§ 60. Motor vehicle storage. A space may be provided and maintained in any multiple dwelling or upon the premises thereof, or a structure may be erected and maintained at the rear or side thereof, for the storage of passenger motor vehicles but only with a written permit therefor when required by local law and in accordance with every applicable local law, ordinance, resolution, code provision or regulation and with the following provisions:

1. a. It shall be unlawful to sell, store, handle or furnish gasoline, oil or other fuel, or any article, accessory or service except storage, or to construct or maintain repair or grease pits in any such space or structure. The provisions of this section shall not prevent the keeping of such gasoline, oil or other fuel as may be contained in the tank of any such motor vehicle, and the cleaning or washing of such motor vehicles.

b. Such space or structure shall be used solely for the storage of passenger motor vehicles of the occupants of the multiple dwelling or of multiple dwellings under common ownership, except that, in the event such space or structure or part thereof is not used by such occupants, it may be rented by the owner or owners of such dwelling or dwellings to persons other than the occupants thereof. The space which has thus been rented shall be made available to an occupant within thirty days after written request therefor. Except as otherwise provided in paragraph d herein transient parking for any period of less than one month by non-occupants is unlawful. However, such space may be used also for the storage of any type of mechanical or motor-driven equipment or other accessory device or passenger bus required for the proper maintenance of the site and of the dwellings thereon.

c. If any of the provisions contained in paragraphs a and b of this subdivision is violated, the department charged with the enforcement of this chapter or the fire department shall order and direct that no motor vehicle may be stored or kept in such space or structure thereafter for such period as either department shall determine, and thereupon the permit shall be suspended and no motor vehicle shall be stored or kept in such space or structure for such period.

d. A city may, by local law or ordinance, or the duly constituted planning or appeal board or commission of a city may by granting an approval, exception or variance, authorize transient parking for any period of less than one month of motor vehicles in dwellings by non-occupants in any space that is not let to an occupant pursuant to the other provisions of this section. Such city may require a license and impose a fee therefor, and adopt supplementary rules, regulations and conditions under which such parking shall be permitted.

2. a. Every such space or structure shall be designed and constructed to accommodate not more than two passenger motor vehicles for each family in such multiple dwelling.

b. Such space or structure shall have a floor area within its enclosing walls not greater than three hundred square feet per vehicle for each such family, including car parking spaces and aisles.

c. Every such storage space or structure shall be fireproof throughout, except that any extension of such storage space or structure beyond the exterior walls of a fireproof dwelling not exceeding one story in height and any separate structure on the same lot as a fireproof dwelling may be of uncombustible material with a fire-resistive rating of at least two hours, if such extension or separate structure complies with the provisions of paragraph e of this subdivision.

d. When constructed within a multiple dwelling such storage space shall be equipped with a sprinkler system and also with a system of mechanical ventilation in no way connected with any other ventilating system. Such storage space shall have no opening into any other part of the dwelling except through a fireproof vestibule. Any such vestibule shall have a minimum superficial floor area of fifty square feet and its maximum area shall not exceed seventy-five square feet. It shall be enclosed with incombustible partitions having a fire-resistive rating of three hours. The floor and ceiling of such vestibule shall also be of incombustible material having a fire-resistive rating of at least three

hours. There shall be two doors to provide access from the dwelling to the car storage space. Each such door shall have a fire-resistive rating of one and one-half hours and shall be provided with a device to prevent the opening of one door until the other door is entirely closed. One of these doors shall swing into the vestibule from the dwelling and the other shall swing from the vestibule into the car storage space. The door from the vestibule to the dwelling shall be at least twenty feet distant in a non-fireproof dwelling or twelve feet in a fireproof dwelling from any stair enclosure, elevator shaft, or any opening to any other vertical shaft. Such vestibule shall also be equipped with sprinklers and with an exhaust duct having a minimum cross-sectional area of one hundred forty-four square inches and shall not be connected with any other ventilating system.

