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Memo – Final

To: FISP Consultants, Building Managers and Owners. Industry Update.

From: Assistant Commissioner Timothy D. Lynch, P.E.,

Date: May 5, 2014

Re: FISP Cycle 7 report: Handrail and Guard Assemblies: Balconies.

This memo supersedes the FISP memos of September 6, 2013 and December 3, 2013.

1.0 Introduction:

This memo is supplemental information in response to questions received by the DOB Façade Unit (FISP Unit) regarding handrail and guard assemblies and in particular, balcony inspections. In May 2013, the Department amended Rule §104-03. Handrails and guards, especially those found on balconies, are to be inspected and checked for structural integrity. The building owners are required to submit to the FISP Unit, a statement in the form of a letter indicating that the handrail and guard assemblies have been inspected and they have been found to comply with SAFE, UNSAFE or SWARMP status. The FISP Unit requirement for the letter statement regarding the Guards and Handrails and in particular balcony inspections applies to Cycle 7. Cycle 7 FISP inspections close out on Feb 20th 2015. The Guard and Handrail letter statements are to be submitted no later than **February 2, 2015**. Letter statements are to be signed/sealed by the QEWI and signed by the owner or owner's representative. After Feb 21st, 2015, Cycle 8 commences and the inspection requirements will be incorporated into the FISP Cycle 8 report. This memo presents no changes to Rule §103-04 amended May 17, 2013; Section (b)(3)(iii)(G), "Periodic Inspection of Exterior Walls and Appurtenances of Buildings"

Handrails and guards are most typically found on the following building elements: balconies, terraces, exterior walkways, exterior corridors, roof handrails and guards and fire escapes. Generally, these elements are to be checked for their structural soundness. For issues of code compliance, we note the provisions in the 2008 Administrative Code that permits the lawful use of existing buildings based on the codes under which the buildings were constructed.

2.0 Code, Rules, Regulations, Bulletins and Memos:

The following NYC Building Code Sections apply to this memo for code compliance of public safety:

1. 2008 Rule - 1 RCNY § 103-04 amended 05-17-13.
2. 2008 General Administrative Provision, §28-301.1 Owner's responsibilities.
3. 2008 Building Code, Chapter 10, Means of egress, §28-1002.1 Definitions.
4. 2008 Building Code, Chapter 16, §28-1602.1 Definitions.
5. 2008 NYC Fire Code, Chapter 10 Means of Egress §FC 1027, Maintenance of the means of egress,

The following NYC Building Code Sections apply to this memo for structural stability:

1. 2008 Building Code § 1607.7.1 Handrails and guards,
2. Building Bulletin 2011-017, Balcony, railing, loading requirements,

3. 2008 Building Code, Chapter 16, Structural design, §28-1607.7.1 Live loads, Definitions,
4. 1968 Building Code, Article 3, Live loads, §27-558 (b) Railings and parapets,
http://www.nyc.gov/html/dob/html/codes_and_reference_materials/code_internet.shtml
5. 1922 Building Code, Article 3, Working Stresses and Loads §50.2 Factors of safety.

The following NYC Building Code Sections apply to this memo for code compliance:

1. 2008 Building Code, Chapter 7, Fire-resistance, § 704.11.1 Parapet construction.
 2. 2008 Building Code, Chapter 10, Means of egress, §28-1012.2 Guards.
 3. 1968 Building Code, §27-369 (f) Exterior corridors,
 4. 1938 Administrative Building Code, §26-444.0 Parapet Walls,
 5. 1922 Building Code, Article 13, Masonry Construction §259 Parapet walls.
 6. 1899 Building Code, § 43.Parapet Walls, §103 Fire-escapes.
 7. June 17, 1976 memo, Balcony Enclosures
- These testing issues apply to the Memo:
Load tests are covered in the Bulletins 2011-017
Load testing, pull testing, destructive and non-destructive testing can be performed.

3.0 Statement letter:


Protocol for submittal of supplemental report per Section (b)(3)(iii)(G)

1. Statement can be in letter format signed by the QEWI and owner. The signed/sealed statement is to be submitted to the DOB Façade Unit by **February 2nd, 2015**. The statement may be submitted to the FISP Unit by regular mail or be dropped off at the counter on 4th floor of 280 Broadway. There is no fee associated with this report. Be sure to include BIN, Control number, Block/Lot, total number of balconies on building, total number of balconies inspected, and location of inspected balconies. Statement shall include total areas of inspected terrace/s, walkway/s, corridor/s, fire escapes, roof, and setback/s, etc.
2. If there are no balconies or handrails/guards on building, including fire escapes, no supplemental report is required.
3. Please note that there may be instances where the guards and handrails are structurally stable but did not originally conform to the applicable code under which the building was originally constructed or afterwards altered. In these instances, the QEWI shall notify the client and refer to these items in the FISP report with a course of action to be implemented and addressed by closure of Cycle 8 for the buildings BIN number.

Per the intent of Rule §103-04, structural soundness of handrails and guards must be given a status of Safe, SWARMP, or Unsafe. Code compliance can be stated for handrails and guards. If handrail and guard assemblies were non-compliant at the time of original construction, the condition remains non-compliant per code upon which building was erected (as opposed to subsequent codes and current codes). Note that unless substantially altered, code compliance is to comply with the 2008 Administrative Code provisions that permits the lawful use of existing buildings based on the codes under which the buildings were constructed.

4.0 Initial Amended and Subsequent Reports

For FISP reports filed before the close-out of Cycle 7 on February 20, 2015, the Handrail and Guard statement may be incorporated into the report as an Appendix.



Timothy D. Lynch PE