

# WHITE PLAINS GENERAL CONSTRUCTION CODE

## PART 1. GENERAL REQUIREMENTS

### a. Precautions During Building Operations.

- (1) **Scope.** The provisions of this article shall apply to all construction operations in connection with the erection, alteration, repair, removal or demolition of buildings and structures.

Building operations and construction within the scope of this Code, shall be performed in such manner that the workmen and public shall be protected from injury and adjoining property shall be protected from damage by the use of bridges, sheds, scaffolding, underpinning, or other approved methods in conformity with The New York State Building Code, The White Plains Building Code and Good Engineering Practices.

- (2) **Definitions.**

**Competent Workmen.** One who is capable of identifying existing and predictable hazards in the surroundings or working conditions, which are unsanitary, hazardous to the public, employees, workmen, etc., and who has authorization to take prompt corrective measures to eliminate them.

**Construction Equipment.** The construction machinery, tools, derricks, hoists, scaffolds, platforms, runways, ladders and all material handling equipment safeguards and protective devices used in construction operations.

**Construction Operation.** The erections, alteration, repair, renovation, demolition, or removal of any buildings or structures and the excavation, filling grading and regulation of lots.

**Material Platform Hoist.** A power or manually operated suspended platform conveyance operating in guide rails for the exclusive raising or lowering of materials, which is operated and controlled from a point outside the conveyance.

**Sidewalk Bridge.** A structure intended to support pedestrian traffic that spans a trench, area of excavation, hole, etc. in the ground that is in the pedestrian path of travel on or around a building parcel.

**Sidewalk Shed.** A structure intended to protect pedestrians from falling objects. Shed shall include a lighted walkway and be a minimum four (4) feet wide and eight (8) feet high (clear).

**Runway.** Any aisle or walkway constructed or maintained as a temporary passageway for pedestrians or vehicles.

**Scaffold.** Any elevated platform which is used for supporting workmen, materials or both.

(3) **Plans Specifications and Special Permits.**

- (i) **Temporary Construction.** Before any construction operation is started, plans and specifications shall be filed with the building department showing the design and construction of all sidewalk sheds, truck runways, trestles, foot bridges, guard fences and other similar devices required in the operation; and the approval of the building commissioner shall be secured before the commencement of any work.
- (ii) **Encroachments During Construction.** Subject to the approval of the building commissioner, sidewalk sheds, underpinning and other temporary protective guards and devices may project beyond the interior and street lot lines as may be required to insure the safety of the adjoining property and the public. When necessary, the consent of the adjoining property owner shall be obtained.

(4) **Tests.**

- (i) **Loading.** It shall be unlawful to load any structure, temporary support, scaffolding, sidewalk bridge or sidewalk shed or any other device or construction equipment during the construction or demolition of any building or structure in excess of its safe working capacity as provided for allowable loads and working stresses.
- (ii) **Unsafe Equipment.** Whenever any doubt arises as to the structural quality or strength of scaffolding plank or other construction equipment, such material shall be replaced; however, the building commissioner may accept a strength test of two and one-half (2½) times the superimposed live load to which the material or structural member is to be subjected. The member shall sustain the test load without failure.
- (iii) **Inspection.** When inspection of any construction or excavation operation reveals that any unsafe or illegal conditions exists, the building official shall notify the owner and direct him to take the necessary remedial measures to remove the hazard or violation.
  - (I) **Failure to Comply With Orders.** Unless the owner so notified proceeds to comply with orders of the building official within twenty-four (24) hours (or less if deemed an imminent hazard by the Building Official), the building official shall have full power to correct the unsafe conditions. All expenses incurred in the correction of such unsafe conditions shall become a lien on the property.
  - (II) **Unsafe Construction Equipment.** When the strength and adequacy of any scaffold or other device or construction equipment is in doubt, or when any complaint is made, the building official shall inspect such equipment and shall prohibit its use until tested as required in Section WPGCC-1a(4)(ii) or until all danger is removed.