e. Such storage space may be extended beyond the exterior walls of a fireproof dwelling without any separating walls between its interior and exterior portion provided that such extension is roofed over and equipped with sprinklers throughout. Such extension shall be open to the outer air on at least two sides and in no event shall more than fifty percent of its vertical surface area be enclosed in any manner. Any such extension shall not be deemed to be a storage space within a multiple dwelling. Any enclosed sub-surface space beneath such an extension shall however, comply with all the provisions of this section applicable to storage space within a multiple dwelling. Any portion of such extension of storage space or of a separate structure for such storage purposes appurtenant to a multiple dwelling which face any dwelling within a distance of twenty feet therefrom or which is within thirty feet of any living room window of any dwelling shall be unpierced except for door openings for vehicles. A separate structure for such storage purposes appurtenant to a multiple dwelling may adjoin such dwelling provided that the part of the wall separating such space from the dwelling is fireproof and unpierced, except by a fireproof vestibule as provided in subdivision d. Such extension or separate structure shall be adequately screened at grade level. That part of the roof of an extension within thirty feet of any living room window of any dwelling shall not be used for parking or storage of motor vehicles or the ingress thereto or egress therefrom by motor vehicles.

f. Any such structure one story in height or any extension of a storage space within a multiple dwelling beyond the exterior wall of such dwelling where such extension is one story in height, shall not be deemed an encroachment upon a yard or its equivalent or a court. Any such structure or extension in excess of such height shall be deemed an encroachment thereupon.

g. In a completely enclosed storage structure or a storage space within a multiple dwelling except for vehicle entrance doors, all doors, windows and their assemblies in the exterior walls of any such space or structure accommodating more than five motor vehicles shall be fireproof and such windows shall be either fixed windows or automatic fire windows and glazed with wire glass. Any door or vehicle entrance to such space or structure accommodating more than five motor vehicles shall be at least twenty feet distant from any door giving access to any required entrance hall from outside of the dwelling and shall be at least eight feet distant from any other entrance or exit of such dwelling. However, in such space the windows in an exterior wall which faces the street may be of incombustible material and be glazed with plain glass, provided that such windows are thirty feet or more, measured in a horizontal direction, from any opening in the exterior wall of the dwelling.

h. Notwithstanding any other provision of this section when such storage space or structure is designed and constructed within or appurtenant to a converted dwelling to accommodate not more than three motor vehicles, (1) the ceiling and the enclosing walls may be of materials having a fire-resistive rating of not less than one hour and the floors shall be fireproof; (2) only one opening shall be permitted in the enclosure partition between the garage and the dwelling and such opening shall be protected by a fireproof door and assembly with the door self-closing; (3) a sprinkler system for such space shall not be required; and (4) in lieu of mechanical ventilation, such space may have fixed ventilation of not less than one hundred and forty-four square inches for each motor vehicle.

3. The agency of a city authorized by law to make rules supplemental

to laws regulating construction, maintenance, use and area of buildings and to grant variances of the zoning resolution shall have the power to make rules to supplement the requirements of this section and, after public hearing, may grant variances of local laws, resolutions, code provisions or regulations which are more restrictive than the provisions of this section, subject to such conditions as, in the opinion of such agency, will best promote health, safety and welfare and carry out the permissive intent of this section. All owners of property within a radius of one hundred fifty feet of the entrance or entrance passage to such space or structure shall be duly notified of any such public hearing and shall be given due opportunity to be heard thereon. Nothing in this section shall be deemed to prohibit the use of a part of such lot or plot as a parking area for the exclusive use of the occupants of such dwelling.

4. No parking area or space to be used for the storage of motor vehicles upon the premises of a multiple dwelling shall encroach upon any part of the lot or plot which is required by any provision of this chapter to be left open and unoccupied.

5. None of the provisions of this section shall be construed as permitting such space or structure or part thereof to be rented or leased for the storage or warehousing of passenger or commercial type of motor vehicles, which are part of stock of any person, firm or corporation engaged in the purchase, sale or rental of such motor vehicles.