guide in fixing the minimum rules of practice under this code.

(2) For the purpose of securing for the public the benefits of new developments in the building industry and yet insuring public safety, the Building Inspector shall make or cause to be made investigations, or may accept duly authenticated reports from recognized sources, of new materials or modes of construction, intended for use in the construction of buildings or structures in the municipality which are not provided for in this code, and shall promulgate rules setting forth the conditions under which such materials or modes of construction may be used.

(3) No rule of the Building Inspector shall become effective until two (2) weeks after notice of intention to enforce it shall have been given through the publication in a newspaper in general circulation in the municipality and until a public hearing on the same shall have been held; provided that said public hearing shall not be necessary unless a request shall have been made for such hearing during the said period of publication. Such rules shall be drawn in its proposed form and open to public inspection at the time the notice to enforce is published.

(4) Rules promulgated as herein provided shall have the same force and effect as provisions of this code.

(5) Any rule may be amended or repealed by the same procedure prescribed for the adoption of new rules.

D. Inspections.

The Building Inspector shall inspect all buildings or structures and alterations during construction to see that the provisions of this code are complied with and that construction is prosecuted safely. Whenever, in his opinion, by reason of defective or illegal work in violation of a provision of this code, the continuance of a building operation is contrary to public welfare, he may order

all further work to be stopped and may require suspension of work until the condition in violation has been remedied.

E. Records.

(1) The Building Inspector shall keep careful and comprehensive records of applications, of permits issued or certificates issued, of inspections made or reports rendered and of notices or orders issued. He shall retain on file copies of all papers in connection with building work so long as any part of the building or structure to which they relate may be in existence.

(2) All such records shall be open to public inspection for good and sufficient reasons, but this shall not authorize the copying of any plan, or the furnishing of copies of any specifications or part thereof. No such records shall be removed from the office of the Building Inspector.

F. Right of entry.

The Building Inspector, in the discharge of his duties, shall have authority to enter any building, structure or premises at any reasonable hour.

§ 14-3. Application for permit.

A. Permit required.

(1) It shall be unlawful to construct, alter, remove or demolish, or to commence the construction, alteration, removal or demolition of a building or structure without first filing with the Building Inspector an application in writing and obtaining a formal permit.

(2) Ordinary minor repairs may be made without filing an application or obtaining a permit, provided that

such repairs shall not violate any of the provisions of this code. Such repairs shall not include any alterations, the cutting away of any wall or any portion thereof, the removal or cutting of any beams or supports, or the removal, change or closing of any stairway or required means of exit, or the alteration of any house sewer, private sewer or drainage system, or the construction of any soil or waste pipe.

B. Applications.

(1) Application for a permit shall be filed with the Building Inspector, in duplicate, on forms furnished by him, and shall contain a general description of the proposed work and its location, the type of occupancy, floor loads, height and such other pertinent information as may be required.

(2) Such application shall be made by the owner or lessee, or agent of either, or the architect, engineer or builder employed in connection with the proposed work. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee or the person making the application that the proposed work is authorized by the owner in fee and that the person making the application is authorized to make such application.

C. Plans.

(1) The Building Inspector shall not accept or approve any application accompanied by plans and/or specifications for any building, structure or alteration thereto costing more than ten thousand dollars ($10,000.) unless the plans and/or specifications are stamped with the seal of a licensed architect or a licensed professional engineer.

(2) Applications for permits shall be accompanied by two (2) copies of plans of the proposed work, accurately drawn to scale, including floor plans, sections, elevations and structural details. Such plans shall contain information, in the form of notes, as to quality of materials essential to conformity with this code.

D. Plot diagram.

(1) All applications, except as otherwise provided for in this section, shall be accompanied by a plot plan, drawn to scale, of the plot on which the proposed work is to be done showing the size and location of the proposed building and all existing buildings on the lot. Such buildings shall be fully dimensioned in themselves, their relation to each other, and all property lines.

(2) In the case of an interior alteration, or a minor exterior alteration to an existing structure, the filing of a plot diagram may not be required.

E. Fees.

(1) No permit shall be issued until the fee prescribed in this section shall have been paid at the time of making application for a permit. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

(2) [Amended 1-18-72] Each application shall be accompanied by the required fee, which shall be five dollars ($5.) for any undertaking, and two dollars ($2.) for each one thousand dollars ($1,000.), or portion thereof, of the estimated value up to and including ten thousand dollars ($10,000.), and three dollars ($3.) for each one thousand dollars ($1,000.), or portion thereof, of the estimated value above ten thousand dollars ($10,000.).

(3) The term "estimated cost" as used in this section means the reasonable value of all services, excava-

(Cont'd on page 1409)

tion, labor, materials and use of scaffolding and other appliances or devices entering into and necessary for the completion of the work.

(4) If, in the judgment of the Building Inspector, the estimated cost is manifestly incorrect, the Building Inspector may obtain estimates of the cost of the work and the expense of such estimates shall be paid for by the applicant.

F. Action on application.

It shall be the duty of the Building Inspector to examine applications for permits, within a reasonable time after filing. If, after examination, he finds no objection to the same, he shall approve such application and issue a permit as soon as practicable. If his examination reveals otherwise, he will reject such application, noting his findings in a report to be attached to the application and delivering a copy to the applicant.

G. Signature to permit.

Every permit issued by the Building Inspector shall have his signature affixed thereto.

H. Amendment.

Nothing in this section shall prohibit the filing of amendments to an application, or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was sought. Such amendments, after approval, shall be filed with and be deemed a part of the original application.

I. Posting of permit.

(1) A copy of the permit shall be kept on the premises open to public inspection during the prosecution of the work and until completion of the same.

(2) A certified copy of the approved plans shall be kept on the premises at all times from the commencement of the work to the completion thereof.

J. Expiration of permit.

(1) A permit under which no work is commenced within six (6) months after issuance shall expire by limitation and a new permit shall be secured before work is started.

K. Revocation.

(1) The Building Inspector may revoke a permit or approval issued under the provisions of this code in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

(2) Whenever, in the opinion of the Building Inspector, by reason of defective or illegal work in violation of a provision or requirement of this code, the continuance of a building operation is contrary, he shall order, in writing, all further work to be stopped until the condition in violation has been corrected.

§ 14-4. Certificate of occupancy.

A. New buildings.

No building hereafter erected shall be occupied or used, in whole or in part, until a certificate of occupancy shall have been issued by the Building Inspector certifying that such building conforms to the provisions of this code.

B. Temporary occupancy.

Upon the payment of one dollar ($1.) for such certificate, the Building Inspector may issue upon the request of the holder of a permit, or of the owner, a temporary certificate of occupancy for a building, provided that such temporary occupancy or use would not jeopardize life or property.

C. Buildings hereafter altered.

No building hereafter altered, wholly or in part, as to change its classification of occupancy, and no building hereafter altered for which a certificate of occupancy has not been heretofore issued, shall be occupied or used, in whole or in part, until a certificate of occupancy shall have been issued by the Building Inspector certifying that the work for which the permit was issued has been completed in accordance with the provisions of this code; provided that if the occupancy or use of such building was not discontinued during the work of alteration, the occupancy or use of the building shall not continue for more than thirty (30) days after completion of the alteration unless such certificate shall have been issued.

D. Certificate of occupancy.

A certificate of occupancy shall be issued within ten (10) days after application therefor, if the building at the time of such application shall be entitled thereto. Such certificate shall state the purposes for which the building may be used in its several parts, the maximum permissible live loads, the number of individual persons that may be accommodated, and all special stipulations of the permit, if any.

E. Change of occupancy.

No change in nature of occupancy shall be made unless such change is authorized under the provisions of this code unless a new certificate of occupancy is secured.

§ 14-5. Unsafe buildings.

A. All buildings or structures which are structurally unstable or unsanitary, inadequately provided with exit facilities, constituting a fire hazard or otherwise dangerous to human life are hereby declared unsafe. All such

buildings or structures shall be repaired, made safe and so certified by the Building Inspector. He shall cause any such building or structure not made safe and so certified to be vacated or removed.

B. Should the owner of the premises fail to repair or remove an unsafe building or structure, the Building Inspector shall cause the necessary removal to be done. Costs incurred shall be charged to the owner of the premises and shall be collected in the manner provided by law.

§ 14-6. Violations and penalties.

Any person or corporation who shall violate any of the provisions of this ordinance, including failure to apply for a building permit or certificate of occupancy, shall be liable to a penalty of not exceeding, in any one case of violation, one hundred dollars ($100.), to be recovered with costs; and any such violation shall also be deemed a misdemeanor punishable by a fine not exceeding fifty dollars ($50.) or imprisonment not exceeding fifty (50) days, or by both such fine and imprisonment. Each week's violation shall constitute a separate offense. Violations shall be prosecuted and penalties collected in the manner prescribed by law or ordinance effective in the Town of Rye.

§ 14-7. Abatement.

The imposition of the penalties or other punishment herein prescribed shall not preclude the Building Inspector from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to stop an illegal act, conduct, business or use of a building or structure, in and about the premises.

§ 14-8. Board of Review.

A. There is hereby established a board to be called the Board of Review, to be appointed by the Town Board,

consisting of three (3) members, the Chairman of which shall be designated by the Town Board. Of the members of the Board first appointed, one (1) shall hold office for a term of one (1) year; one (1) for the term of two (2) years; and one (1) for the term of three (3) years after he is appointed. Their successors shall be appointed for a term of three (3) years from and after the expiration of the term of their predecessor in office. If a vacancy shall occur, other than the expiration of the term, it shall be filled by the Town Board by appointment for the unexpired term. The Town Board shall have the power to remove any member of the Board for cause and after public hearing. All meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. Such Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions.

B. Whenever the Building Inspector shall reject or refuse to approve the mode or manner of construction to be followed, or materials to be used in the erection or alteration of a building or structure, or when it is claimed that the provisions of this code do not apply, or that an equally good or more desirable form of construction can be employed in a specific case, the owner may appeal from the decision of the Building Inspector to the Board of Review in the manner herein prescribed.

C. Said owner or his duly authorized agent shall, within five (5) days after notice of rejection, file notice of appeal with the Board. Such appeal shall indicate the nature of the appeal, with supporting evidence as may be necessary for an intelligent analysis of the matter of the appeal.

D. Hearings on appeals shall be open to the public. A concurring vote of two (2) members shall be necessary for the granting of a variance from the decision of the Building Inspector. Every action of the Board shall be by resolution, copies of which shall be certified to the Building Inspector and to the appellant. No member of the Board shall pass upon any question in which he is personally interested.

§ 14-9. Amendments to the code.

The Board of Review shall also act in an advisory capacity to the Town Board and may recommend to the Town Board such amendments of and additions to the code as it may deem advisable. Amendments to this code shall not require approval of the Board of Review.

§ 14-10. Definitions.

ALTERATION — As applied to a building or structure, means a change or rearrangement in the structural parts or in the exit facilities; or an enlargement, whether by extending on a side or by increasing in height; or the moving from one (1) location to another; the term alter in its various moods and tenses and its participial forms refers to the making of an alteration.

APARTMENT — Means a room, or suite of two (2) or more rooms, occupied as the home or residence of an individual, family or household.

APPROVED — As applied to any material, device or mode of construction, means approved by the Building Inspector under the provisions of this code as the result of investigations and tests approved by him, or by reason of accepted test or tests by recognized authorities.

AREA OF A BUILDING — Means the horizontal area within the exterior walls or between fire walls.

BASEMENT — Means a story of a building partly below grade, but having at least one-half (½) of its height, measured from finished floor to finished ceiling, above grade.

BOARDINGHOUSE — Means a building arranged for sleeping or feeding for pay of more than three (3) and less than fifteen (15) persons.

BUILDING — Means a combination of materials to form a construction that is safe and stable, and adapted to shelter or enclose persons or property of any kind; the term "building" shall be construed as if followed by the words "or part thereof."

BUILDING LINE — means a line, established by law, beyond which a building shall not extend, except as specifically provided by law.

BUILDING INSPECTOR — Means the official or other person charged with the administration and enforcement of this code, or his duly authorized representative.

CELLAR — Means that portion of a building the ceiling of which is entirely below or less than three (3) feet six (6) inches above grade.

COURT — Means an open, uncovered and unoccupied space, bounded on two (2) or more sides by the walls of the building. An innercourt is a court entirely within the exterior walls of a building. All other courts are outer courts.

CURB LEVEL — Means the elevation of the street grade established by the municipal authorities; referring to a building, it means the elevation at that point of the street grade that is opposite the center of the wall nearest to

and facing the street line; referring to an excavation, it means the elevation at that point of the street grade which is nearest to the point of the excavation under consideration.

DEAD LOAD — Means the weight of walls, partitions, floors, roofs and all other permanent construction of a building.

DORMITORY — Means a building containing a room or rooms arranged for sleeping quarters with accommodations for six (6) or more persons.

DWELLING — Means a building occupied exclusively for residential purposes for not more than two (2) families.

FIRE-RESISTANCE RATING — Means the time in hours that the material or construction will withstand the standard fire exposure as determined by a fire test conforming to the Standard Fire Test Requirements of the American Standards Association.

FIRE WALL — Means a wall provided for the purpose of resisting the passage of fire from one (1) structure to another or from one (1) area of a structure to another.

FLOOR AREA — Means a floor space enclosed by exterior walls, fire walls or fire partitions, or by a combination of them.

GARAGE — Means a building, or a part thereof, in which a motor vehicle is stored, housed or kept.

GARAGE, PRIVATE — Means a building, or part thereof, maintained or used for the convenience of the resident occupant or occupants of the premises and in which no business is carried on and no service is rendered to the public.

GARAGE, PUBLIC — Means any garage other than a private garage.

GASOLINE SERVICE STATION — Means a building, or premises or any portion thereof where volatile flammable oil for retail or wholesale supply to motor vehicles is stored, housed or sold.

HABITABLE ROOM — Means a room occupied for living, eating or sleeping, and includes kitchens.

HEIGHT — As applied to a building, means the vertical distance from grade to the highest point of the roof beams in the case of flat roofs and to the average height of roofs having a pitch of more than one (1) foot in four and one-half (4½) feet.

HEIGHT — As applied to a court, means the vertical distance from the level of the floor of the lowest story served by that court to the level under consideration.

HEIGHT — As applied to a story, means the vertical distance from top to top of two (2) successive tiers of floor beams or finished floor surfaces.

HEIGHT — As applied to a wall, means the vertical distance to the top measured from the foundation wall, or from a girder or other immediate support of that wall.