- (5) **Maintenance.** All construction equipment and safeguards shall be constructed, installed and maintained in a substantial manner and shall be so operated to insure protection to the workers engaged thereon and to the general public. It shall be unlawful to remove or render inoperative any structural, fire protective or sanitary safeguard or device herein required except when necessary during the actual installation of such equipment.
- (6) **Existing Buildings.**
- (i) All existing and adjoining public and private property shall be protected from damage incidental to construction operations.
  - (ii) **Chimney, Soil and Vent Stacks.** Whenever a new building or structure is erected to greater or less heights than an adjoining building, the construction and extension of new or existing chimneys, soil/vent stacks shall conform to the provisions of the New York State Mechanical, Plumbing, Gas and Construction Codes.
  - (iii) **Adjoining Walls.** The owner of the new or altered structure shall preserve all adjoining independent and party walls from damage as provided herein. The owner shall underpin where necessary and support the adjoining building or structure by proper foundations to comply with Section WPGCC-1a(7).
    - (I) **Maintenance.** In case an existing party wall is intended to be used by the person who causes an excavation to be made, and such party wall is in good condition and sufficient for the use of both existing and proposed building, such person shall preserve the party wall from injury and support it by proper foundations at his own expense, so that it shall be and shall remain safe and useful as it was before the excavation was commenced. During the demolition, the party wall shall be maintained weather-proof and structurally safe by adequate bracing until such time as the permanent structural supports have been provided.
    - (II) **Beam Holes.** When a structure involving a party wall is being demolished, the owner of the demolished structure shall, at the owner's expense, bend over all wall anchors at the beam ends of standing wall and shall brick-up all open beam holes and otherwise maintain the safety and usefulness of the wall.
    - (III) **Party Wall Exitways.** No party wall balcony or horizontal fire exit shall be destroyed unless and until a substitute means of egress has been provided and approved by the Building Commissioner.
  - (iv) **Adjoining Roofs.** When a new building or demolition of an existing building is being constructed at a greater height, the roof, roof outlets and roof structures of adjoining buildings shall be protected against damage with adequate safeguards by the person doing the work.

(7) **Excavations.**

- (i) **Temporary Supports.** Until permanent support has been provided, all excavations shall be safeguarded and protected by the person causing the excavations to be made, to avoid all danger to life or limb. Where necessary, such excavations shall be retained by temporary retaining walls, sheet-piling and bracing or other approved method to support the adjoining earth.
- (I) **Examination of Adjoining Property.** Before any excavation or demolition is undertaken, license to enter upon adjoining property for the purpose of physical examination shall be afforded by the owner and tenants of such adjoining property to the person undertaking such excavation or demolition, prior to the commencement and at reasonable periods during the progress of the work.
- (II) **Notice to the Building Commissioner.** If the person who causes an excavation to be made or an existing structure to be demolished has reason to believe that an adjoining structure is unsafe, the condition shall be reported forthwith in writing to the building commissioner. The Building Commissioner shall inspect or cause to be inspected such premises, and if the structure is found unsafe, a repair order shall be issued.
- (III) **Responsibility of Adjoining Owner.** The person making or causing an excavation to be made shall, before starting the work give at least ten (10) days notice in writing to the owner of each neighboring building or structure the safety of which may be affected. Having received consent to enter a building, structure or premises, the necessary provisions shall be made to protect it structurally and to insure it against damage by the elements which may ensue from such excavation. If license to enter is not afforded, then the adjoining owner shall have the entire responsibility of providing both temporary and permanent support of the premises at the owner's expense; and for that purpose, the owner shall be afforded the license when necessary to enter the property where the excavation is to be made.
- (IV) **Excavations for Other than Construction Purposes.** Excavations made for the sole purpose of removing soil, earth, sand, gravel rock or other materials (when not in conjunction with proposed construction on the same site) shall be performed in such a manner as will prevent injury to neighboring properties or to the street, which adjoins the lot where such materials are excavated, and to safeguard the general public health and welfare.

No such excavation and/or removal of any top soil, earth, sand, gravel, rock or other substance shall be made within ten (10) feet of any street line, or property line, nor unless adequate barricades are erected and maintained around any excavation, and adequate provision is made for the prevention of flying dust, nor unless any excavation is immediately, refilled with non-burnable clean fill containing no garbage, refuse or other deleterious or

unwholesome matter, and that dust down or its approved equal is spread when, in the opinion of the commissioner, it is necessary to prevent dust from flying, and that the premises are left graded to a point not lower than the level of the abutting highway or the original grade if the same was below the level of the highway, and properly drained.

