§ 53. Fire-escapes. Every fire-escape erected after April eighteenth, nineteen hundred twenty-nine, shall be located, arranged, constructed and maintained in accordance with the following provisions:

1. Access to a fire-escape shall be from a living room or private hall in each apartment or suite of rooms at each story above the entrance story, and such access shall not include any window of a stairhall.

a. Such room or private hall shall be an integral part of such apartment or suite of rooms and accessible to every room thereof without passing through a public hall.

b. When one or more living rooms of any apartment are rented to boarders or lodgers, every such room shall be directly accessible to a fire-escape without passing through a public hall, and for separately occupied living rooms access to fire-escapes shall be direct from such rooms without passing through a public hall or any other separately occupied room, except as may be permitted for dormitories in section sixty-six.

c. Access to any fire-escape shall not be obstructed by sinks or kitchen fixtures or in any other way. Iron bars, grilles, gates, or other obstructing devices on any window giving access to fire-escapes or to a required secondary means of egress shall be unlawful unless such devices are of a type approved by the board of appeals and are installed and maintained as prescribed by the board; provided, however, that in a city having a population of one million or more, such devices shall be of a type approved, installed and maintained as prescribed by the fire commissioner, or as previously approved and prescribed by the board of standards and appeals of such city, except as otherwise provided by said commissioner.

d. Every such fire-escape shall be accessible to one or more exterior doors or windows opening from the room, apartment, suite of rooms or other space which it serves as means of egress, and such window or door shall be two feet or more in clear width and two feet six inches or more in clear height. The sill of any such window shall be within three feet

of the floor.

2. A required fire-escape may be erected in any of the following places:

a. On a wall facing a street or yard;

b. In a court of a non-fireproof multiple dwelling to serve an apartment or suite of rooms which does not contain any room fronting upon a street or yard, or in any inner court thirty-five feet or more in its least horizontal dimension, provided the fire-escape does not project more than four feet from the wall of the dwelling and is directly connected at the bottom of such court with a fireproof passageway at least three feet wide and seven feet high leading directly to a street unless the court itself leads to a street;

c. In any outer court eighteen feet or more in width and thirty feet or less in length;

d. In any outer court more than eighteen feet in width the length of which does not exceed its width by more than seventy per centum;

e. In any outer court ten feet or more in width at every point and situated on a lot line;

f. In any outer court seven feet or more in width at every point which is situated on a lot line and extends from a street to a yard;

g. In a recess on the front wall of a multiple dwelling, provided the recess does not exceed five feet in depth, is used solely for fire-escape purposes and has seventy-five per centum or more of its area open to the street, and is otherwise unenclosed and open at the top. No such recess shall be counted as a part of the unoccupied area of the premises or be construed as a court unless its entire area is open to the street.

3. No fire-escape may project more than four and one-half feet into a

public highway from the lot line of the multiple dwelling it serves. Every part of such fire-escape shall be at least ten feet above any sidewalk directly below.

4. a. Every fire-escape shall be constructed of open balconies and stairways of iron or stone capable of sustaining a load of at least eighty pounds per square foot. The use or reuse of old materials or cast iron in the construction of fire-escapes shall be unlawful.

b. Balconies for fire-escapes shall be three feet or more in clear width except that a party-wall balcony as permitted by paragraph f of subdivision one of section one hundred eighty-seven may be two feet in clear width.

c. Every stairway shall be placed at an angle of sixty degrees or less with flat open steps at least six inches in width and twenty inches in length and with a maximum rise of nine inches. The opening in any balcony for such a stairway shall be at least twenty-one by twenty-eight inches.

5. a. There shall be provided from the lowest balcony a drop ladder fifteen inches in width and of sufficient length to reach to a safe landing place beneath. Such ladder shall be constructed, located and arranged so as to be held in proper position at all times and, unless properly counter-balanced, shall be placed in guides so that it can be easily lowered.

b. The distance from the lowest balcony to the ground or safe landing place beneath shall be not more than sixteen feet, except that the department may permit such lowest balcony to be up to eighteen feet above a public sidewalk because of structural conditions in any multiple dwelling erected before April eighteenth, nineteen hundred twenty-nine.

c. No drop ladder shall be required where the distance from the lowest balcony to a safe landing place beneath is five feet or less.

6. The balcony on the top story shall be provided with a stairway or a

gooseneck ladder from such balcony to and above the roof and securely fastened thereto, except that no such stairway or ladder shall be required:

a. On multiple dwellings two stories or less in height erected after April eighteenth, nineteen hundred twenty-nine; or

b. Wherever there is a peak roof with a pitch in excess of twenty degrees;

c. When the fire-escape is on the front of the dwelling, in a recess on the front of the dwelling, or on an outer court opening to a street.

7. Every fire-escape if constructed of material subject to rusting shall be painted with two or more coats of good paint in contrasting colors; in the case of a new fire-escape the first coat before erection, and the second coat after erection. Whenever a fire-escape becomes rusty, the owner shall repaint it with two additional coats of good paint.

8. a. Whenever a non-fireproof multiple dwelling is not provided with sufficient means of egress in case of fire, the department may order such additional fire-escapes or balconies as in its judgment may be deemed necessary.

b. The owner of a multiple dwelling shall keep and maintain every fire-escape thereon in good order and repair.

c. No person shall at any time place any encumbrance of any kind before or upon any fire-escape, or place or keep a cover of any kind over the stairway opening in a balcony of such fire-escape. An occupant or tenant of a multiple dwelling who shall violate or assist in the violation of the provisions of this paragraph shall be guilty of a misdemeanor punishable as provided in section three hundred four.

9. No fire-escape shall be removed from or constructed on any existing multiple dwelling without permission from the department. No fire-escape

shall be removed from any apartment without due precaution against leaving occupants of such apartment without adequate means of egress in case of fire. A wire, chain cable, vertical ladder or rope fire-escape is an unlawful means of egress. Every such fire-escape, if required as a means of egress, shall be removed and replaced by a system of fire-escapes constructed and arranged as provided in this section.

10. The department shall have the power to make supplementary regulations relating to fire-escapes.