HOTEL — Means a building arranged for the shelter and accommodation for pay of fifteen (15) or more persons.

LIVE LOAD — Means all imposed, fixed or transient loads other than dead load.

LOT — Means a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

LOT LINE — Means a line dividing one (1) lot from another, or from a street or other public space.

MULTIPLE DWELLING — Means a building, or portion thereof, which is occupied by three (3) or more families, with separate living units and doing cooking or having cooking equipment within their apartments.

OCCUPIED — As applied to a building, shall be construed as though followed by the words "or intended, arranged or designed to be occupied."

OWNER — Includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

PLACE OF ASSEMBLY — Means a room or space in which provision is made for the seating of one hundred (100) or more persons for religious, recreational, educational, political, social or amusement purposes or for the consumption of food and drink, including all connecting rooms or spaces with a common means of entrance or exit.

PUBLIC HALL — Means a hall, corridor or passageway not within a dwelling unit or other occupied space.

REPAIR — Means the replacement of existing work with the same or similar materials for the purpose of maintainance and shall not include any alteration that would be in violation of this code.

RESIDENCE BUILDING — See § 14-11A(2).

WIDTH — as applied to an inner court, is its least horizontal dimension.

WIDTH — As applied to an outer court, is the shortest horizontal dimension measured in a direction parallel with the principal open end of such court.

YARD — Means a court or unoccupied space extending along the entire length of a front, rear or side lot line.

§ 14-11. Classification of occupancies.

A. Classification.

For the purposes of this code, all buildings or structures shall be classified, with respect to occupancy and use, as public buildings, residence buildings and commercial buildings, as hereinafter specified and defined.

(1) Public buildings are buildings or parts of buildings in which persons congregate for civil, political, social, educational, religious or recreational purposes, including, among others: schools, hospitals, fire houses, police stations, nursing and convalescent homes.

(2) Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, including, among others: apartments, dwellings, multiple dwellings, lodging houses, hotels, boarding-houses, convents, dormitories, studios and clubhouses having sleeping accommodations.

(3) Commercial and industrial buildings are buildings or parts of buildings occupied for the transaction of business, including, among others: office buildings, stores, markets, restaurants, warehouses, stables, public garages, gasoline service stations, greenhouses, factories and laboratories.

B. Mixed occupancy.

Where a portion of a building is used for different purposes, the provisions of this code applying to each class of occupancy shall apply to such parts of the building as come within that class; and if there should be conflicting provisions, the requirements securing the greater safety shall apply.

C. Doubtful classification.

In case a building is not specifically provided for, or where there is any uncertainty as to its classification, its status shall be fixed by a duly promulgated rule giving due regard to safety.

Class of Occupancy	*Fireproof Construction*		*Semi-Fireproof Construction*		*Ordinary Construction*			*Light Steel Construction*			*Frame Construction*	
	MAXIMUM							LIMITS				
	Area	Height	Area sq. ft.	Height	Height	Area sq. ft.	Street Fronts	Height	Area sq. ft.	Street Fronts	Height	Area sq. ft.
Public Bldgs.	NO LIMIT	40′ but not over 3 st y	NO LIMIT	40′ but not over 3 st'y	30′ but not over 2 st'y	5,000 6,000 7,500	1 2 3	30′ but not over 2 st'y	5,000 6,000 7,500	1 2 3	NOT PERMITTED	
Commercial and Industrial Buildings					Do	Do	Do	Do	Do	Do		Do
Public Garages		1 st'y		1 st'y		NOT PERMITTED						
Multi-Family Dwellings		2 st'y		2 st'y	2 st'y	2,000		2 st'y	2,000		2 st'y	1,250
Residences with More Than 15 Sleeping Rooms		3 st'y		3 st'y		NOT PERMITTED						
Dwellings		2 st'y		2 st'y	2 st'y			2 st'y			2 st'y	
Convalescent and Nursing Homes		2 st'y	12,000 sq. ft.	2 st'y		NOT PERMITTED						

NOTE: *In buildings equipped with an automatic sprinkler system, limiting areas may be increased by one hundred per cent.*

§ 14-12. Zoning restrictions.

The restrictions of the Zoning Ordinance shall not be deemed to be modified by any provisions of this code, and such restrictions shall be controlling except insofar as this code imposes greater restrictions by reason of the type of construction in which case the provisions of this code shall control.

§ 14-13. Classification of construction, heights, areas.

A. Types designated. For the purpose of this code, construction as used in buildings and structures shall be classified as follows:

(1) Fireproof construction.

(2) Semifireproof construction.

(3) Ordinary construction.

(4) Light steel construction.

(5) Frame construction.

B. Areas above shall not be exceeded, unless sprinklered, without subdivisions by fire walls of solid masonry, as provided in § 14-38.

§ 14-14. Special occupancy requirements.

A. Institutional, convalescent or nursing buildings.

(1) Institutional, convalescent or nursing buildings for occupants involuntarily detained or bedridden shall be of fireproof construction.

(2) Institutional, convalescent or nursing buildings for occupants which are not involuntarily detained or bedridden may be of semifireproof construction.

B. Theatres and motion-picture theatres.

(1) Theatres and motion-picture theatres shall be of fireproof or semifireproof construction, except that portions of such buildings not over one (1) story or forty (40) feet in height may have combustible roof construction if protected by fire-retardent ceilings.

(2) No theatre or motion-picture theatre shall be located within or attached to a building of other occupancy unless it is separated from such other occupancies by walls and floors of noncombustible construction having fire-resistance ratings of not less than three (3) hours.

C. Schools, assembly halls, dance halls, bowling alleys and auditoriums shall have floors of not less than one (1) hour fire resistance.

D. Wall and ceiling finish. In public and institutional buildings, and in all places of assembly and exit ways therefrom, no combustible material shall be used as interior wall or ceiling finish.

E. Business and residence separation. In buildings of other than fireproof or semifireproof construction, portions classified as of business occupancy shall be separated from portions classified as of residence occupancy by floors, partitions and ceilings having a fire-resistance rating of not less than one (1) hour and by fire-retardant ceilings. Such partitions, ceilings and floors shall, in addition, be soundproofed.

F. Separation of dwellings. Walls or partitions separating two (2) families shall consist of a form of construction having a fire-resistance rating of not less than one (1) hour. Such walls, if other than masonry, and partitions shall, in addition, be soundproofed.

G. Partitions in multi-family dwellings. In multi-family dwellings, partitions separating apartments or apartments from hallways or apartments from other occupancies, and partitions separating stores from hallways or other occupancies shall have a fire-resistance rating of not less than one (1) hour, with openings equipped with fire doors or with substantial metal or metal-covered doors or solid wood doors of the flush type not less than one and three-quarters (1¾) inch thick. Such partitions separating apartments from apartments, or apartments from stores shall, in addition, be soundproofed.

H. Fire walls, multi-family dwellings. Multi-family units served by one (1) or more stairs each shall be separated from each adjoining unit by fire walls of solid masonry having a fire-resistance rating of not less than two (2) hours.

§ 14-15. Light and ventilation.

A. Habitable rooms.

(1) Every habitable room shall have one (1) or more windows opening directly on a street, court or yard conforming to the requirements of this section.

(2) Such rooms shall be not less than seven (7) feet wide in any part, and shall not contain less than seventy (70) square feet of clear floor area. Such rooms shall have a clear height of not less than seven (7) feet six (6) inches for at least seventy-five percent (75%) of floor area with no portion less than five (5) feet in height.

(3) It shall be unlawful to divide a habitable room or enclose a part thereof by curtains, portieres, fixed or movable partitions or other contrivances or devices, unless each part of the room so divided or enclosed shall separately conform to the requirements of this section.

B. Other rooms.

(1) Every room occupied for office, clerical or administrative purposes and every room occupied as a store, salesroom, restaurant, market, kitchen serving a restaurant, laundry, machinery or boiler room shall be provided with one (1) or more windows opening directly on a street or on a court conforming to the requirements of this section, or such rooms shall be provided with ventilating skylights; or be provided with an approved means of mechanical ventilation.

(2) In public buildings, every room used as an auditorium or for public assembly, and every other room that is not provided with windows opening directly on a street or on a court shall be provided with an approved means of mechanical ventilation.

(3) A kitchenette may be separated from the adjoining room by doors, but every kitchenette shall have a window at least one-tenth (1/10) the area of the kitchenette opening directly on a street or a court; or be provided with an approved means of mechanical ventilation.

C. Bathrooms and water-closet compartments. Every bathroom and every room containing one (1) or more water closets or urinals shall be ventilated by one (1) or more windows opening on a street or on a court; or on a vent shaft which extends through the roof; or by a separate duct of incombustible material, not less than one (1) square foot in area for one (1) or two (2) water closets or urinal fixtures and one-third (⅓) of a square foot additional for each additional water closet or urinal fixture; or by a ventilating skylight; or by an approved means of mechanical ventilation.

D. Stairways and corridors.

(1) Every stairway, public hall or corridor in multi-family dwellings and in institutional buildings shall

be ventilated by one (1) or more windows opening directly on a street or on a court.

(2) Every recess or return, the depth or length of which exceeds twice the width of the hall or corridor that is shut off from any other part by a door or doors, shall be deemed a separate hall or corridor.

E. Rooms below grade. Every room, other than a habitable room, the ceiling of which is below grade or is less than four (4) feet above grade and which is frequented by the public or in which five (5) or more persons are regularly employed or congregate shall, unless provided with windows as required for habitable rooms, be provided with an approved means of mechanical ventilation.

F. Privacy.

(1) In multi-family dwellings, access shall be had to living rooms, kitchens and bedrooms without passing through a bedroom.

(2) Access without passing through a bedroom shall also be provided to at least one (1) water closet.

G. Windows.

(1) The aggregate glass area of windows required shall be not less than one-tenth (1/10) of the floor area of the room served by them; provided that in habitable rooms such glass area shall be not less than ten (10) square feet, and in bathrooms it shall be not less than three (3) square feet.

(2) Windows shall be so constructed as to have an aggregate openable area of at least fifty percent (50%).

H. Vent shafts.

Shafts shall have a cross-sectional area of not less than one-fifth (1/5) of a square foot for every foot of height of shaft, but not less than nine (9) square feet

in any case. No such shaft shall be less than two (2) feet in its least dimension.

I. Skylights.

(1) Skylights placed over shafts, vent shafts and stair enclosures shall be glazed with plain glass and protected by a substantial wire screen placed over the glazed portion. Such screen shall extend beyond the glazing on all sides a distance not less than the height of the screen above the glazing.

(2) When a skylight is located over a stairway, public hallway or a place of assembly, a similar screen shall also be placed below the skylight, unless there is an intermediate ceiling light.

(3) Ventilating skylights shall have movable sashes or louvers of an aggregate net area not less than required for openable parts of the windows they replace. Such skylights shall be constructed and protected as specified above in (1) and (2).

§ 14-16. Courts.

A. Width.

(1) Every court required to serve habitable rooms shall have a width, at any given level, of not less than one-third (⅓) of the height of such court, but not less than six (6) feet.

(2) Every other required court shall have a width, at any given level of not less than one-fourth (¼) of the height of such court, but not less than six (6) feet.

B. Area. The cross-sectional area of a required court shall be not less than one and one-half (1½) times the square of its required least dimension.

C. Intakes. Every court serving one (1) or more habitable rooms, that does not open for its full height on a street or yard, shall be connected at or near the bottom by a horizontal passage.

§ 14-17. Means of egress.

A. Exit way defined.

(1) EXIT WAY — Means the exit doorway or doorways, or such doorways together with connecting hallways or stairways, either interior or exterior, or fire escapes, by means of which persons may proceed safely from a room or space to a street or to an open space which provides safe access to a street. Exit ways from any room may lead through other rooms of the same tenancy.

(2) Two (2) or more separate exit ways may use the same corridor or hallway; provided that such corridor or hallway is enclosed by and separated from exit stairways and other parts of the building by partitions having a fire-resistance rating of not less than one (1) hour.

B. Number of occupants.

(1) The dimensions and capacity of exit ways shall be proportioned to the number of persons to be accommodated.

(2) When the number of persons to be accommodated by the exit way is not stated in the application for a permit or is not otherwise fixed, it shall be decided on the basis of the gross area of the space devoted to a particular purpose and shall be assumed to be as follows:

Occupancy	Gross area per person
Dance hall, lodge room or place of assembly	15 square feet
Store, street floor and sales basement	30 square feet
Other floors	60 square feet
Space used for occupancies not listed above	
Public	40 square feet
Institutional	150 square feet
Residences	125 square feet
Business	100 square feet
Storage	300 square feet

C. Number of exits.

(1) From rooms. Every room having an area exceeding one thousand (1,000) square feet or occupied by more than one hundred (100) persons shall have at least two (2) exit ways.

(2) From stories. Every story shall have at least one (1) exit way and every story that exceeds two thousand five hundred (2,500) square feet in area shall have at least two (2) separate exit ways.

(3) Apartments. In every two-story multi-family dwelling of other than fireproof or semifireproof construction having more than six (6) apartments using a common exit way, every apartment that has not direct exit to a street, or to a court opening on a street, shall have access to at least one (1) additional exit way separated from and independent of the primary stairway. Access to the separate and independent exit ways may be through the same corridor or hallway; provided that such corridor or hallway is enclosed by and separated from exit stairways and other parts of the building by partitions having a fire-resistance rating of not less than one (1) hour, except as otherwise prescribed.

(4) Places of assembly. Every room, gallery, balcony, tier or other space having a capacity of one hundred (100) or more persons shall have at least two (2) exit doorways, and where the capacity is more than six hundred (600) persons at least three (3) exit ways, and where the capacity is more than one thousand (1,000) persons at least four (4) exit ways. Such exit ways shall be independent of each other.

(5) Basements and cellars. All basements and cellars in all buildings except dwellings shall be provided with a stairway having direct access to a street or to a court or yard opening on a street.

D. Locations.

Exit doorways shall be so located that no point in a floor area, room or space served by them is more than one hundred (100) feet distant from an exit doorway, measured along the line of travel; except that when a floor area is subdivided into smaller areas, such as rooms in hotels and office buildings, the distance from the door of any room, along an unobstructed hallway, to an exit doorway, shall be not more than one hundred twenty-five (125) feet.

E. Remoteness. Where two (2) exits are required, they shall be placed as remote from each other as practicable.

F. Scuttles.

Unless provided with some other means of access to the roof, every building, except dwellings with peak roofs, shall have in its roof a scuttle or trap door with a substantial iron ladder leading thereto. No scuttle or trap door shall be located in a closet or other inaccessible space.

