



Town of Gates

Building Department

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Finishing Basements: What You Need To Know

- Effective January 1, 2003, New York has new building code requirements for detached one- and two-family dwellings and townhouses not more than 3 stories in height, all of which are included in the new Residential Code of New York State. **This applies to all new residential construction in New York, including, for example, converting a basement space into habitable (for living, eating, sleeping or cooking) space.**
- To be able to convert a basement space into habitable space, there are several requirements that have to be met. For example, habitable rooms must have a ceiling height of not less than 7 feet from the finished floor. Beams, girders, ducts or other obstructions may project to within 6 feet, 8 inches, of the finished floor.
- Light and ventilation need to be supplied to all habitable rooms by providing an aggregate glazing area (windows) of not less than 8 % of the floor area for light, and not less than 4% of the floor area for a minimum openable area to the outdoors for ventilation.
- Basements with habitable space and every sleeping room need to have at least one openable emergency escape and rescue opening. The opening needs to have a sill height of not more than 44 inches above the floor. As long as the opening is not more than 44 inches above or below the finished ground level outside, it must have a minimum net clear opening of 5 square feet; otherwise it must have a minimum net clear opening of 5.7 square feet. In any case, the opening must be at least 24 inches wide and 20 inches high, and operational from the inside without the use of keys or tools.
- It is also possible to use window wells for emergency egress. The horizontal dimension of the window well must provide a net clear area of at least 9 square feet, and must have a minimum horizontal projection of at least 36 inches. If the window well has a greater vertical depth than 44 inches, then it must be equipped with a permanent ladder or steps that are usable with the window open.
- It is also important to note that furnaces in basements generally need at least 1 cubic foot of space for each 10 Btu/h rating of the particular furnace. Depending on the size of the basement and any partitions proposed, this may limit what can be done in a particular space.
- Finally, if any part of the space is to be used as a sleeping room, smoke alarms must be installed in each sleeping room, outside of each sleeping area and on each additional story of the dwelling. They must be interconnected and hard-wired with a battery back-up. This applies to the entire house, including basements.
- All of the above is just a summary of the basic requirements. Depending on the specifics of your project, there are many different ways to satisfy the code requirements. We cannot design your project for you, but we will let you know if your design complies.
- Copies of the new code book are available from the International Conference of Building Officials at (888) 699-0541 or at <http://www.icbo.org/gateway/111SNY.html>. Contractors and property owners are strongly encouraged to obtain a copy so you can become familiar with the new requirements.
- If you have any questions about any of the above, please feel free to contact this office at (585) 247-6100 for more information.