- (V) **General Grading.** In the event topsoil is removed for purposes of grading, or other uses to improve the premises, on completion of such grading or improvement the premises shall be covered with six (6) inches of topsoil and graded to a point not lower than the level of the abutting highway, or the original grade if the same was below the level of the highway. In the event that the work involves only the removal of topsoil, there shall remain upon the surface from which topsoil is removed, at least six (6) inches of topsoil. Upon completion of such work, dust down, or its approved equal, shall be spread to prevent dust from flying, and all areas from which topsoil is removed shall be prepared into a loose level seed bed, fertilized, seeded and rolled.
- (VI.) **Commissioner May Act.** If the person whose duty it shall be under the provisions of this code to properly guard and protect an excavation, or to prevent adjoining earth from caving in, or the preserve or protect any wall, building or structure from injury, shall neglect or fail to do so after having had a notice of twenty-four (24) hours from the Commissioner of Building, the Commissioner may enter upon the premises and employ such labor, and furnish such materials and take such steps, as in the Commissioner's judgement, may be necessary to prevent adjoining earth from caving in or to make such adjoining wall, building or structure safe and secure, or to prevent the same becoming unsafe or dangerous. The expense plus a penalty of 10 percent of the cost of such work shall be charged to the person whose duty it is to keep the same safe and secure.
- (ii) **Permanent Support.**
- (I) **Deep Excavations.** Whenever an excavation is made to a depth of more than ten (10) feet below the established curb, the person who causes such excavation to be made, if afforded the necessary license to enter the adjoining premises, shall preserve and protect from injury at all times and at his own expense such adjoining structure or premises which may be affected by the excavation. If the necessary license is not afforded, it shall then be the duty of the owner of the adjoining premises to make the adjoining building or structure safe by installing proper underpinning or foundations or otherwise, and such owner, if it be necessary for the prosecution of the work, shall be granted the necessary license to enter the premises where the excavation or demolition is contemplated.
- (II) **Shallow Excavations.** Wherever an excavation is made to a depth less than ten (10) feet below the curb, the owner of a neighboring building or

structure, the safety of which may be affected by the proposed excavation, shall preserve and protect from injury and shall support the building or structure by the necessary underpinning or foundations. If necessary for that purpose, the owner shall be afforded a license to enter the premises where the excavation is contemplated.

- (8) **Erosion Control.** Prior to the commencement of construction work on a project involving any disturbance of land, an Erosion Control Plan must be submitted and approved. The plan(s) must reflect the type of erosion control to be implemented and the Building Inspector must inspect for compliance with the plan (s) prior to commencement of construction. Erosion control shall be in accordance with New York State Standards and Specifications For Erosion & Sediment Control. The applicant and/or contractor shall maintain erosion control measures throughout construction until such time that the Building Inspector deems the land stable.
- (9) **Regulation of Lots.** When a building has been demolished and no building operation has been projected or approved, the vacant lot shall be filled, graded and maintained in conformity to the established street grades at curb level. The lot shall be maintained free from the accumulation of rubbish and all other unsafe or hazardous conditions which endanger the life or health of the public; and provisions shall be made to prevent the accumulation of water or damage to any foundations on the premise or the adjoining property.
- (10) **Driveways and Parking Areas.**
- (i) General. Except as provided in this section, all parking areas, and access driveways, not within parking structures such as garages or parking decks, shall be paved, drained, illuminated and protected as required by this section.
- Exception: The only provisions of this section that shall be applicable to driveways and parking areas which are to be accessory to one- and two-family residences shall be the provisions of section (10)(ii)(II).
- (ii) Grades.
- (I) General. Except as provided in section (10)(ii)(II) access driveway grades shall not exceed six (6) per centum from the intersection of such driveway with the street property line for a distance of twenty (20) feet therefrom and shall not exceed twelve (12) per centum thereafter. The slope of any parking area exclusive of access drives, shall not exceed six (6) per centum in any direction. The elevation of the center line of the driveway at the street property line shall be obtained by a slope up at the rate of one-fourth ( $\frac{1}{4}$ ) inch per foot from the established elevation of the center line of the street as the theoretical top of curb elevation, unless a different elevation has been established, for drainage or other reason, and approved in writing by the Commissioner of Public Works.
- (II) One and Two-Family Residences. The maximum grade along the center line of a driveway accessory to a one- or two-family residence connecting such