§ 14-18. Interior stairways.

A. Construction.

(1) Required interior stairways shall be constructed of noncombustible materials throughout, except in buildings of frame construction, and in buildings of ordinary construction occupied by not more than forty (40) persons above or below the first story above grade.

(2) In buildings more than two (2) stories high above grade with roofs having a pitch of not more than one (1) in four (4), at least one (1) required stairway shall continue to the roof.

B. Enclosures.

(1) In all fireproof and semifireproof buildings, and in all commercial and industrial buildings of other than fireproof or semifireproof construction, all interior stairs and shafts shall be enclosed with fire partitions having a rating of not less than two (2) hours.

(2) In multi-family dwellings of other than fireproof or semifireproof construction, interior stairs shall be enclosed with partitions having a fire-resistance rating of not less than one (1) hour.

(3) Interior stairs in dwellings occupied by one (1) family need not be enclosed.

(4) Nothing in this section shall require the enclosure of a flight of stairs from the main entrance floor to the next floor above, provided that such stair is not classified as a required stair and that the required stairs are enclosed as prescribed.

(5) No openings shall be permitted in the stair enclosures required, other than doorways, and such windows as are necessary for lighting. The doorways shall be equipped with approved self-closing fire doors, ex-

cept that when fire partitions are not required for the enclosures, solid flush-type self-closing doors of wood may be used.

C. Basement or cellar stairs.

Except in dwellings, basement or cellar stairways located under stairways from upper stories shall be completely enclosed by construction with a fire-resistance rating equal to the required enclosure above the basement and in no case less than one (1) hour.

D. Width.

(1) The minimum unobstructed width of every stairway serving as a required exit, except for handrails projecting not more than three and one-half (3½) inches into such width, shall be not less than forty-four (44) inches, provided that in residences, multi-family dwellings and in other buildings occupied by a single tenant and limited in occupancy to forty (40) persons, such width may be thirty-six (36) inches, and in dwellings the width may be thirty-two (32) inches.

(2) The aggregate width of exit stairways in any story, except in places of assembly, shall be such that they may accommodate at one (1) time the total number of persons permitted to occupy the largest floor area served by such stairways above that story, on the basis of one (1) person for each three (3) square feet of floor surface of the halls, landings and stair treads within the stairways; provided that, when the building is sprinklered, the required aggregate exit capacity may be reduced to two-thirds (⅔) in ordinary construction, and to one-half (½) in buildings of fireproof or semifireproof construction. The term "story" as used in this paragraph means the space included between two (2) successive floor levels at which there are exit doors leading into the stairway.

(3) In places of assembly, such aggregate width shall be not less than at the rate of twenty-two (22) inches for every one hundred (100) persons to be accommodated by such stairway.

(4) The hallway or corridor connecting a stairway with the exit doors leading to the street, or to a court, shall have a clear width of not less than the aggregate required widths of stairways served thereby.

E. Treads and risers.

(1) Treads and risers of required stairs shall be so proportioned that the product of the width of the tread, exclusive of nosing, and the height of riser, in inches, shall be not less than seventy (70) nor more than seventy-five (75); but risers shall not exceed seven and three-quarters (7¾) inches in height, and treads, exclusive of nosings, shall be not less than nine and one-half (9½) inches wide. Treads and risers shall be of uniform width and height in any one (1) story.

(2) The use of winders is prohibited in required stairways.

F. Landings.

(1) No flight of stairs shall have a vertical rise of more than twelve (12) feet between floors or landings; except that in stairways serving as exits in public buildings, such vertical rise shall not exceed eight (8) feet.

(2) The length and width of landings shall not be less than the width of stairways in which they occur.

G. Handrails.

(1) All stairs when less than forty-four (44) inches in width shall have handrails at least on one (1) side.

(2) Stairs when required to be forty-four (44) inches or more in width shall have handrails on both sides.

(3) When the required width of a stairway exceeds eighty-eight (88) inches, an intermediate handrail, continuous between landings, securely supported and terminating at the upper end in newels or standards at least six (6) feet high, shall be provided.

H. Space under stairs.

Except in dwellings and in the case of where no other stair is directly underneath another one, the space under stairs shall be left entirely open and kept clear and free from encumbrances.

I. Ramps.

Ramps may be used in place of stairways, provided such ramps are constructed and enclosed as required for the stairway displaced. No such ramp shall have a slope exceeding one (1) foot in ten (10) feet.

J. Lighting.

Required stairways, hallways and other means of exit, including exterior open spaces to or through which exits lead, shall be kept adequately lighted at all times that the building served thereby is occupied.

§ 14-19. Fire towers and exterior stairways.

A. Fire towers.

(1) Except as specified below, fire towers when installed shall conform to the requirements for interior stairways.

(2) The enclosing walls shall be of approved masonry and there shall be no openings in such walls, except for the necessary doors or windows. The roof shall be of fireproof construction.

(3) Access to the stairway at each story served by a fire tower shall be by vestibules or outside balconies having floors of noncombustible materials and provided with substantial railings at least four (4) feet high. without any openings over eight (8) inches in width. Such balconies shall adjoin a yard or court. The balconies shall be level with the floors of the building. The clear width of such connecting balconies and vestibules shall be not less than that required for hallways. Self-closing fire doors, swinging in the direction of travel from the building to the fire tower, shall be provided at both building and fire-tower ends of such balcony or vestibule.

B. Exterior stairways.

(1) Exterior stairways shall conform to the requirements for interior stairs, except that screen-wire enclosures shall be provided on all exposed sides to a height of five (5) feet. Such exterior stairways may be accepted as a means of egress provided there is at least one (1) additional approved interior stairway.

(2) Access. Each story served by an exterior stairway shall have access to the stairway direct through an exit doorway.

(3) Openings protected. All doors and windows opening on or within ten (10) feet of such stairs shall be protected with approved automatic fire doors or automatic fire windows.

(4) Construction. Exterior stairs shall be of sufficient strength to sustain a live load of one hundred (100) pounds per square foot. Such stair shall be constructed entirely of noncombustible materials except on buildings of wood frame construction in which case such stairways may be constructed of wood members not less than two (2) inches thick.

§ 14-20. Fire escapes.

(1) Exterior fire escapes shall be constructed of incombustible materials.

(2) Such fire escapes shall be of sufficient strength to sustain a live load of one hundred (100) pounds per square foot.

(3) They shall be so located that they can be readily and safely reached by the occupants of the building and shall provide safe egress at the foot of the same to a yard or court.

(4) Unless the stair or ladder leading to the ground is permanently fixed, the stair or ladder shall be so constructed as to permit it to be easily and quickly released and placed in rigid position for use and, in the case of stairs, shall be counterbalanced. Fire escapes shall have a balcony at each story which shall be at least thirty-six (36) inches wide and at least fifty-four (54) inches long, and shall be provided with stairs extending to the ground level with a maximum riser of eight (8) inches and a minimum width of tread of eight (8) inches exclusive of nosing. Drop ladders or counterbalanced stairs may be permitted only when the height of the lowest balcony is sixteen (16) feet or less above the ground level. Drop ladders where permitted shall be provided with approved type of guides and hooks.

§ 14-21. Width of hallways.

The clear width of every hallway or passage leading to a required exit shall be not less than at the rate of twelve (12) inches for every one hundred (100) persons to be accommodated by the hallway but not less than forty-four (44) inches; provided that in dwellings and multi-family dwellings, or in case less than forty (40) persons are to be accommodated, the minimum clear width may be thirty-six (36) inches.

§ 14-22. Doors and doorways.

A. Width.

No exit doorway, except in multiple dwellings, shall have a clear width of less than thirty-four (34) inches (nominal thirty-six-inch door). The aggregate clear width of doorways serving as exits for more than forty (40) persons shall not be less than at the rate of twenty-two (22) inches for every one hundred (100) persons to be accommodated.

B. Hanging of doors.

(1) The doors of required doorways shall be hung and so arranged that when opened they shall not in any way diminish or obstruct the required width of hallways, stairs or other means of exit.

(2) Doors leading directly to a street shall not, in any position, project beyond the building line. Doorways serving as exits to a street from required stairways of any building, except residence buildings occupied by one (1) family, or to an open court or yard, shall have the doors, including the doors of vestibules, so hung as to swing outward when opening; but this requirement shall not be construed to prohibit the use of doors swinging both inward and outward, nor of sliding doors in garages, and in the shipping and receiving rooms of business buildings.

(3) No doors shall open immediately on a flight of stairs, but a landing the length and width of which are not less than the width of such door shall be provided between such door and such stairs.

(4) All exit doors in rooms occupied by fifty (50) or more persons and all exit doors in exit ways from places of assembly shall be hung to swing in the direction of exit travel, but this requirement shall not be construed to prohibit doors swinging both inward and outward.

C. Revolving doors.

(1) Revolving doors, to be acceptable as exit doors, shall have a width equal to that required for an acceptable swinging door, the width in the case of such a door with rigid braces being the width of a single wing, and in the case of such a door in which the wings may be readily released from one another by pressure so they may swing independently, being the aggregate clear width of the two (2) openings on each side of the central shaft.

(2) Revolving doors shall not be used as exit doors in theatre, institutional or other buildings occupied as stores where more than seventy-five (75) persons are likely to congregate, unless there are also exit doors of the swinging type, having an aggregate width of at least fifty per cent (50%) of required width of exit doors and there is at least one (1) swinging door adjacent to each revolving door.

(3) Revolving doors shall be used in exit ways only at points of egress from the first story at or just above grade.

§ 14-23. Fireproof construction.

A. General.

All structural members shall be of approved noncombustible construction.

B. Walls.

(1) Exterior walls and wall panels shall have a fire-resistance rating of not less than four (4) hours.

(2) All bearing walls shall be constructed of solid masonry or reinforced concrete.

(3) Lintels over openings in walls shall be protected as required for beams; provided that when the span does

not exceed four (4) feet, or such opening is spanned by a fireproof beam above the lintel, the fireproofing may be omitted. Stone lintels shall not be used unless supplemented with iron or steel lintels, capable of taking the full load.

C. Columns.

Columns shall be protected with materials and construction having a fire-resistance rating of not less than four (4) hours.

D. Floors and roofs.

(1) Floor and roof construction shall have a fire-resistance rating of not less than three (3) hours.

(2) Floor and roof slabs in reinforced concrete construction, other than slabs supported on steel joists, shall be at least four (4) inches thick.

(3) Beams and girders supporting masonry shall be protected by materials and construction having a fire-resistance rating of not less than three (3) hours and floor and roof beams and girders, other than those supporting walls, shall have a fire-resistance rating of less than three (3) hours.

(4) Trusses supporting columns or masonry walls shall be protected by materials and construction having a fire-resistance rating of not less than four (4)hours. Other trusses shall be protected by materials and construction having a fire-resistance rating not less than three (3) hours except that trusses which support only roof loads and ceilings over floor areas having a clear height not less than twenty-five (25) feet below the lower chords of the trusses may be protected by a ceiling of noncombustible construction having a fire-resistance rating of not less than one (1) hour.

(5) No pipes, wires, cables or other service equipment shall be embedded in any required fireproofing.

E. Partitions.

(1) Only noncombustible material shall be used for corridor partitions, for partitions enclosing toilet rooms and other service compartments and for partitions separating the spaces occupied by separate tenants.

(2) Nothing in this section shall prevent the erection of temporary partitions of wood, glass or other approved material within rooms or spaces occupied by single tenancy.

F. Flooring, trim and interior finish.

(1) Where wooden sleepers are used for wood floors, the space between the floor slab and the underside of the wooden flooring shall be filled with noncombustible material.

(2) Wooden trim used for door or window casings, chair rails, cornices, baseboards shall be solidly backed with noncombustible material.

§ 14-24. Semifireproof construction.

A. General.

All structural members shall be of approved noncombustible construction.

B. Walls.

(1) Exterior walls and panel walls shall have a fire-resistance rating of not less than four (4) hours.

(2) All bearing walls shall be constructed of solid masonry or reinforced concrete.

(3) Lintels over openings in walls shall be protected with materials and construction having a fire-resistance rating of not less than three (3) hours, except that when the span does not exceed six (6) feet, or such opening is spanned by a fireproofed beam above the lintel, the fireproofing may be omitted.

C. Columns.

Columns shall be protected with materials and construction having a fire-resistance rating of not less than three (3) hours.

D. Floors and roofs.

(1) Floor and roof construction shall be protected by materials and construction having a fire-resistance rating of not less than two (2) hours.

(2) Beams and girders supporting masonry shall be protected by materials and construction having a fire-resistance rating of not less than three (3) hours. Other beams and girders shall have a fire-resistance rating of not less than two (2) hours.

(3) Trusses supporting columns or masonry walls shall be protected by materials and construction having a fire-resistance rating of not less than three (3) hours. Other trusses shall be protected with materials and construction having a fire-resistance rating of not less than two (2) hours; except that trusses which support only roof loads and ceilings over floor areas having a clear height not less than twenty-five (25) feet below the lower chords of the trusses may be protected by a ceiling of noncombustible construction having a rating of not less than one (1) hour.

(4) No pipes, wires, cables or other service equipment shall be embedded in any required fireproofing.

E. Partitions.

(1) If combustible material enters into the construction of partitions, they shall be built to have a fire-resistance rating of not less than one (1) hour.

(2) Nothing in this section shall prevent the erection of temporary partitions of wood, glass or other approved material within the rooms or spaces occupied by single tenancy.

F. Flooring, trim and interior finish.

(1) Where wooden sleepers are used for wood floors, the space between the floor slab and the underside of the wooden flooring shall be filled with noncombustible material.

(2) Wooden trim used for doors or window casings, chair rails, cornices and baseboards shall be solidly backed with noncombustible material.

§ 14-25. Ordinary construction.

Ordinary construction, as applied to buildings, means that in which exterior walls and bearing walls are of masonry or of reinforced concrete, and in which the structural members, including columns, floors and roof construction, are wholly or partly of wood, or of steel or iron not protected as required for fireproof or semifireproof construction.

§ 14-26. Light steel construction.

A. Definition.

LIGHT STEEL CONSTRUCTION — As applied to buildings, means that in which exterior walls, bearing partitions, floor and roof construction are wholly of light steel or iron not protected as required for fireproofng or semifireproof construction; and in which the exterior wall studs are covered with masonry, veneered or otherwise, stucco or other durable weatherproof material as approved by the Building Inspector.

