



## TOWN OF BEEKMAN

4 MAIN STREET  
POUGHQUAG, NEW YORK 12570-9601  
TEL: 724-5300 • FAX: 724-3245

### Converting a Basement to Living Space (Finished Basement)

In accordance with the 2010 New York State Residential Code

A Building Permit is required for a Change of Use of a basement area from unfinished/storage to finished/living space. The Town of Beekman Building Department does NOT issue Building Permits or Certificates of Occupancy for "Finished Storage Areas". A Building Permit is required for any type of construction.

The Building Permit application must include a construction drawing with the basement dimensions, locations of appliances (furnaces/boilers/hot water heaters), utilities, means of egress, stairs, doors, walls, windows, etc. "As Built" permits require stamped and signed plans from a NYS Engineer or Architect.

#### **Height requirements:**

**R305.1 Minimum height.** Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

#### **Exceptions:**

1. Beams and girders spaced not less than 4 feet (1219 mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.
2. Ceilings in basements without habitable spaces may project to within 6 feet, 8 inches (2032 mm) of the finished floor; and beams, girders, ducts or other obstructions may project to within 6 feet 4 inches (1931 mm) of the finished floor.
3. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
4. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixture and at the front clearance area for fixtures. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

#### **EMERGENCY ESCAPE AND RESCUE OPENINGS**

**R310.1 Emergency escape and rescue required.** Basements with habitable space and every sleeping room shall have at least one operable emergency and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

**R310.1.1 Minimum opening area.** All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m<sup>2</sup>).

**Exception:** Grade floor openings shall have a minimum net clear opening of 5 square feet (0.465 m<sup>2</sup>).

**R310.1.2 Minimum opening height.** The minimum net clear opening height shall be 24 inches (610 mm).

**R310.1.3 Minimum opening width.** The minimum net clear opening width shall be 20 inches (508 mm).

**R310.1.4 Operational constraints.** Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.



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**R310.2 Window wells.** The minimum horizontal area of the window well shall be 9 square feet (0.9 m<sup>2</sup>), with a minimum horizontal projection and width of 36 inches (914 mm). The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

**Exception:** The ladder or steps required by Section R310.2.1 shall be permitted to encroach a maximum of 6 inches (152 mm) into the required dimensions of the window well.

**R310.2.1 Ladder and steps.** Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Sections R311.5 and R311.6. Ladders or rungs shall have an inside width of at least 12 inches (305 mm), shall project at least 3 inches (76 mm) from the wall and shall be spaced not more than 18 inches (457 mm) on center vertically for the full height of the window well.

**R310.3 Bulkhead enclosures.** Bulkhead enclosures shall provide direct access to the basement. The bulkhead enclosure with the door panels in the fully open position shall provide the minimum net clear opening required by Section R310.1.1. Bulkhead enclosures shall also comply with Section R311.5.8.2.

**R310.4 Bars, grilles, covers and screens.** Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided the minimum net clear opening size complies with Sections R310.1.1 to R310.1.3, and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that which is required for normal operation of the escape and rescue opening.

**R310.5 Emergency escape windows under decks and porches.** Emergency escape windows are allowed to be installed under decks and porches provided the location of the deck allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914 mm) in height to a yard or court.

## Smoke Alarms/Carbon Monoxide Detectors

**R313.1.1 Location.** Smoke alarms shall be installed in the following locations:

3. On each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

**R313.1.2 Power source.** In new construction, the required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source or an on-site electrical power system, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

**R313.4.1 General.** Carbon monoxide alarms (or, where permitted, carbon monoxide detectors) shall be installed, operated and maintained in accordance with the provisions of this section, or in accordance with the provisions of NFPA 720.

**Exception:** Carbon monoxide alarms and/or carbon monoxide detectors shall not be required in a building or structure that contains no carbon monoxide source.

**R313.4.2 Required locations.** Carbon monoxide alarms shall be provided in the following locations:

2. On any story of a dwelling unit that contains a carbon monoxide source.

## Stairways

### R311.5 Stairways.

**R311.5.1 Width.** Stairways shall not be less than 36 inches (914 mm) in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4.5 inches (114 mm) on either side of the stairway and the minimum clear width of the stairway at



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and below the handrail height, including treads and landings, shall not be less than 31.5 inches (787 mm) where a handrail is installed on one side and 27 inches (698 mm) where handrails are provided on both sides.

**R311.5.2 Headroom.** The minimum headroom in all parts of the stairway shall not be less than 6 feet 8 inches (2036 mm) measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform.

**R311.5.6 Handrails.** Handrails shall be provided on at least one side of each continuous run of treads or flight with four or more risers.

**R311.5.6.1 Height.** Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than 34 inches (864 mm) and not more than 38 inches (965 mm).

**R311.5.6.2 Continuity.** Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than  $1\frac{1}{2}$  inch (38 mm) between the wall and the handrails.

**R311.5.6.3 Handrail grip size.** All required handrails shall be of one of the following types or provide equivalent graspability.

1. Type I. Handrails with a circular cross section shall have an outside diameter of at least  $1\frac{1}{4}$  inches (32 mm) and not greater than 2 inches (51 mm). If the handrail is not circular it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than  $6\frac{1}{4}$  inches (160 mm) with a maximum cross section of dimension of  $2\frac{1}{4}$  inches (57 mm).

2. Type II. Handrails with a perimeter greater than  $6\frac{1}{4}$  inches (160 mm) shall provide a graspable finger recess area on both sides of the profile. The finger recess shall begin within a distance of  $\frac{3}{4}$  inch (19 mm) measured vertically from the tallest portion of the profile and achieve a depth of at least  $\frac{5}{16}$  inch (8 mm) within  $\frac{7}{8}$  inch (22 mm) below the widest portion of the profile. This required depth shall continue for at least  $\frac{3}{8}$  inch (10 mm) to a level that is not less than  $1\frac{3}{4}$  inches (45 mm) below the tallest portion of the profile. The minimum width of the handrail above the recess shall be  $1\frac{1}{4}$  inches (32 mm) to a maximum of  $2\frac{3}{4}$  inches (70 mm). Edges shall have a minimum radius of 0.01 inch (0.25 mm).

**R311.2.2 Under stair protection.** Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with  $\frac{1}{2}$ -inch (13 mm) gypsum board.

**R312.1 Guards.** Porches, balconies, ramps or raised floor surfaces located more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 36 inches (914 mm) in height. Open sides of stairs with a total rise of more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 34 inches (864 mm) in height measured vertically from the nosing of the treads.

**R312.2 Guard opening limitations.** Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere 4 inches (102mm) or more in diameter.

**Exceptions:**

1. The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.

2. Openings for required guards on the sides of stair treads shall not allow a sphere  $4\frac{3}{8}$  inches (107 mm) to pass through.

## Fire Resistant Construction

**R309.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with  $\frac{3}{4}$ -hour fire-protection-rated assemblies equipped with self-closing devices.