residence or its accessory garage or parking area to a public street shall not exceed twelve (12) per centum from the intersection of such driveway with the street property line for a distance of twenty-five (25) feet therefrom. The elevation of the center line of the driveway at the street property line shall be obtained by a slope up at the rate of one-fourth ( $\frac{1}{4}$ ) inch per foot from the established elevation of the top of existing curb, or if no curb exists by under the elevation of the center line of the street as the theoretical top of curb elevation, unless a different elevation has been established and approved in writing by the Commissioner of Public Works.

- (iii) **Pavement.** Parking areas and access drives shall be paved to withstand a wheel load of not less than four thousand (4,000) pounds. The base course shall be of non-absorbent approved material rolled or compacted to grade. Except as provided in section (10)(ii)(II) of the subdivision, the wearing surface shall be brought to a smooth but non-slip, non-dusting finish and maintained in this condition. All finished pavement shall be approved equal to a minimum of four (4) inches in compacted thickness of bituminous macadam composed of one and one-half ( $1\frac{1}{2}$ ) inch trap rock penetrated with one and one-half ( $1\frac{1}{2}$ ) to two (2) gallons of asphaltic oil per square yard of paved area.
- (iv) **Drainage.**
  - (I) **General.** As approved drainage system shall be installed and maintained to adequately remove all precipitation resulting in water to prevent puddles on the parking area and spillage onto neighboring property or across sidewalks. Where the property abuts a street in which a city storm water drain is maintained, the required drainage system shall be adequately connected to the storm water drain.
  - (II) **Exceptions.** Where, in the opinion of the Commissioner, the area to be paved cannot be drained to a public storm or street, and "dry wells" or similar means are not feasible, an approved porous surfacing, such as washed gravel or graded stone, may be used for mandatory on-site parking in a residential zone, providing the area so paved does not exceed thirty-five hundred (3,500) square feet.
- (v) **Illumination.** Exterior lighting shall be provided and maintained to furnish adequate illumination of driveways and lanes. Provisions shall be made to minimize glare and light spillage onto adjacent properties. In no case shall such illumination be less than foot candle levels; as prescribed by the Illumination Engineering Society (IES), for the particular application. Illumination shall not be required for parking areas fenced and barricaded and not used between sunset and sunrise.
- (vi) **Lanes and Spaces.** Access lanes shall be provided for each row or two rows of cars at not less than twenty-six (26) feet in width for ninety (90) degree parking and the parking space shall be not less than eight (8) feet by nineteen (19) feet for

each motor vehicle. The land width may be reduced for parking at angles less than ninety (90) degrees in accordance with rules of the Commissioner based on current recognized standards but in no case shall the lane width be less than eleven (11) feet.