B. Steel stud walls.

(1) General. Steel studs, steel joists and other steel supports used in the structural frame of light steel construction, shall be light-weight rolled sections or sec-

tions made of commonly accepted or specially formed light-gauge flat rolled sheets; or a combination of both used alone or in combination with other materials of construction.

(2) Strength. Steel studs, steel joists and other steel supports shall be so designed and constructed that the working stresses as fixed in the code are not exceeded. The minimum thickness of metal permitted for bearing studs, floor- and roof-framing members shall be sixteen (16) gauge, and for roof decks, supported on ribs, twenty (20) gauge.

(3) Construction.

(a) Steel studs, steel joists and other steel supporting members used in the structural frame of light steel construction shall be connected together by welding, riveting, bolting or other approved methods. Steel members supported on masonry or reinforced concrete shall have end bearings at least four (4) inches in length and the ends of such members shall be provided with approved joist anchors thoroughly embedded therein.

(b) Bearing plates shall be securely welded, riveted or bolted to such floor and roof members, and to studs and other supporting members. Such plates shall be anchored to masonry or reinforced concrete walls.

(c) Where studs do not continue full length from one (1) story through the next story above, a cap plate or other steel member shall be provided on top of the lower-story studs. Such cap plate or steel member shall be of sufficient strength to distribute adequately the loads from the upper-story studs to the lower-story studs.

(4) Fire-stopping. Fire-stopping shall conform with the provision of § 14-27O and § 14-44.

§ 14-27. Wood frame construction.

A. Definition.

WOOD FRAME CONSTRUCTION — As applied to buildings, means that in which walls and interior construction are wholly or partly of wood.

B. Exterior walls.

(1) Framing for exterior walls shall be so constructed as to develop a strength and rigidity equivalent to wood studding, not less than two by four (2 x 4) inches, spaced sixteen (16) inches on centers with the larger dimension perpendicular to the wall.

(2) Corner posts shall be no less than three (3) two-by-four-inch studs nailed together or the equivalent thereof.

(3) Except in the case of where exterior wood sheathing is applied diagonally, exterior walls shall be braced at all corners with no less than one-by-four-inch bracing let into faces of studding, set at forty-five degrees (45°) and nailed with two (2) nails at every bearing.

C. Sills.

(1) Sills shall be bedded in mortar and anchored to the foundation wall at intervals not exceeding six (6) feet by anchors not less than one-half (½) inch in diameter embedded at least eight (8) inches in the foundation.

(2) Sills for one-story buildings, other than private garages to be no less than two by six (2 x 6) inches.

(3) Sills for two-story buildings, other than platform construction, shall be two (2) two by six (2 x 6) inches nailed together.

(4) Sills for one-story private garages may be two (2) two by fours (2 x 4) nailed together.

(5) In platform construction, sill resting directly on the foundation wall shall be no less than two by six (2 x 6) inches, with outer vertical floor timber same in size as floor joists. Exterior wall sill under studs, in this case shall be two by four (2 x 4) inches.

(6) For one-story residence buildings in which concrete floor panel heating systems are installed, sills shall be no less than two (2) two by fours (2 x 4) nailed together.

D. Plates.

Plates shall be no less than two (2) two by fours (2 x 4) nailed together.

E. Ledger boards.

Ledger boards or ribbons shall be one by six (1 x 6) inches let into studs and securely nailed with two (2) nails to each stud.

F. Sheathing.

(1) Exterior wall sheathing may be of wood sheathing boards three-quarter (¾) inch thick, plywood no less than five-sixteenths (5/16) inch thick, asphalt saturated fibre boads no less than three-quarter (¾) inch thick, or water-repellant asphalt-treated gypsum core board no less than one-half (½) inch thick.

(2) Fiber or gypsum board is not acceptable as a nailing base. Where such boards are used for wall sheathing, one by three (1 x 3) inch nailing strips shall be applied over the sheathing boards, using nails long enough to pass through sheathing and penetrating

at least one (1) inch into the studs. Nailing strips shall be spaced according to shingle or siding exposure.

(3) Roof sheathing may be sheathing board three-quarter (¾) inch thick or plywood as provided in § 14-27S(3).

G. Building paper.

(1) Water-resistant building paper shall be applied over all wall and roof sheathing of wood.

(2) Building paper may be omitted over fiber board or gypsum sheathing which has been factory-treated to render it water-resistant, except behind masonry veneer and exterior stucco finish.

H. Beams and girders.

(1) Wooden beams and joists, except headers and trimmers, shall have a bearing of at least four (4) inches.

(2) Wooden trimmers, headers and tail joists over six (6) feet in length unless supported on walls or girders, shall be hung in approved stirrups or hangers. The ends of the beams shall be securely nailed to the supporting members.

(3) Beams if not more than six (6) feet in length, framing flush with girders may rest on no less than a two by two (2 x 2) inch ledger board securely nailed to girder and ends of beams nailed to girder.

(4) Beams shall be doubled under partitions which run over and parallel to the beams, or shall be designed for the load.

(5) Where piping or duct work occurs, block joists apart at four-foot intervals.

(6) Beams around all openings such as for stairs, shafts, chimneys, etc., shall be doubled if within strength requirements, or shall be designed to take the load.

(7) Beams resting on ledger boards of exterior walls shall be securely nailed to studs.

(8) The ends of beams resting in masonry shall be cut to a bevel of three (3) inches in their depth.

I. Anchorage.

(1) All trimmers and at least one (1) beam in every six (6) feet resting on masonry walls shall be secured to such walls by approved T-metal straps applied at or near bottom.

(2) Where floor or roof joists or beams run parallel to masonry walls, such joists or beams shall be tied to masonry with metal straps spaced not more than eight (8) feet for dwellings, and six (6) feet in other buildings.

(3) Wall plates and roof construction shall be anchored to masonry walls at least every six (6) feet by anchors not less than one-half (½) inch in diameter embedded at least eight (8) inches in masonry.

J. Columns and posts.

(1) All wood columns and posts shall be squared at the ends, and cap and base plates and dowels, if required shall be provided.

(2) Wood columns or posts, where exposed to possible dampness, shall have the ends treated with wood preservative.

(3) No wooden column or post shall be used in basements or cellars for any type of construction.

(4) Column or post caps shall be drilled for fastening to girders.

(5) Column or post bases, if not built into masonry, shall be drilled for anchor bolts.

K. Load-bearing partitions.

(1) Load-bearing partitions shall be the equivalent of two-inch by four-inch (2 x 4) studs, spaced not more than sixteen (16) inches on centers with the larger dimension perpendicular to the wall. Top plates shall be two (2) two by fours (2 x 4) and bottom or sole plate two by four (2 x 4) inches. All bearing partitions shall have one (1) horizontal row of bridging in height, of same size as studs.

(2) No wood-bearing partitions in basements or cellars will be allowed.

(3) Except in dwellings not over one (1) story high, all bearing partitions shall be supported at basement or cellar ceilings on steel or reinforced concrete girders.

L. Bridging.

Wood cross bridging shall be placed between joists if the span is over eight (8) feet. The distance between bridging or between bridging and bearing shall not exceed eight (8) feet. Wood cross bridging shall not be less than one and one-fourth by three (1¼ x 3) inches. Rigid metal bridging of design approved by the Building Inspector may be used.

M. Roof framing; trusses.

(1) All roof rafters shall be designed to support all superimposed loads and so framed and tied into framework and supporting walls as to form an integral part of the whole building.

(2) In pitched roofs all valley rafters shall be doubled.

(3) Rafters and headers shall be doubled around all dormer, chimney and other openings.

(4) Depth of ridge, valley and hip rafters shall not be less than cut end of rafter.

(5) Roof rafter ends resting on plates shall have full bearing over plates and shall not be notched to extend below top of plate more than one sixteenth (1/16) the depth of the rafters.

(6) Collar beams shall be no less than one by six (1 x 6) inches spaced no more than forty-eight (48) inches on centers. When collar beams are above the lower third (⅓) of the rafters, and ties are not provided at the plate line, provision shall be made for tying the lower end of rafters to floor, ceiling or wall construction. If the collar beams serve as ceiling joists in such cases, they shall be of same thickness and spacing as rafters.

(7) Detail of all timber trusses, their connections and bearings, shall be submitted for approval.

N. Cutting of beams.

No beam or girders shall be cut more than one-sixth (1/6) the depth of the beams or girders at bearings, nor cut or drilled at other points to reduce their strength.

O. Fire-stopping.

(1) Exterior walls shall be fire-stopped at each floor level, at the top story ceiling level, at the roof level in the case of flat roofs, and at the foot of roof rafters in the case of sloping roofs.

(2) Joists shall be fire-stopped at the ends and over supports for the full depth of the joists.

(3) Interior stud partitions shall be fire-stopped at the floor and ceiling of each story.

(4) Fire-stopping shall be of noncombustible material or of wood not less than two (2) inches in thickness.

P. Openings. All wall openings in stud walls four (4) feet wide or less shall be provided with double header not

less than two (2) two by four (2 x 4) inches, securely fastened together, and such headers shall have two-inch solid bearing to the floor or plate. All openings more than four (4) feet wide shall be provided with lintels designed to take the load.

Q. Subflooring.

Subflooring boards shall be three-fourth (¾) inch thick, laid diagonally, or plywood of thickness conforming with the provisions of Paragraph S of this section.

R. Bed for tile floors.

(1) Wood sheathing on one by two (1 x 2) inch cleats shall be installed below floor beams allowing a minimum of three-inch concrete bed for tile floors in bathrooms.

(2) Tile floors may be set in one and one-fourth-inch reinforced concrete bed over wood subfloor.

S. Plywood.

Maximum spacing of floor joists, exterior wall studs, interior wall studs and roof rafters shall be as follows:

(1) Plywood Subfloor. Minimum thickness of plywood for subfloor shall be five-sixteenth (5/16) inch thick if used under three-quarter-inch wood finish floor with maximum spacing of floor joists sixteen (16) inches o.c. If used as subfloor under composition floors with maximum spacing of floor joists sixteen (16) inches o.c., for forty (40) pounds live load only, plywood shall be a minimum of three-quarter-inch thick. For live loads over forty (40) pounds, plywood subfloor shall be of thickness designed to take the load.

(2) Plywood exterior wall sheathing. Minimum thickness of plywood for exterior wall sheathing shall be five-sixteenth (5/16) inch maximum stud spacing of sixteen (16) inches.

(3) Plywood roof sheathing. Minimum thickness of plywood for roof sheathing shall be as follows:

Roofing material	Maximum spacing of rafters (inches)	Minimum plywood thickness (inches)
Wood and asphalt shingles	16	5/16
Slate, tile and asbestos cement	16	½
Flat roofs	16	3/8

T. Interior dry-wall finish.

(1) Material. Plywood, fiberboard, gypsum board, hard board or other compressed composition or natural board when approved by the Building Inspector may be used.

(2) Stud spacing. Minimum stud spacing shall be sixteen (16) inches o.c. for one-quarter (¼) inch plywood or hard board, three-eighths (⅜) inch gypsum board or one-half (½) inch fiberboard. Solid blocking shall be installed behind all joints.

(3) Solid backing. Dry-wall-finish boards may be nailed or cemented in place over solid-wood or plaster backing.

(4) Joints. Joints in dry-wall-finish boards may be taped, tongued and grooved, ship lapped or battened.

(5) Nailing. Plywood, fiberboard, gypsum board, when not cemented in place, shall be nailed to conform with the provisions of Paragraph V following. Other hard board or compressed composition or natural boards shall, if not cemented in place, be nailed in accordance with the manufacturer's directions.

U. Exterior wall finish.

(1) Exterior walls may be of wood, asbestos cement or noncorroding metal siding or shingles; exterior grade

plywood; stucco; masonry veneer; or other durable and stable weatherproof material if request for use of such is accompanied by a written report from recognized authorities certifying to the material's suitability as such to the satisfaction of the Building Inspector.

(2) Application of asbestos-cement siding and shingles shall be over solid heathing. Wood strips only as a nailing base is not acceptable.

(3) Asbestos-cement and noncorrosive metal siding and shingles shall be applied with noncorrosive nails in accordance with manufacturer's directions.

(4) Where corner boards are used, they shall be applied to both faces of the wall.

(5) All edges of plywood used for exterior wall finish shall be coated with white lead. All joints shall be filled with mastic and covered with battens. Plywood shall be nailed in place with noncorrosive nails.

V. Recommended nailing schedule.

Stud to sill plate	3-16d toe nail
Stud to cap plate	2-16d end nail
Double studs	16d—30″ o.c.
Sill plate to joist or blocking	20d—16″ o.c.
Cap plates, spiked together	16d—24″ o.c.
Cap plate laps	3-16d face nail
Floor joists to studs	3-16d face nail
Floor joist to sill or girder	2-16d toe nail
Ceiling joists to plate	2-16d toe nail
Ceiling joists to alternate rafters	3-16d face nail
Ceiling joists, laps over partitions	3-16d face nail
Collar beam	4-10d face nail

Bridging to joists	2-8d each end
Diagonal brace, to stud and plate, each bearing	2-8d face nail
Roof rafter to plate	3-16d toe nail
Roof rafters to ridge	2-16d toe nail
Jack rafter to hip	3-10d toe nail
Ledger strip	3-20d face nail at each joist
Ribbon, 6″ or less	2-10d face nail at each bearing
1″ sub-flooring, 6″ or less	2-8d face nail each joist
2″ sub-flooring	2-20d face nail each joist
1″ sheathing, 8″ or less	2-8d face nail each bearing
1″ sheathing, over 8″	3-8d face nail each bearing
Plywood	6d 6″ o.c. edges 12″ o.c. interior
Gypsum sheathing	Large head, corrosion resistive 7-No. 11g x 1¾″ per bearing under shingles. 4 per bearing all other cases.
Fiber board sheathing	8d 3″ o.c. edges 8d 6″ o.c. interior
Shingles — wood	corrosion resistive 2-No. 14 B&S each bearing
Siding	corrosion resistive 2-8d each bearing

W. Stress skin panels.

Approved panels or other integrated assemblies fabricated of dimension lumber with wood stress-coverings glued thereto, or consisting of structural units of metal-covered or plywood or approved plastics, formed into prefabricated load-bearing members may be permitted for use in floors, roofs, walls, partitions, and ceilings if complying with this code as regards strength and safety. The fastenings of covering assemblies to structural studs, ribs or joists shall provide rigidity equivalent to approved gluing. Nailing shall not be acceptable for that purpose.