- (vii) **Protection.** A substantial bumper of masonry, steel or heavy timber or other approved assemblies shall be placed and maintained near all lot lines to protect structures and property abutting the parking and to protect pedestrian traffic.
- (viii) **Plans.** Applications for permits to construct parking areas and driveways shall be accompanied by plans drawn to scale indicating existing and proposed surface elevations, as well as proposed entrances and exits, stalls and aisles, type of bumper assembly, drainage facilities, lighting when required, and the type of pavement to be employed.
- (ix) **Exterior Paved Areas.**
  - (I) **Drainage.** All roofs, yards, courts, courtyards, and other paved areas, shall be drained into the public storm water sewage system if such exists in an adjacent street. If an accessible public storm water sewage system does not exist, the owner may connect the roof and surface drains to dry wells.
- (11) **Retaining Walls and Partition Fences.** When the adjoining grade is not higher than the legal level, the person causing an excavation to be made shall erect, when necessary, a retaining wall at the owner's expense and on the owner's land. Such wall shall be built to a height sufficient to retain the adjoining earth, shall be properly coped and shall be provided with a guardrail or fence not less than four (4) feet in height.
- (12) **Design Capacity.** Materials or equipment stored within the building, or on sidewalks, sheds or scaffolds shall be placed so as not to overload any part of the construction beyond its design capacity, nor interfere with the safe prosecution of the work.
  - (i) **Special Loading.** Unless the construction is designed for special loading, materials stored on sidewalk sheds and scaffolds shall not exceed one (1) day's supply. All materials shall be piled in an orderly manner and height, to permit removal of individual pieces without endangering the stability of the pile.
  - (ii) **Pedestrian Walkways.** No materials or equipment shall be stored on the street without a permit issued by the administrative official having jurisdiction. When so stored, they shall not unduly interfere with vehicular traffic, or the orderly travel of pedestrians on the highways and streets. The piles shall be arranged to maintain a safe walkway not less than four (4) feet wide, unobstructed for its full length, and adequately lighted at night and at all necessary times for the use of the public.
- (13) **Removal of Waste Material.** No material shall be dropped by gravity or thrown outside the exterior walls of a building during demolition or erection. Wood or metal

chutes shall be provided for this purpose and any material which in its removal will cause an excessive amount of dust shall be wet down to prevent the creation of a nuisance.

(14) **Protection of Floor and Wall Openings.**

- (i) **Noncombustible Floor Construction.** The arches, slabs or structural floor fillings of buildings of fireproof construction (type 1) and noncombustible construction (type 2) shall be installed as the building progresses.
- (ii) **Combustible Floor Construction.** In wood joist floor construction (types 3, 4 and 5) when double flooring is used, the underfloor shall be laid on each story as the building progresses and when double floors are not used, the floors shall be planked over two (2) stories below the level where work is being performed.
- (iii) **Steel Structural Frames.** In steel construction, the entire tier of iron or steel beams upon which the structural work is in progress shall be planked over, with the exception of necessary hoistways and permanent openings; and in no case shall the steel work advance more than six (6) floors ahead of the permanent floor construction.
- (iv) **Guardrails.** All floor and wall openings shall be protected with substantial guardrails and toe boards in accordance with accepted engineering practice.

(15) **Scaffolds and Staging.**

- (i) **Erection.** Staging, and built-up, swinging, suspended scaffolds shall be erected by competent workmen only (as defined in WPGCC-1a(2)) and shall be in accordance with OSHA 1926 Standards.

(16) **Hoists.**

- (i) **Hoist Protection.** All materials hoists shall be adequately protected, and when erected on the outside of a building over eighty-five (85) feet or seven (7) stories in height, the structure shall be built of noncombustible or approved fire retardant materials with the exception of the loading platform.
- (ii) **Passengers Prohibited.** No persons shall be permitted to ride a material hoist; and personnel hoists or temporary elevators shall be installed when necessary to transport workers as provided in WPGCC-1a(6)(v).
- (iii) **Guarding of Cables.** All hoisting cables and signal cords shall be guarded wherever they pass through or cross working spaces to prevent injury to persons.
- (iv) **Hoisting and Riggers License.** No person or corporation shall hoist anything whatsoever on or over any public street, highway, right-of-way of public place, or employ hoisting or rigging equipment on private property where the height, length or size of such hoisting or rigging equipment or the boom thereof, if laid on the ground would reach a public street, highway, right-of-way or public place from its position on private property, without a permit thereof first being obtained from the Commissioner.