X. Built-up lumber construction.

Buildings and structures may be designed and erected of glued, laminated structural members of standard commercial or stress-grade lumber, or of composite members of plywood and dimension lumber.

§ 14-28. Prefabricated construction.

Provided, that all requirements of this code are met with, such as for strength, stability, public safety, light and ventilation; and that drawings, details and application for permit are accompanied by duly authenticated written reports of tests made by recognized authorities testifying to the structural strength and stability to the satisfaction of the Building Inspector, no provision of this code shall be construed to prohibit the erection and occupancy of buildings prefabricated of accepted known materials or new materials, in units, subassemblies, panels or sections.

A. Drawings. Drawings and details shall be complete, legible and together with the specifications, shall cover all phases of the prefabricated construction, identifying and describing all materials, including data of the physical properties of the component materials used.

B. Integral accessories. When unit service equipment is furnished with and forms an integral part of the prefabricated subassembly, the construction shall be preformed to accommodate accessory conduits, piping, ducts, outlet boxes and fittings; and no material essential to the structural strength of the unit or assembly shall hereafter be removed during installation on the site. All unit service equipment shall comply with the requirements of the Plumbing Code, National Board of Fire Underwriters and this code.

C. Expert services. When a system of construction involves unusual design analysis, the Building Inspector may require the submitter to retain a competent expert to assist in his determination. The costs of experts' service, investigations and tests, when required, shall be paid for by the submitter.

D. Below-grade construction. Prefabricated construction shall not be permitted in cellar, basement or part story below grade unless specifically approved by the Building Inspector. All such subsurface structures shall be constructed of approved masonry complying in all respects to the code.

§ 14-29. Roofing, flashing and roof drainage.

A. Roofing.

(1) Every roof hereafter placed on a building shall be covered with concrete, tile, slate, metal, asbestos, prepared asphalt asbestos-felt shingles or built-up roofing finished with asphalt, slag or gravel or other approved material.

(2) For all buildings other than that of fireproof or semifireproof construction, which do not exceed two (2) stories in height nor two thousand (2,000) square feet in area, roofings which are classified at Class C under the test specifications of the Underwriters' Laboratories, Inc., will be accepted.

(3) Roofings for fireproof or semifireproof buildings shall be those classified as Class A or Class B.

(4) Edge-grain wood shingles may be used as roofings for dwellings and attached private garages only.

B. Flashings.

Copper or other approved corrosion-resistive flashing shall be installed at the intersection of chimneys and other masonry

construction with frame or stucco walls or roofs; in all valleys, and around all dormers and roof openings; over door and window openings and all projecting wood trim; and wherever necessary to prevent moisture penetration.

C. Roof drainage.

All roofs of all buildings except dwellings and attached private garage thereto shall be drained into storm-water drainage system if such exists in the street or to dry wells or to the street gutter.

§ 14-30. Miscellaneous requirements.

A. Garages.

(1) A private garage may be erected on the same lot with a dwelling provided that such garage is not more than one (1) story high, nor more than six hundred (600) square feet in area, and that such garage shall be placed at least three (3) feet from a lot line and, if not attached to the dwelling in any way, ten (10) feet from a dwelling.

(2) A private garage which does not exceed two thousand (2,000) square feet in area nor one hundred (100) feet in length may be erected on the same lot with a multi-family dwelling, provided such garage is not more than one (1) story high. Two (2) or more such garage buildings may be placed on the same lot but shall not be within ten (10) feet of each other. No such single garage nor group of garages shall be less than three (3) feet from a lot line and no less than twenty (20) feet from a multi-family dwelling. Each car space shall be separated from the other by nine-gauge two-inch wire mesh in angle-iron frame and intermediate posts from floor to ceiling. At every fourth car space, the separating wall shall be of masonry no less than six (6) inches thick from floor to ceiling.

(3) A private garage for not more than three (3) cars, nor more than six hundred (600) square feet in area, may be attached to or form a part of a dwelling provided that the separating wall shall be metal-lathed and plastered or be of other construction having a fire-resistive rating of not less than one (1) hour. Other walls and ceilings of such a garage shall be covered with three-eighths-inch gypsum board or other fire-resistive material. If such garage is partly or wholly under living quarters, such garage walls and ceilings shall be lathed and plastered, or be of other construction having a fire-resistance rating of not less than one (1) hour, and in addition the ceiling between beams shall be insulated with four (4) inches of noncombustible material. Opening from a garage to a dwelling shall be restricted to one (1) doorway, the door of which shall be metal, metal-covered or covered with one-fourth-inch approved asbestos board, or solid wood of the flush type not less than one and three-fourths (1¾) inches thick equipped with self-closing device. No attached garage shall be less than eight (8) feet from a side lot line. The door sill of a communicating door of such a garage and basement or adjoining living quarters shall be not less than six (6) inches above the garage floor level.

(4) Public garages shall be constructed of fireproof or semifireproof construction. Boiler rooms in such garages shall be wholly enclosed within fireproof walls of solid masonry having a fire-resistance rating of not less than two (2) hours with door openings protected by approved fire doors.

(5) All garages shall be provided with windows or approved mechanical means of ventilation.

(5) All garages shall have floors of concrete, asphalt or other approved noncombustible material.

(6) Driveway grades shall not exceed fifteen percent (15%) from the property line for the entire length of the driveway. **[Added 2-19-63]**

(7) Where a driveway leads to a garage whose floor is below the level of the street, and below the level of the ground along both sides of such driveway, a drain of sufficient size [but not less than four (4) inches] shall be installed in front of the garage door or doors and be connected to the storm-water sewer in the street. **[Added 2-19-63]**

(8) Where a storm-water sewer is not available, the drain shall be connected to a dry well with earth floor, of forty (40) cubic feet capacity, built of masonry units laid with open joints, capped with flagstone or concrete as the Building Inspector may direct. The dry well shall not be filled with stone, brick or other material. **[Added 2-19-63]**

B. Fire-resistive ceilings.

(1) In dwellings, the ceiling of a cellar immediately above and for at least four (4) feet beyond all sides of any heating furnace or boiler and for a width of four (4) feet immediately above and for the full length of the smoke pipe, shall be covered with lath and plaster, or of other construction having a fire-resistance rating of not less than one (1) hour.

(2) The ceilings of cellars and basements, in all other buildings whose floor is not of fireproof construction, shall be lathed and plastered.

C. Basement partitions. Except in dwellings, partitions hereafter erected in cellars and basements shall be constructed of materials having a fire-resistance rating of not less than one (1) hour, except as otherwise provided.

D. Concrete slabs on ground.

(1) Concrete slabs on ground used as an underfloor in habitable rooms shall be no less than four (4) inches thick placed over a five-inch gravel bed topped with one (1) inch of sand and membrane waterproofing. Where the concrete slab is used for radiant heating, a waterproof insulation no less than one-half (½) inch thick and three and one-half (3½) feet wide shall be laid over the membrane waterproofing along all exterior walls. Such insulation shall extend up concrete slab at least four (4) inches at junction of slab and exterior walls. All concrete slabs on ground shall be reinforced with wire mesh no less than twelve gauge spaced not more than six (6) inches o.c. both ways.

(2) If by reason of dampness in the ground, the Building Inspector shall deem it necessary to do so, drains shall be installed in the gravel bed and carried through exterior walls to shed water away from the building.

E. Unexcavated areas.

(1) The minimum distance between the bottom of floor beams and the ground shall be no less than two (2) feet. Such space shall be provided with adequate cross ventilation.

(2) The ground in the aforementioned air spaces shall be thoroughly cleaned of all debris, and where the soil is damp and not of a sandy nature, the ground shall be covered with no less than one and one-half (1½) inches of approved bituminous or other non-porous material.

F. Ventilation; attic and other spaces.

(1) All attics shall be cross-ventilated by windows or screened louvers.

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(2) All spaces between ceilings and flat roofs shall be cross-ventilated by screened louvers along perimeter of roof and roof vents having an area of not less than one-three hundredths (1/300) of the square foot area to be vented.

(3) When room spaces below attic spaces are ventilated by means of exhaust fans, the ceiling grills shall be equipped with automatic dampers, or hinged noncombustible door panel above grill, covering entire grill opening, provided with chain and fuseable link. Gable end louvers shall be no less than one and one-half (1½) square feet in area to each one thousand (1,000) CFM rating of the fan.

G. Exit signs.

Required exit doorways in all buldings except multi-family dwellings, and dwellings shall be plainly marked with approved exit signs, sufficiently illuminated to be readily distinguished.

H. Projections beyond the building line.

(1) The main cornice, cornices of show windows including metal awning covers may project not more than twelve (12) inches beyond the building line provided no such projection is less than twelve (12) feet above the sidewalk level.

(2) Drop awnings, attached to buildings, may extend beyond the building line up to within eighteen (18) inches of the street line, provided that when let down to their full extent, they are not less than eight (8) feet above the sidewalk.

(3) Base courses, sills or mouldings shall not project beyond the building line more than two (2) inches.

(4) Footings of street walls may project beyond the building line not more than twelve (12) inches provided such footings are not less than eight (8) feet below the sidewalk level.

(5) No fire escapes or exit balconies shall project beyond the building line.

(6) No entrance and exit doors, when open, shall project beyond the building line.

(7) No vaults or areaways may project beyond the building line except by special permit issued by the Building Inspector.

I. Sanitation during construction.

Until permanent provision is made, adequate temporary toilet facilities shall be provided during the erection, alteration, repair or demolition of a building.

J. Toilet rooms and bathrooms.

All floors and base in toilets, washrooms and bathrooms and all shower stalls in all buildings shall be made waterproof with cement, tile, marble, slate or other approved material impervious to water. Stalls may be of similar materials or of coated noncorrosive metal. Areas above bathtubs to a height of six (6) feet shall be made waterproof with the tile or marble or other wall and floor material impervious to water.

§ 14-31. Materials, loads and stresses.

A. Materials. All building materials shall be of good quality. Workmanship in the fabrication, preparation and installation of materials shall conform to generally accepted good practice.

B. Live loads.

(1) Every building and structure shall be designed and erected of sufficient strength in all its parts to sustain safely all live loads depending thereon, whether permanent or temporary, in addition to the dead loads.

(2) Floor loads. No floor hereafter erected in a building shall be designed for less than the following live loads per square foot of area uniformly distributed, according as the floor may be intended to be used for the purposes indicated:

Public buildings

Assembly halls, auditoriums, churches:

Fixed seats	60
Movable seats	100
Classrooms	50
Corridors	100

Institutional buildings:

Hospitals, sanitariums

Private rooms	40
Ward rooms	40
Public spaces and corridors	80

Dwellings, multi-family dwellings, bedroom floors in hotels, dormitories:

Rooms	40
Public halls and corridors	80
Uninhabitable attic spaces	20

Business buildings:

Offices	50
Public halls and corridors	100
Stores, light merchandise	125
Stores, heavy merchandise	250

Stairs:

Dwellings	40
Multi-family dwellings, office buildings, institutional buildings	80
Public buildings, places of assembly	100
Sidewalks	200

Garages:

Passenger	75
Truck or mixed	175

(3) Roof loads. Every roof hereafter erected shall be designed to carry safely a vertical live load as follows:

Rise of 4 inches or less in one foot	40
Rise of 12 inches or less in one foot	30
Rise of more than 12 inches in one foot	20

(4) When occupancies or uses not listed above are involved, the live load shall be determined in a manner satisfactory to the Building Inspector.

(5) Posting of live loads. The live load for which each floor, or part of a floor, of a business building or a storage building hereafter erected is designed and approved shall be conspicuously posted in that part of the story to which it applies.

C. Dead loads.

For the purpose of computing dead loads, weights of building materials shall be assumed to be as follows, in pounds per cubic foot:

Brickwork	120
Concrete, stone	144
Concrete, light weight aggregate	108
Concrete, hollow block, stone aggregate	90
Concrete, hollow block, light-weight aggregate	50
Granite, bluestone or marble	168
Limestone	156
Oak	48
Cypress and short-leaf yellow pine	36
Douglas fir, cedar or white pine	30
Steel	490

Partitions, in pounds per square foot of wall surface:

Wood studs 2″ x 4″, plastered two sides	18
Solid plaster 2″ with metal studs and lath	19
Plaster on masonry or blocks	5
Gypsum tile, 2″ solid	7
Gypsum tile, 3″ hollow	10
Gypsum tile, 4″ hollow	13

4″ glass block masonry	18
Roofing, in pounds per square foot of surface:	
Wood shingles	3
Asbestos shingles	4
Asphalt shingles	6
Slate, ¼″	10
Copper or tin	1
Clay tile	10-18
Skylights, metal and wire-glass	8

D. Stresses.

(1) Every building or structure hereafter erected and all new construction in the alteration of an existing building or structure shall be so designed and constructed that the working stresses fixed in this section are not exceeded.

(2) Higher stresses than herein specified may be used only if it is clearly established, by test or other approved evidence, that material of a higher grade is to be employed.

E. Masonry. The working stresses, in pounds per square inch, in masonry in compression shall be as follows:

	Cement mortar	Cement lime mortar
Granite	1000	840
Marble	600	500
Limestone	700	600
Sandstone	400	300
Brickwork, solid	325	250
Concrete block, solid	175	125
Concrete block, hollow	80	70
Cinder block, solid	175	125
Cinder block, hollow	80	70
Clay tile, hollow	125	100
Concrete, 1:2:4		650

	Cement mortar	Cement lime mortar
Concrete, 1:2½:5		500
Reinforced concrete		
Extreme fiber of concrete, in compression		650
Concrete in shear		40
Concrete in shear, when diagonal tension is resisted by steel		100
Bond between concrete and steel		80
Bond between concrete and approved deformed bars		100
Structural grade steel reinforcement, in tension		18,000
Cold-drawn-steel wire, in tension		20,000

F. Steel. The working stresses, in pounds per square inch, in structural steel shall be as follows:

Tension	20,000
Compression in columns, maximum	17,000
Extreme fiber stress in flexure, in tension	20,000
Fiber stress in pins	30,000
Shear in web plates, maximum	13,000
Shear in pins and power-driven rivets	15,000
Bearing on pins and power-driven rivets in single shear	32,000
Bearing on pins and power-driven rivets in double shear	40,000
Tension and compression for steel joists other than hot-rolled steel beams used as joists	18,000

G. Cast iron. The working stresses, in pounds per square inch, in cast iron, shall be as follows:

Direct compression in short blocks	10,000
Extreme fiber stress in compression	10,000
Extreme fiber stress in tension	3,000
Shear	3,000

H. Wood. The working stresses, in pounds per square inch, in wood, shall be as follows:

(1) Beams.