- (v) **Personnel Hoists.** All building under construction, which exceed seventy-five (75) feet or five (5) stories in height above adjoining grade level (whichever is less), shall be provided throughout construction with an approved personnel hoists to afford adequate access to all work areas above such levels for firefighting purposes and for emergency medical access to, and evacuation of injured workmen. Such personnel hoists shall comply with this Code and with ANSI A 10.4, and may include temporary construction elevators complying with said standard.
- (17) **Construction Ladders.**
- (i) **Ladders.** Temporary Ladders, when permitted for access to floors before stairways are installed or which are designed for other working purposes, shall extend at least forty-two (42) inches above the floor level which they serve.
- (18) **Lighting.** All stairways and parts of buildings under demolition, erection or repair shall be adequately lighted while persons are engaged at work to comply with the provisions of Section NFPA 70 and with a minimum level equivalent to three (3) foot candles.
- (19) (i) **Temporary Heating.** Whenever heating devices are used for temporary heating, all regulations as to maximum temperature, distance from combustible materials, spark arrestors, removal of noxious gases, and other requirements prescribed by the building official shall be fully observed.
- (ii) **Storage of Flammables.** Storage of gasoline for hoists, oils, paints and other highly flammable materials shall be permitted only as specified in Chapter 14 of the New York State Fire Code and when stored in approved safety containers. The storage of larger quantities may be approved by the administrative official when stored in separate compartments or enclosures of approved noncombustible construction.
- (iii) **Housekeeping.** Rubbish and trash shall not be allowed to accumulate on the site and shall be removed as fast as conditions warrant; combustible rubbish shall be removed daily, and shall not be disposed of by burning on the premises or in the immediate vicinity and the entire premises and area adjoining and around the operation shall be kept in a safe and sanitary condition and free of accumulations of trash, rubbish, nuts, bolts, small tools and other equipment.
- (20) **Health Hazards.** Every construction or maintenance operation which results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health shall be safeguarded by means of local ventilation or other protective devices to insure the safety of the public as required by the regulations of the administrative official.
- (i) **Removal of Dust.** Dust, sand blasts or other harmful agents, when employed or occurring in construction operations, shall be disposed of at or near the point of origin to prevent their diffusion over adjoining premises or streets.

- (ii) **Protective Equipment.** Facilities shall be provided for housing the necessary vision, respiratory and protective equipment required in welding operations in approved closed containers and in accordance with the regulations of the administrative official.
- (21) **Welding Safety Precautions.**
  - (i) **Welding Enclosures.** All welding and flame-cutting operations shall be performed in protected areas with full consideration to safety and fire hazards. Such closed spaces shall be properly ventilated while welding or cutting is being done. Suitable protection against the rays of the electric arc shall be maintained by the contractor where arc-welding operations might be viewed within harmful range by persons other than the welding operators and inspectors.
  - (ii) **Flammable Materials.** Proper precautions shall be taken to avoid all risk of fire or explosion and no flammable or explosive materials shall be stored in the vicinity of welding or cutting operations.
- (22) **Sanitation.** Every building in the course of demolition, erection or repair shall be provided with toilet and drinking water facilities which shall be constructed and installed in accordance with the Plumbing Code of New York State.
- (23) **Disputes.** The building official, when requested by any person, aggrieved or otherwise, shall serve a written notice on any owner, tenant, and their agents who fail to conform to the requirements of this article directing said person to take the necessary remedial action. If the person whose duty it is to protect the property in question or the adjoining property under those provisions fails to proceed to fully comply with such notice within three (3) days of the receipt thereof, or within a reasonable time thereafter as determined by the building official, the building official may cause the necessary work to be done when the health, safety and general welfare of the public are involved. The cost of such work shall become a lien against the property of the offending owner and the legal authority of the municipality shall institute appropriate action for its recovery.

## PART 2. FIRE LIMITS

a. **Fire Limits Established.** The fire limits referred to in this ordinance shall include all sections of the city designated in the Zoning Ordinance and its amendments as Industrial Districts, Commercial Districts, Business Districts, Business Residential Districts and Office Residential Districts and shall be classified as "Fire Limits A".

b. **Changes in Fire Limits.** Any changes in the boundaries of the fire limits or changes of designation of any area from one to another shall be established by the same procedure prescribed for the promulgation of new rules, or by the promulgation of a new ordinance.