	Bending extreme fiber	Horizontal shear	Compression across grain	Short columns
Douglas fir Coast-type No. 1 common ..	1,200	70	325	1,100
Douglas fir Coast-type structural	1,600	90	345	1,200
Douglas fir Coast-type dense structural	1,800	105	345	1,300
Yellow pine, long-leaf merchantable '05	1,600	125	375	1,200
Yellow pine, long-leaf No. 1 common	1,200	125	375	1,000
Yellow pine, short-leaf No. 1 common	1,200	125	375	1,000

(2) Wood columns and compression members.

	Unit compression stress in pounds per square inch (net cross section) where L/d equals or is less than:						
	10	12	15	20	25	30	35
Douglas fir, coast-type, No. 1 common	1,100	1,080	1,050	940	702	487	358
Douglas fir, coast-type, structural	1,200	1,175	1,130	985	702	487	358
Douglas fir, coast-type, dense structural	1,300	1,265	1,210	1,025	702	487	358
Oak, red and white, sound square edge ..	1,000	980	945	830	613	426	313
Yellow pine, long-leaf, merchant's '05	1,200	1,175	1,130	985	702	487	358
Yellow pine, long-leaf, No. 1 common	1,000	985	960	880	702	487	358
Yellow pine, short-leaf, No. 1 common	1,000	985	960	880	702	487	358

L/d shall mean the slenderness ration, or the length of the square, rectangular or round columns, in inches, divided by the least side or diameter.

I. The size of joists, beams and rafters shall in all cases, irrespective of any other requirements of this code, be sufficient at all points to keep the combined stresses due to live, dead and other loads for which the building is designed within the limits prescribed by § 14-31H.

Allowable maximum clear spans in feet and inches, of joists, beams and rafters one thousand, two hundred (1,200) EF shall be as follows. Rafter spans measured from plate to ridge or intermediate support. Slope of four (4) to twelve (12) and greater.

Size	Spacing	Floors, 40-pound live load, with finished ceiling	Floors, 40-pound live load, no ceiling	Ceiling joists with finished ceiling—no live load	Uninhabitable attics 20-pound live load, finished ceiling	Rafters, 30-pound roof load
	16			10-6	8-3	7-4
2 x 4	20			9-8	7-6	6-7
	16	9-1	10-0	16-5	12-10	13-3
2 x 6	20	8-5	9-1	15-0	11-9	12-4
	16	12-1	13-2	20-0	17-1	17-5
2 x 8	20	11-2	12-2	19-0	15-8	15-5
	16	15-2	16-3	24-0	21-8	21-10
2 x 10	20	13-10	14-7	23-0	19-10	20-0
	16	18-3	20-1			
2 x 12	20	16-8	18-4			
	16	14-11	16-0			
3 x 8	20	14-0	13-9			
	16	16-0	19-0			
3 x 10	20	15-0	17-3			
	16	22-7	22-6			
3 x 12	20	21-3	10-9			

§ 14-32. Excavations.

A. Until provision for permanent support has been made, excavations shall be properly guarded and protected to prevent the same from becoming dangerous to life or limb, and, where necessary, shall be sheet-piled or braced to prevent the adjoining earth from caving in, by the person causing the excavation to be made.

B. The person causing any excavation to be made shall prevent the movement of the earth in the adjoining property and the trees and natural objects thereon or therein and maintain or restore all the public sidewalks, curbs, pavements and the property of public utilities located within street lines, which may be affected by the excavation.

C. When an excavation is made on any lot, and provision for the support of adjoining earth is not otherwise made in accordance with law, the person making such excavation or causing it to be made shall, at his own cost and expense, build a retaining wall to support the adjoining earth, and such retaining wall shall be carried to the height of the adjoining earth, and be properly protected by coping.

D. In case there is a party wall along a lot line of the premises where an excavation is being made, the person causing the excavation to be made shall, at his own expense, preserve such wall in a safe condition and, when necessary, shall underpin and support it by proper foundations.

§ 14-33. Soil-bearing capacity.

A. In the absence of satisfactory tests, the bearing value per square foot of different soils shall be deemed to be as follows:

Soft clay	1 ton
Wet or loose confined sand	2 tons
Stiff clay	2 tons
Fine clean compact sand	3 tons
Hard dry clay	3 tons
Compact coarse sand	6 tons
Gravel	6 tons
Hardpan or hard shale	10 tons
Medium rock	15 tons
Natural bed rock	40 tons

B. In case the soil under the footings of any one (1) building is partly rock and partly yielding soil, the bearing capacity of the yielding soil shall be taken at not more than one-half (½) of the capacity otherwise allowed.

C. No building shall be constructed with footings supported directly on filled ground unless such ground is proved satisfactory to the Building Inspector by tests and then it may be used for light buildings only.

§ 14-34. Foundations.

A. General.

Except when erected upon hardpan or solid rock, foundation wall footings shall be carried to a depth of not less than three (3) feet six (6) inches.

B. Footings.

(1) Footings shall be so designed that the pressure on the soil per unit of area shall, so far as possible, be uniform under all parts of the building or structure.

(2) Footings shall not be laid on frozen soil.

(3) Footings shall be of concrete or reinforced concrete.

(4) Footings which support any wall, pier, column or chimney in a dwelling shall not be less than six (6)

inches deep and eight (8) inches wider than wall, pier or chimney above, and not less than twelve (12) inches deep and twelve (12) inches wider than wall, pier or chimney above in any other building.

C. Pile foundations.

Requirements for pile foundations shall conform to the latest edition of the National Building Code recommended by the National Board of Fire Underwriters.

§ 14-35. Foundation walls.

A. Materials.

Foundation walls shall be built of masonry or reinforced concrete of adequate strength and thickness to resist lateral pressures from adjacent earth and to support their vertical loads.

B. Thickness.

The thickness of foundation walls shall be sufficient at all points to keep the combined stresses due to live, dead and other loads for which the building is designed within the limits prescribed in § 14-31E.

(1) In dwellings supporting wood-frame structures not over two (2) stories high, foundation walls if enclosing a cellar shall be of solid masonry not less than eight (8) inches thick or of hollow concrete blocks not less than ten (10) inches thick.

(2) In dwellings supporting wood-frame structures not over two (2) stories high, without cellar, and other foundation walls in unexcavated areas of such buildings, the foundation walls shall be of solid masonry of hollow block not less than eight (8) inches.

(3) In dwellings with masonry-veneered wood-frame walls or with ten-inch cavity walls, not over two (2) stories high, foundation walls if enclosing a cellar shall be

of solid masonry not less than eight (8) inches thick or of hollow concrete blocks not less than ten (10) inches thick. Such eight-inch walls shall be corbelled out with solid units to provide a bearing the full thickness of the wall above.

(4) In dwellings supporting wood-frame construction not more than one (1) story high, without cellar, but with first floor a concrete slab on ground, foundation walls shall be of solid masonry not less than six (6) inches thick or of hollow block not less than eight (8) inches thick. If with masonry-veneered wood-frame walls or with ten-inch cavity walls, foundation walls shall be of solid masonry or of hollow blocks not less than eight (8) inches thick corbelled out with solid units to provide a bearing the full thickness of the wall above.

(5) In multi-family dwellings with wood-frame structures not over two (2) stories high, and in multi-family dwellings with masonry-veneered wood-framed walls or ten-inch cavity walls, not over two (2) stories high, foundation walls shall be of solid masonry not less than ten (10) inches thick, or of hollow concrete block twelve (12) inches thick.

(6) Foundation walls supporting masonry walls above in all other buildings shall be of solid masonry not less than the thickness of the wall above, except that when supporting masonry walls are of maximum allowable height for their thickness, foundation walls shall be four (4) inches thicker than the wall above.

(7) Foundation walls of rubble stone shall be at least sixteen (16) inches thick, but shall not be used for buildings exceeding two and one-half (2½) stories high.

(8) Foundation walls for approved prefabricated buildings shall be of thickness as determined by Build-

ing Inspector, but in no case less than specified above for buildings otherwise constructed.

(9) Foundation walls for private garages with wood-frame construction shall be of solid masonry not less than six (6) inches thick or of hollow blocks not less than eight (8) inches thick.

(10) Foundation walls for private garages supporting masonry walls above shall be of solid masonry, same thickness as walls above.

(11) Piers shall be of solid masonry.

(12) Area walls of solid masonry or hollow block shall be bonded to foundation wall.

(13) All masonry units in foundation walls shall be laid in cement mortar or cement-lime mortar.

C. Bearings.

Hollow masonry unit foundation walls shall be capped with a minimum of four (4) inches of solid masonry for support of floor beams, and with six (6) inches of solid masonry under girders.

D. Waterproofing and dampproofing.

In buildings hereafter erected, if by reason of dampness in the ground the Building Inspector shall deem it necessary to do so, foundation walls and floors shall be rendered waterproof or dampproof by an approved process.

§ 14-36. Masonry.

A. Materials.

All masonry shall be constructed of approved materials. Approved masonry shall comply with the provisions of this section.

B. Construction.

(1) All masonry shall be protected against freezing for at least forty-eight (48) hours after being placed. Unless adequate precautions against freezing are taken, no masonry shall be built when the temperature is below thirty-two degrees Fahrenheit, (32°F.) on a rising temperature or below forty degrees (40°) on a falling temperature, at the point where the work is in progress. No frozen materials shall be built upon.

(2) Except when carried independently by girders at each floor, no wall shall be built up more than twenty (20) feet in height in advance of other walls of the building.

(3) Masonry walls that meet or intersect shall be adequately bonded or anchored.

(4) Except for window-paneled backs and permissible chases and recesses, walls shall not vary in thickness between their lateral supports. When a change of thickness, due to minimum thickness requirements, occurs between floor levels, the greater thickness shall be carried up to the higher floor level.

(5) Isolated piers on the interior of buildings shall not be built of stone. The unsupported height of piers shall not exceed ten (10) times their least dimension. All piers shall be built of solid masonry or of hollow concrete blocks solidly filled with concrete or cement mortar. No isolated pier shall be built of hollow blocks in fireproof or semifireproof construction.

(6) Door, window and other openings in walls shall be spanned by well buttressed arches, or by lintels having bearings proportioned to their loads but not less than four (4) inches.

(7) No masonry shall be supported on wooden girders or other form of wood construction.

(8) No timber, other than nailing blocks not exceeding two by four by eight (2 x 4 x 8) inches in size shall be placed in masonry walls; except that in buildings of ordinary construction timber lintels may be placed over openings to serve as centers for masonry arches.

(9) During erection, walls shall be adequately braced and arches temporarily supported.

C. Mortar.

(1) Cement mortar. Cement mortar shall be composed of one (1) part of cement and a maximum of three (3) parts of sand, to which may be added at most fifteen percent (15%) of the cement content in hydrated lime or lime putty.

(2) Cement-lime mortar. Cement-lime mortar shall be composed of one (1) part cement, one (1) part lime putty or hydrated lime and a maximum of six (6) parts of sand.

(3) Lime mortar. Lime mortar shall be composed of one (1) part lime putty or hydrated lime and a maximum of three (3) parts of sand.

(4) Other mortars. Other mortars may be used provided they have a tensile strength of one hundred fifty (150) pounds per square inch at the age of twenty-eight (28) days and provided each individual brand is approved by the Building Inspector.

(5) Cement. Cement shall comply with the standard specifications of the A.S.T.M.

(6) Lime. Hydrated lime shall comply with the standard specifications of the A.S.T.M.

D. Brick masonry.

(1) In solid brick walls, at least every sixth course shall be a header course or there shall be at least one (1) full length header in every one and one-half (1½)

square feet of wall surface, provided that the distance between adjacent full headers shall not exceed twenty (20) inches either vertically or horizontally. In walls more than twelve (12) inches thick the inner joints of header courses shall be covered with another header course which shall break joints with the course below.

(2) When running bond is used in solid brick walls every sixth course shall be bonded into the backing in a substantial manner.

(3) All brick shall be thoroughly wetted just previously to being laid.

(4) Horizontal and vertical joints in brick masonry shall be filled with mortar.

E. Stone masonry.

(1) In stone masonry at least ten per cent (10%) of the face area shall consist of header stones having not less than four (4) inches of bond into the backing masonry. All headers shall be at least twelve (12) inches in width and eight (8) inches in thickness.

(2) All stone walls twenty-four (24) inches or less in thickness shall have at least one (1) header extending through the wall in every three (3) feet in height from the bottom of the wall, and in every three (3) feet in length.

F. Hollow walls, cavity walls.

(1) In hollow walls or cavity walls of brick or solid block, and walls and piers of hollow blocks, suitable provision shall be made at each line of floor beams and wherever load concentrations occur, to insure proper bearing.

(2) When hollow walls or cavity walls, or walls of hollow blocks in which the cells of the block are laid

vertical are decreased in thickness, the blocks in the top course of the thicker wall shall be filled solidly with mortar or the exposed openings in such top course shall be covered with slabs of hard-burned tile or concrete at least one (1) inch in thickness or the openings may be stopped in some other approved manner.

(3) In hollow walls, the parts of same shall be connected by bonds of brick, stone or the material of the wall, placed not more than twenty-four (24) inches apart in either direction; but the parts shall not be deemed to act together in the support of loads unless such bonds are of a size and design to fully develop the strength of either part.

(4) In cavity walls, the cavity shall be kept free of mortar droppings, and approved noncorrosive flashings shall be installed and adequate drainage provided to keep dampness from the inner section of the wall.

(5) Brick facing or lining when used in hollow block walls shall be bonded to the backing with at least one (1) header course in every six (6) courses of brick, or there shall be at least one (1) full header in every one and one-half (1½) square feet of wall surface.

G. Faced walls.

(1) Stone ashlar. Stone-ashler facing shall have at least twenty percent (20%) of the superficial area not less than four (4) inches thicker than the remainder of the facing to form bond stones, which shall be uniformly disposed in the wall.

(2) In stone ashler every stone that is not a bond stone and every stone that projects wholly or in part beyond the face of the wall, shall be securely anchored to the backing with substantial approved corrosion-resistant metal anchors.

(3) Other facings. Other facings not of masonry may be used provided bonding, tying or other means of application and erection are submitted to the Building Inspector for approval.