**c. Restrictions.**

- (1) **High Hazard Uses.** Except as specifically approved by the Commissioner, all buildings of high hazard use (Group H) shall be prohibited from location within the limits. Paint spray, drying rooms and rooms for similar incidental uses not exceeding one thousand (1,000) square feet in area in industrial buildings shall be permitted when enclosed in fire resistive construction as specified for special uses and occupancies.
- (2) **Frame Construction.** No building of frame construction (type 5) shall be erected within the fire limits nor shall such building or structure be moved from without to within, or from one lot to another within the fire limits except as provided in Section WPGCC-2; and no building of otherwise lawful construction shall be extended in height or area within the fire limits by frame construction; except that one- and two-family framed dwellings may be extended in area by not more than three hundred (300) square feet and to a height of not more than two and one-half (2½) stories nor more than thirty-five (35) feet.
- (3) **Fences.** Fences not over eight (8) feet in height may be erected of frame (type 5) construction.
- (4) **Storm Enclosures.** Storm enclosures may be erected of frame construction not more than ten (10) feet in height and not more than three (3) feet wider than the entrance doors which they serve; provided they do not project more than six (6) feet beyond the building line.
- (5) **Accessory Buildings.**
  - (i) **Outbuildings and Parking Lot Offices.** Outbuildings and parking lot offices not more than ten (10) feet in height and one hundred (100) square feet in area may be erected of frame (type 5) construction when accessory to one- or two-family dwelling on the same lot or accessory to a lot approved for motor vehicle parking, when located not less than six (6) feet from the lot line or any building.
  - (ii) **Greenhouses.** Greenhouses and similar accessory structures may be erected of frame (type 5) construction when accessory to a one- or two-family dwelling on the same lot and when located not less than six (6) feet from interior lot lines or any building.
  - (iii) **Private Garages.** Private garages not more than one (1) story nor more than fifteen (15) feet in height when accessory to a one- or two-family dwelling may be erected of protected frame (type 5a) construction not more than seven hundred and fifty (750) square feet in area, or of frame (type 5b) construction not more than five hundred (500) square feet in area, when located not less than five (5) feet from interior lot lines or any building.
  - (iv) **Store Fronts.** Wood veneers of one (1) inch nominal thickness or exterior grade plywood not less than five-eighths (5/8) inch thick may be used on store fronts when

facing public streets; provided the veneer does not exceed one (1) story in height and is applied to noncombustible backing or is furred not to exceed one and five-eighths ( $1\frac{5}{8}$ ) inch and fire stopped.

- (vi) **Pedestrian Bridges.** Pedestrian bridges of type 2b (unprotected noncombustible) construction shall be permitted within the limits subject to the following conditions:
- (I) Connecting buildings or structures of Type 1 or Type 2 Construction classification only.
  - (II) Shall not be used as a required means of egress, nor as occupiable space.
  - (III) Such pedestrian bridges shall be of noncombustible construction throughout, including all glazing (no plastic) and finish materials.
  - (IV) Bridges, when enclosed, shall be equipped with approved sprinkler and fire detection system.
  - (V) The underside horizontal surface of such bridges shall be covered by a noncombustible, fire resistive panel.
  - (VI) The height clearance, measured from the bottom exterior surface of such bridges to any pavement or building roof surface below, shall be a minimum of fifteen (15) feet, (sixteen (16) feet, six (6) inches when over a roadway).

d. **Temporary Structures.**

- (1) **General.** Within the fire limits no temporary structure which is enclosed in any manner shall be placed on any lot nearer than ten (10) feet to the lot line.
- (2) **Tents.** Tents shall not be permitted within the fire limits, unless constructed of approved certified flameproof material.
- (3) **Builders Shanties and Reviewing Stands.** Temporary builders' shanties erected in connection with approved building operations, platforms, reviewing stands, and other similar miscellaneous structures may be erected of frame (type 5) construction for a limited period of time as approved by the Commissioner.
- (4) **Sheds.** Sheds open on the long side not more than fifteen (15) feet in height nor more than five hundred (500) square feet in area may be erected of frame (type 5) construction when located not less than six (6) feet from lot lines.

**PART 3. PROJECTION BEYOND THE STREET LINE**

a. **Marquees.** For the purpose of this section a marquee shall include any object or decoration attached to or a part of said marquee.

- (1) **Projection and Clearance.** The horizontal clearance between a marquee and the curb line shall be not less than two (2) feet. A marquee shall be not less than ten (10) feet above the ground or pavement below.

- (2) **Restricted Use.** Marquees projecting over the building line or street property line shall be permitted only as accessory to a hotel or theater use, and limited for such use to the principal entrance of the building.

b. **Permissible Street Projections.** Subject to such provisions as may be otherwise prescribed by law or ordinance, or by rule of the municipal authorities having jurisdiction over streets, highways, and public spaces, the following projections shall be permitted beyond the street lot line or the building line, as the case may be:

- (1) "Main cornices or roof eaves" located at least twelve (12) feet above the curb level shall project not more than three (3) feet;
- (2) "Belt courses, lintels, sills, architraves, pediments" and similar architectural decorations shall project not more than four (4) inches when less than ten (10) feet above the curb level, and not more than ten (10) inches when ten (10) feet or more above the curb level;
- (3) "Ornamental columns, or pilasters" including the bases and moldings which emphasize the main entrance of the building shall project not more than twelve (12) inches;
- (4) "Entrance steps and doors" shall not project beyond the building line; except that where the building is set back a minimum of twelve (12) inches from the property line the door swing may extend a maximum of twelve (12) inches beyond the face of the building;
- (5) "Oriel windows" with the lowest portion at least ten (10) feet above the curb level shall project not more than one and one-half (1½) feet;
- (6) "Balconies" located at least ten (10) feet above the curb level shall project not more than one and one-half (1½) feet;
- (7) "Awning covers or boxes" located at least eight (8) feet above the curb level shall project not more than twelve (12) inches;
- (8) "Vaults and areaways" projecting into public property shall not be permitted except pursuant to a permit issued by the Commissioner of Public Works. When plans for a building filed with the Commissioner show that any portion of the space underneath any sidewalk or other public place is intended to be used as a vault, the Commissioner shall not approve such plans nor issue a permit for the construction or alteration of such building until a copy of the required vault permit issued by the Commissioner of Public Works shall have been filed in the office of the Commissioner of Building.

c. **Awnings and Canopies.**

- (1) **Permit.** A permit shall be obtained from the Commissioner for the erection, repair or replacement of any fixed awning, canopy, or hood except as provided in Section

WPGCC-3c(1)(i) and for any retractable awning located at the first story level and extending over the public street or over any portion of a court or yard beside a building serving as a passage from a required exit to a public street.

- (i) **Exemption From Permit.** No permit shall be required for the erection, repair or replacement of fixed or retractable awnings installed on one- and two-family dwellings unless they project over public property, or for retractable awnings installed about the first story or where the awning does not project over the public street or over any court or yard serving as a passage from the required exit to a public street. A permit will not be required in accordance with this section; a permit is required for the same installation by the Sign and Awning Ordinance.
- (2) **Installation of Awnings.**
- (i) **Retractable Awnings.** There shall be a minimum clearance of seven (7) feet from the sidewalk to the lowest part of the framework or any fixed portion of any retractable awning, except that the bottom of the valance of canvas awnings may extend to six (6) feet nine (9) inches above the sidewalk. Retractable awnings shall be securely fastened to the building and shall not extend closer than twelve (12) inches from the curb line. They shall be equipped with a mechanism or device for raising and holding the awning in a retracted or closed position against the face of the building.
  - (ii) **Fixed or Permanent Awnings.** The clearance from the sidewalk to the lowest part of any fixed or permanent awning shall be the same as required for retractable awnings. Fixed or permanent awnings installed above the first story shall not project more than four (4) feet.
  - (iii) **Canopies.** Canopies shall be constructed of a metal framework, with an approved covering, attached to the building at the inner end and may be supported at the outer end by not more than two (2) stanchions with braces anchored in an approved manner and placed not less than two (2) feet in from the curb line. The horizontal portion of the framework shall not be less than eight (8) feet nor more than twelve (12) feet above the sidewalk and the clearance between the covering or valance and the sidewalk shall be not less than seven (7) feet.
  - (iv) **Special Applications of Awnings.** Rigid awnings supported in whole or part by members resting on the ground and used for patio covers, car ports, summer houses or other similar uses shall comply with the requirements of Section WPGCC-3c(2)(v) for design and construction. Such structures shall be braced as required to provide rigidity.
  - (v) **Design and Construction.** Fixed awnings, canopies, and similar structures shall be designed and constructed to withstand wind or other lateral loads and live loads as required by the Code with due allowance for shape, open construction and similar features that relieve the pressure or loads. Structural members shall be protected to prevent deterioration.