H. Masonry veneer.

(1) Natural or manufactured stone, solid rectangular units of masonry, architectural terra cotta or other similar approved solid materials, used for the facing of the wall, shall be at least three and one-half (3½) inches thick, and such veneer shall be securely anchored to the backing by means of corrosion-resistant metal anchors, one (1) inch for each three hundred (300) square inches of wall surface. Standard three-and-three-quarter-inch brick used for facing shall be tied to the backing either by a header for every three hundred (300) square inches of wall surface or by substantial corrosion-resistant metal wall ties spaced no farther apart than one (1) foot vertically and two (2) feet horizontally.

(2) Veneer shall rest directly upon a foundation wall, or upon other approved masonry, reinforced concrete or steel.

(3) Corrosion-resistant flashing to prevent moisture from penetrating behind the veneer shall be provided over wall openings and other places as may be required.

(4) The maximum height of veneered walls with masonry backing shall be forty (40) feet above the foundation or other approved support. Veneer on frame buildings shall not exceed twenty (20) feet in height except in gable ends.

I. Glass blocks.

(1) Glass blocks may be used on exterior or interior walls and in partitions, but they shall not be used in any fire wall, party wall, or the enclosing wall of any

stairway, shaft or vertical opening. Glass-block panels shall not carry any live or dead load except their own weight.

(2) Glass blocks used in exterior walls shall be set in waterproof mortar.

(3) Glass blocks used in interior walls or partitions shall be set in mortar or approved metal frames.

(4) Panels constructed of glass blocks shall not exceed one hundred forty-four (144) square feet of unsupported wall surface, or shall not exceed twenty (20) feet in one direction between structural supports.

(5) Where glass blocks are to be used as a veneer in masonry construction, the glass-block panels shall be self-supporting, with suitable ties into the masonry wall, and shall be clear from and not adhering to the masonry.

§ 14-37. Wall thicknesses.

(1) The thickness of masonry walls shall in all cases, irrespective of any other requirements of this code, be sufficient at all points to keep the combined stresses due to live, dead and other loads for which the building is designed within the limits prescribed by § 14-31E, allowable stresses in masonry.

(2) Dwellings. In dwellings not more than one (1) story high the thickness of solid masonry walls, veneered solid masonry bonded with four-inch hollow block, or hollow block shall be not less than eight (8) inches thick.

(3) Dwellings. In dwellings and multi-family dwellings not more than two (2) stories high, the thickness of solid masonry walls shall not be less than eight (8) inches; or ten (10) inches thick of solid masonry

bonded with six-inch hollow block; or ten (10) inches thick of hollow block or cavity wall.

(4) Business and other buildings. In business and other buildings not more than one (1) story high of other than fireproof construction, the walls shall be of solid masonry not less than eight (8) inches thick, provided they are reinforced at intervals not exceeding twenty (20) feet with cross walls, piers or buttresses.

(5) Business and other buildings. In business and other buildings more than one (1) story high, of other than fireproof or semifireproof construction, the thickness of solid masonry walls shall not be less than twelve (12) inches for the uppermost twenty-five (25) feet in height and shall increase four (4) inches in thickness thereafter.

(6) In business and other buildings of fireproof or semifireproof construction, the thickness of solid masonry walls shall not be less than twelve (12) inches thick for the uppermost thirty-five (35) feet in height and shall increase four (4) inches in thickness thereafter.

(7) Panel, apron and spandrel walls. Panel walls of masonry in skeleton-frame structures shall be no less than eight (8) inches thick of solid masonry, or twelve (12) inches thick if such walls are of hollow masonry. Panel walls constructed of noncombustible materials or assemblies of materials, if approved by the Building Inspector, shall have a fire-resistance rating of not less than two (2) hours.

(8) No walls shall be more than fifty (50) feet in length between cross walls, piers or buttresses.

(9) All walls exceeding fifty (50) feet in length between cross walls or piers shall be increased four (4) inches in thickness.

(10) All walls in which openings exceed fifty percent (50%) of the surface area shall be increased four (4) inches in thickness.

(11) All walls where clear horizontal spans between bearing walls exceeds twenty-six (26) feet shall be increased four (4) inches in thickness.

(12) Nonbearing walls may be four (4) inches less in thickness than otherwise required for walls provided that no such wall shall be less than eight (8) inches thick. If such walls are fire or party walls, they must conform to the provisions of § 14-38.

§ 14-38. Fire walls and party walls.

A. Construction.

Fire walls and party walls shall be constructed of solid brick masonry the same thickness as exterior bearing walls, but in no case less than twelve (12) inches thick. When constructed of reinforced concrete, fire walls and party walls for business and storage buildings shall be not less than eleven (11) inches thick, and for other buildings no less than nine (9) inches thick. Fire walls and party walls shall extend at least three (3) feet above the roof; except where the roof is of fireproof or semi-fireproof construction, in which case the fire walls and party walls shall be carried up tightly against the underside of the roof slabs

B. Openings.

Every opening in a required fire wall shall be protected on each side of the wall with an approved self-closing fire door. No opening shall exceed one hundred twenty (120) square feet in area with no dimension greater than twelve (12) feet, and the aggregate width of all openings shall not exceed twenty-five percent (25%) of the wall.

§ 14-39. Fire partitions.

A. Construction.

Fire partitions shall have fire-resistance rating of at least two (2) hours. They shall be constructed of approved masonry or of other approved form of construction of noncombustible materials. Fire partitions may be used as load bearing provided they conform to the requirements of this code for bearing walls. Fire partitions shall be supported in each story on construction having a fire-resistance rating of not less than two (2) hours; the maximum unsupported height shall not exceed thirty (30) times its total thickness unless suitably anchored and reinforced, and the length between intermediate supports or bracing shall not exceed twenty (20) feet.

B. Openings.

Fire partitions shall have no openings other than required door openings with approved self-closing fire doors set in approved door frames.

§ 14-40. Parapet walls.

A. Except as listed below, parapets shall be provided on all fire walls, party walls and exterior walls of masonry or reinforced concrete. Parapets are not required on:

(1) Walls connecting with roofs of fireproof construction or semifireproof construction.

(2) Walls of a detached dwelling, or of a building not exceeding one thousand (1,000) square feet in area.

(3) Walls of a building where the roof has an angle of more than twenty degrees (20°) with the horizontal.

B. Parapet walls shall be of solid masonry as thick as the top story wall and shall extend no less than two (2) feet

above the roof where parapet walls are eight (8) inches thick and three (3) feet above the roof where parapet walls are twelve (12) inches thick.

C. Parapet walls shall be coped with incombustible weatherproof material.

§ 14-41. Solid plain concrete walls.

A. Plain concrete shall be composed of one (1) part portland cement, two (2) parts sand and four (4) parts course aggregate by volume measured dry, and not more than seven and one-half (7½) gallons of water per sack, ninety-four (94) pounds of cement.

B. The minimum thickness of walls of plain concrete may be two (2) inches less than that required for solid masonry walls, but not less than eight (8) inches, except as called for, for specific uses in § 14-35B and § 14-38A.

C. Solid walls of concrete shall be supported at right angles to the wall surface at intervals not exceeding twenty (20) times the wall thickness by cross walls, piers or buttresses.

§ 14-42. Reinforced concrete and reinforced gypsum.

A. Reinforced concrete.

The Building Code requirements for reinforced concrete as adopted by the American Concrete Institute as adopted and amended will be accepted as reinforced-concrete construction.

B. Reinforced gypsum.

The American Standard Building Requirements for reinforced gypsum concrete as approved by the American

Standards Association will be accepted in reinforced-gypsum-concrete construction.

§ 14-43. Chases.

A. No chase shall extend into a wall more than one-third (⅓) of its thickness, but no chase shall be cut in an eight-inch wall or in a hollow wall or cavity wall or within the required area of a pier, except that chases under a window not more than four (4) inches deep and no wider than the width of a window may be built in a wall eight (8) inches thick and over. The backs and sides of such chases shall be waterproofed.

B. Chases in walls of hollow block and cavity walls shall be made with properly formed blocks.

C. No chases shall be built in fire walls.

D. No hoizontal chase shall exceed four (4) feet in length.

E. Chases shall be filled in solidly with incombustible material within the floor thickness at each floor level.

§ 14-44. Fire-stopping.

A. When the walls are furred, the space created by the furring shall be fire-stopped with noncombustible material at floors, ceilings and roofs. The fire-stopping shall be the full thickness of the furring and extend from the ceiling to the underside of the flooring or roof.

B. When joists run parallel to the wall the space between the wall and nearest joist shall not be less than one (1) inch and shall be solidly filled with masonry or approved noncombustible material.

§ 14-45. Steel and cast iron.

A. General.

The Standard Specification for the Design, Fabrication and Erection of Structural Steel for Buildings, latest edition, as adopted by the American Institute of Steel Construction, will be accepted in steel construction; and The Standard Specifications for Steel Joists and The Code of Standard Practice, latest edition, as adopted by the Steel Institute, will be accepted in steel joist construction.

B. Cast iron.

Cast-iron columns shall be provided with drilled caps for bolting to steel girders or lag screwing to wood girders, and drilled bases for anchoring to masonry or steel beams. Bolting of column bases to masonry may be omitted if embedded in concrete.

C. Bearing plates.

Lintels, steel joists, beams, girders or trusses, supported at either end by a wall or pier, shall be properly anchored thereto and shall rest upon bearing plates or steel or stone of such design and dimensions as to distribute safely the loads on the masonry, unless the bearing surface of the lintels, steel joists or beams is sufficient to distribute the load.

D. Steel joists.

Steel joists shall be tied together in such manner as to prevent lateral movement of the top and bottom flanges. Every third steel joist resting on masonry shall be anchored thereto with approved anchors embedded in the wall. Steel joists supported on steel beams shall be welded, bolted or anchored thereto with approved anchors.

E. Protection against corrosion.

All structural steel shall receive one (1) shop coat of paint before erection, and a second coat of paint, of different shade, after erection.

§ 14-46. Fire-resistance ratings.

For fire-resistance ratings of materials and combination of materials not listed below, the requirements of the American Society for Testing Materials shall govern.

WALLS	Rating in hours
Brick, solid, 8″ thick	2
Brick, solid, 12″ thick	4
Brick, hollow, cavity type	1
Hollow blocks, concrete or cinder, 6″ thick	1½
Hollow blocks, concrete or cinder, 8″ thick	2
Plain concrete, 5″ thick	2
Plain concrete, 7″ thick	4
Reinforced concrete, 6″ thick	3
Reinforced concrete, 7″ thick	4

PARTITIONS	
Metal frame, metal lath and plaster, 2″ thick	1
Metal stud, hollow, metal lath and plaster, both sides	1
Wood studs, 2x4, metal lath and plaster, both sides	1
Wood studs, 2x4, ⅜″ gypsum lath and plaster, both sides	1
Wood studs, 2x4, ½″ gypsum wall board, stud spaces filled with mineral wood bats	1
Wood studs, 2x4, two layers ⅜″ gypsum wall board glued together, fastened with 1⅞″ nails; joists filled and nail heads covered with joint cement	1
Wood studs, 2x4, ⅝″ gypsum wall board fastened with 1⅞″ nails; joints covered with fibre tape and joint cement	1
Wood studs, 2x4, 3/16″ cement asbestos boards over ⅜″ gypsum wall board	1
Wood studs, 2x4, two layers ½″ gypsum wall board. First layer attached with 1⅝″ nails having 7/32″ heads; second layer attached with 1⅞″ nails having ¼″ heads. Outside joints taped and pointed and nail heads covered with joint cement	1

FLOORS

Wood joists, double flooring, building paper, metal lath and plaster ceiling or ⅜″ gypsum lath and plaster	1
Reinforced concrete, 4″ thick	1
Reinforced concrete, 6″ thick	2

STEEL COLUMN PROTECTIONS

Brick with brick fill, 3¾″ thick	4
2″ concrete, steel-wire ties	4
1½″ concrete, steel-wire ties	3
1″ concrete, steel-wire ties	2
4″ gypsum block, solid, gypsum mortar between colums and block	4
2″ gypsum block, solid, gypsum mortar between colum and block	2
2″ gypsum block, solid, ½″ gypsum plaster	4
2″ gypsum concrete, poured, wire mesh reinforcing	4
Portland cement plaster on metal lath	1

BEAMS, GIRDERS AND TRUSSES

2″ clay tile or concrete block, ½″ plaster	2
2″ clay tile or concrete block, unplastered	1
2″ concrete, metal ties around beam flanges	4
1½″ concrete, metal ties around beam flanges	2
Portland cement plaster on metal lath	1

§ 14-47. Lathing, plastering and stucco.

A. Metal lath.

(1) Metal lath shall weigh not less than three (3) pounds per square yard and shall be galvanized or painted for interior use and either galvanized or noncorroding metal for exterior use. Lath for plastering or stucco, shall not be applied directly to solid wood surfaces, but shall be installed over wood strips no less than three-eighths (⅜) inch thick, or metal furring strips, or be a lath of the self-furring type.

(2) Metal lath shall be lapped on adjoining lath surfaces. Where metal lath finishes against masonry walls, the lath shall be extended at least three (3) inches on the surface of such walls and securely fastened.

(3) Corner beads, galvanized, shall be installed for all external corners.

(4) Cornerites of metal lath or wire fabric shall be installed for all interior corners, or ceiling lath shall be run down walls at least four (4) inches.

B. Insulating fibre-lath board. Insulating fibre-lath board shall be at least one-half (½) inch thick.

C. Gypsum board lath. Gypsum-lath board shall be at least three-eighths (⅜) inch thick.

D. Metal studding. Metal studding shall consist of angles, channels, tees, flats or other approved standard shapes.

E. Hangers. Hangers for suspended ceilings shall consist of angles, channels or flats securely fastened in place.

F. Cross furring. Cross furring shall consist of angles, channels or tees bolted to hangers.

G. Gypsum plaster. Gypsum plaster shall consist of one (1) part neat gypsum to not more than two (2) parts of sand by weight for the scratch coat, and one (1) part of neat gypsum to not more than three (3) parts of sand by weight for the brown coat.

H. Portland-cement plaster. Portland-cement plaster shall consist of one (1) part portland cement and three (3) parts sand with not over ten percent (10%) of hydrated lime added.

I. Lime plaster. Finishing hydrated lime for smooth white finish shall be mixed in proportion of four (4) sacks, two

hundred (200) pounds to fifty (50) pounds of plaster paris.

J. Stucco. Stucco shall consist of one (1) part portland cement and three (3) parts sand with not over ten percent (10%) of hydrated lime added, or a prepared stucco used in accordance with manufacturer's directions.

K. Prepared plasters. Approved prepared plasters shall be mixed in accordance with manufacturer's directions.

L. Workmanship. The workmanship, installation and application of lathing, plastering and stuccoing shall be in accordance with the best practice of the trade.

§ 14-48. Safeguards during construction.

The provisions of this Article shall apply to all work in connection with the erection, alteration, repair, removal or demolition of buildings or structures.

A. Storage of materials. No building materials or equipment shall be placed in any public street or sidewalk except to such extent and under such conditions as may be prescribed by the Building Inspector.

B. Sheds. Whenever a building or structure over one (1) story high, within ten (10) feet of a street line, is to be erected or demolished, the owner or the person doing or causing such work to be done shall erect and maintain a shed over the sidewalk for pedestrian passage of sufficient strength and stability to safely sustain the weight of materials placed thereon. Such shed shall not be less than six (6) feet wide and seven (7) feet six (6) inches high in the clear.

C. Fences. During a building operation, the excavations of which are within five (5) feet of the front line, the owner

or the persons causing such work to be done shall erect and maintain a substantial fence of height as prescribed by the Building Inspector, but in no case shall such fences be less than four (4) feet high.

D. Floor and other openings. All openings in floors and roofs such as for shafts, skylights and spaces between beams or girders, unless permanently covered by rough flooring, shall be temporarily planked over or guarded by substantial railings no less than four (4) feet high.

E. Temporary stairs and ladders. Temporary stairs or ladders shall be provided and maintained until permanent stairs and ladders are installed.

F. Hoists. Temporary construction hoists shall be substantially constructed and maintained, and all openings or other open spaces around such hoists shall be protected with substantial railings no less than four (4) feet high or otherwise as may be prescribed by the Building Inspector.

§ 14-49. Chimneys.

A. Construction of chimneys.

(1) Chimneys hereafter erected within or attached to a structure shall be constructed in compliance with the provisions of this section.

(2) Chimneys shall extend at least three (3) feet above the highest point where they pass through the roof of the building and at least two (2) feet higher than any ridge within ten (10) feet of such chimney.

(3) Chimneys shall be properly capped with brick, stone, concrete or other approved noncombustible, weatherproof material.

(4) Chimneys shall be wholly supported on masonry or self-supporting fireproof construction.

(5) No chimney shall be corbelled from a wall more than six (6) inches; nor shall a chimney be corbelled from a wall which is less than twelve (12) inches in thickness unless it projects equally on each side of the wall; provided that in the second story of two-story dwellings corbelling of chimneys on the exterior of the enclosing walls may equal the wall thickness. In every case the corbelling shall not exceed one (1) inch projection for each course of brick projected.

(6) No change in the size or shape of a chimney, where the chimney passes through the roof, shall be made within a distance of six (6) inches above or below the roof joists or rafters.

B. Chimneys for heating appliances and low-heat industrial appliances.

(1) Chimneys for stoves, cooking ranges, warm-air, hot-water and low-pressure steam-heating furnaces, fireplaces, and low-heat industrial appliances shall be constructed of solid masonry units. The walls shall be properly bonded or tied with corrosion-resistant metal anchors. In dwellings the thickness of the chimney walls shall not be less than four (4) inches. In other buildings the thickness shall not be less than eight (8) inches, except that rubble stone masonry in any building shall not be less than twelve (12) inches thick.

(2) Every such chimney hereafter erected or altered shall be lined with a clay flue lining not less than five-eighths (5/8) of an inch thick for the smaller flues and increasing in thickness for the larger flues.

(3) Flue linings shall start from a point not less than eight (8) inches below the intake, or, in the case of

fireplaces, from the top of the fireplace smoke chamber. They shall extend, as nearly vertical as possible, for the entire height of the chimney and be extended no less than one (1) inch above the cap of the chimney.

(4) All flues for other than fireplaces shall be equipped with cleanouts of cast-iron doors and frames arranged to remain tightly closed when not in use.

(5) No flue shall have more than one (1) connection in its height.

(6) Openings to flues shall be formed by a concrete, fire clay or metal thimble set in the wall with mortar. The end of such thimbles shall run through and be flush with the inner surface of the flue lining.

(7) When two (2) or more flues are contained in the same chimney, at least every third flue shall be separated by masonry at least four (4) inches thick bonded into the masonry wall of the chimney. The joints of adjacent flue linings shall be staggered at least seven (7) inches.

C. Chimneys for medium-heat industrial appliances and power boilers. Chimneys for high-pressure steam boilers and other medium-heat appliances shall be of solid masonry not less than eight (8) inches thick; and in addition, shall be lined with not less than four and one-half (4½) inches of fire brick laid on the four and one-half-inch bed in fire clay mortar, starting not less than two (2) feet below the smoke-pipe entrance and extending for a distance of at least twenty-five (25) feet above the smoke-pipe entrance.

D. Sizes of flues.

(1) No flues shall be smaller in area and shape than that recommended by the manufacturers of the equipment installed.

(2) No flue for a fireplace shall be smaller in area than one-tenth (1/10) of the area of the fireplace opening.

E. Fireplaces.

(1) The back and sides of fireplaces hereafter erected shall be of solid masonry not less than eight (8) inches in thickness. A lining of firebrick at least two (2) inches thick or other approved material shall be provided unless the backs and sides are no less than twelve (12) inches in thickness.

(2) Fireplaces shall have hearths of brick, stone, tile or other approved noncombustible materials supported on brick trimmer arches or a fireproof slab not less than four (4) inches thick. Such hearths shall extend at least eighteen (18) inches outside of the chimney breast and not less than ten (10) inches beyond each side of the fireplace opening along the chimney breast. Chimney breast above the opening shall be supported by iron lintels or masonry arches.

(3) All fireplaces shall be equipped with approved iron throats and dampers.

(4) Wooden forms or centers shall be removed when the construction of the hearth is completed.

F. Framing around chimneys and fireplaces.

(1) All wooden beams, joists and studs shall be kept away at least two (2) inches from chimneys and fireplaces; but this shall not prevent plastering directly on the masonry or on metal lath and metal furring.

(2) No wooden mantel or other woodwork shall be placed within seven (7) inches of either side nor within eight (8) inches of the top of a fireplace opening.

(3) All spaces between the masonry of chimneys and wooden beams shall be fire-stopped by filling with noncombustible material.

G. Raising chimneys.

(1) Whenever a building is erected, enlarged or raised so that a wall along a lot line or within three (3) feet thereof, extends above the top of a chimney of a neighboring existing building, the owner of the building so erected, enlarged or raised, shall at his own expense, carry up all chimneys of such adjoining building which are within ten (10) feet of any portion of the wall extending above such chimneys.

(2) It shall be the duty of the owner of the building to be erected, enlarged or raised to notify, in writing, at least ten (10) days before such work is to begin, the Building Inspector and the owner of the chimneys affected, of his intention to carry up such chimneys as herein provided.

§ 14-50. Boiler and utility rooms.

A. Boiler rooms in all buildings other than dwellings shall, except as otherwise provided, be separated from other parts of the building by construction having a fire-resistance rating of not less than one (1) hour.

B. In cellarless dwellings, no boiler or furnace shall be located above the first floor, but shall be installed in a utility or boiler room, the floor of which is of concrete not less than four (4) inches thick, and the walls and ceilings lathed and plastered, and in addition, the spaces between wall studs and ceiling beams shall be filled with four (4) inches of insulation. The doors to such rooms shall be metal, metal-covered or solid wood of the flush type not less than one and three-quarters (1¾) inches thick.

C. Boiler or utility rooms as aforementioned located wholly within a dwelling and not provided with a window shall

be ventilated through a metal duct or ducts to insure proper combustion. Such duct or ducts shall be no smaller in area than the flue area of the boiler or furnace installed.

D. Boiler rooms housing one (1) or more steam boilers carrying more than fifteen (15) pounds pressure with a rating of more than ten (10) boiler horse power shall be separated from the rest of the building by noncombustible construction having a fire-resistance rating of not less than two (2) hours with door openings protected by approved fire doors.

§ 14-51. Gas water-heater vents.

A. Every gas water heater shall be vented to the outer air above the roof.

B. Such vents may be connected to a separate lined or unlined flue in a chimney or to a noncombustible pipe, of size required, running through the roof. An approved draft diverter shall be located in the vent near the appliance. Openings around such vent pipes shall be firestopped at each floor and roof with noncombustible material.

§ 14-52. Elevators and moving stairways.

Elevators and moving stairways hereafter erected, or installed, or hereafter altered shall be constructed, installed and maintained in accordance with "The American Standard Safety Code for Elevators, Dumbwaiters and Escalators" approved by the American Standards Association.

§ 14-53. Restaurant-type cooking appliances.

A. Floor-mounted restaurant-type cooking appliances which are approved specifically for installation on a combustible floor may be mounted in accordance with the conditions of such approval.

B. Floor-mounted restaurant-type cooking appliances bearing no such approval shall unless mounted on a floor of fireproof construction be mounted on combustible floors provided the floor under and the wall back of the appliance is protected with not less than three-eighths-inch asbestos board covered with sheet metal not less than twenty-four (24) U. S. gauge. The above protection shall extend at least six (6) inches beyond the appliance all around.

C. Such appliances shall have hoods and their ducts constructed of noncombustible materials with tight joints. The ducts shall be connected to independent masonry flues or to the outer air through nearest wall if approved. Such ducts shall be covered with no less than one-fourth-inch asbestos board or other approved noncombustible material.

§ 14-54. Heating.

A. Floor furnaces.

(1) Floor furnaces shall not be installed in floors of combustible materials unless approved specifically for such installation and installed in accordance with the conditions of such approval, and further approved by the Building Inspector.

(2) Floor furnace and smoke pipes shall be installed with clearances to woodwork of not less than nine (9) inches, provided that, in the case of approved gas floor furnaces, installations shall be made in accordance with the conditions of approval and the approval of the Building Inspector.

B. Wall heaters. Wall heaters shall not be installed in walls of noncombustible construction unless specifically approved for such installation and installed in accordance

with the conditions of such approval and further approved by the Building Inspector.

C. Warm-air ducts. Distributing ducts from warm-air furnaces may be of unprotected metal if no less than one-inch clearance is provided between duct and combustible materials. Such ducts shall have a minimum clearance of three (3) inches below cellar ceilings. No clearance shall be required if the metal ducts are covered with one-half (1/2) inch of noncombustible material. Warm-air ducts of noncorrosive metal may be embedded in concrete floor slabs on ground. Ducts in such slabs may also be formed in concrete.

D. Panel radiant heating.

(1) Low-temperature hot-water-heating coils may be placed against wood beams and studs. Such coils may also be embedded in concrete floor slabs.

(2) Low-temperature electric heat specially pressed boards as approved by the National Board of Fire Underwriters may be installed against wood beams or studs.

E. Pipes for steam and hot-water heating.

(1) It shall be unlawful to make contact between steam and high-temperature hot-water pipes and any woodwork or other combustible material. A clearance of at least one-half (1/2) inch shall be maintained.

(2) Where such pipes pass through floors and walls of combustible material, such material shall be protected by a metal casing or lining or the pipes shall be covered with at least one-half-inch insulating material and floor and ceiling plates installed.

F. Fuel-oil tanks. Fuel-oil tanks shall be installed as prescribed by the National Board of Fire Underwriters.

§ 14-55. Electrical installations. [Amended 1-18-72]

All electrical wiring, apparatus or appliances for furnishing light, heat or power shall be as prescribed in the National Electrical Code, as published by the National Board of Fire Underwriters.[1] Application shall be filed for installation of electrical work and equipment and a fee of one dollar ($1.) per one hundred dollars ($100.) of estimated cost shall be paid for one- or two-family dwellings. For multiple residences, commercial or industrial buildings, two dollars ($2.) per one hundred dollars ($100.) of estimated cost. Maximum fee for both of the above, twenty-five dollars ($25.).

§ 14-56. Signs.

A. Permitted.

Wall or display signs placed against the exterior wall of a building, or set at an angle from the parallel line of a building, shall not exceed forty (40) square feet in area nor project more than twelve (12) inches beyond the building line, nor shall the bottom of such signs be less than twelve (12) feet above the sidewalk level.

B. Construction.

(1) All such signs over six (6) square feet in area shall be constructed of noncombustible materials.

(2) All such signs shall be attached to the building by angles, channels, expansion bolts, anchors or other structural shapes as approved by the Building Inspector.

C. Not permitted.

Roof signs will not be permitted.

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1 **Editor's Note: See Ch. 22, Electrical Contracting.**

§ 14-57. Number of toilet and other fixtures required.

A. Every building occupied as a store, school, office building, lofts, workshops or storage houses must have at least one (1) water closet and one (1) lavatory.

B. Sanitary fixtures not less than the following table shall be provided:

(Cont'd on page 1497)

No. of Persons	Closets	Lavatories.
1-15	1	1
16-35	3	2
36-55	4	2
56-80	5	3
81-110	6	3
111-150	7	4

C. Whenever a urinal is supplied, one (1) closet less than the required number may be provided for males when more than twenty (20) are employed; except that the number of closets in such cases may not be reduced to less than two-thirds (⅔) the required number.

D. For private dwellings to be occupied by one (1) family or more, there shall be provided at least one (1) water closet, one (1) lavatory, one (1) bath, one (1) sink, for each family.

E. Toilet facilities shall be readily accessible to the persons using them.

F. Separate water closets and toilet rooms must be provided for each sex in buildings used as workshops, stores, office buildings, hotels, institutions and all places of public assembly.

G. In workshops, stores, office buildings and all public buildings, the entire toilet-apartment floors and base, except at the door, shall be made waterproof with asphalt, cement, tile, metal or other water-resistant material.

ARTICLE II
General Provisions

§ 14-58. Saving clause.

If any clause, sentence, paragraph or part of this code shall for any reason be adjudged by any court of competent jurisdic-

tion to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this code or any part thereof, but such invalidity shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

§ 14-59. Repeal of existing ordinance.

A. An ordinance adopted by the Town Board of the Town of Rye on the 20th day of February, 1930 entitled "An Ordinance of the Town of Rye to regulate and control the business of building in the Town of Rye, New York.," and any and all amendments thereto, is hereby repealed.

B. The repeal of the above ordinance does not affect or impair any act done, offense committed or right occurring, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time such repeal takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if such repeal had not been effected.

§ 14-60. When effective.

This ordinance shall take effect immediately.