§ 76. Water-closet and bath accommodations. 1. General requirements. This section shall apply to all dwellings whenever erected or converted except as herein provided.

a. No water-closet shall be installed, kept or maintained in any yard, court or other open space, and every water-closet or other receptacle to receive fecal matter, urine or sewerage, located in any such yard, court or other open space, shall be completely removed, and the place where they were located shall be disinfected under the direction of the department.

b. No water-closet shall be installed, kept or maintained in a cellar or basement unless it is provided for lawful cellar or basement living rooms, or is supplementary to the required water-closet accommodations.

c. No water-closet shall open directly into any kitchen or kitchenette in a multiple dwelling erected after April eighteenth, nineteen hundred twenty-nine.

d. Every water-closet compartment shall be at least two feet four inches in clear width and, except in a general toilet or bathroom, shall be enclosed with partitions which shall extend from the floor to the ceiling and which shall be plastered or tiled or covered with similar materials approved by the department.

e. The floor of every such compartment, bathroom or general toilet room shall be made waterproof with material approved by the department, and such waterproofing material shall extend six inches or more above the floor, except at doors.

f. The use of drip trays is unlawful.

g. No plumbing fixture or water-closet shall be enclosed wholly or in part with woodwork.

h. Every water-closet compartment, bathroom and general or public toilet room, and every other room containing one or more water-closets

or urinals, except as specifically provided otherwise in this section, shall have at least one window opening upon a street or lawful court, yard or space above a setback. Every such window shall be at least three square feet in area and shall be made so that half its area can be readily opened.

i. No window shall be required when each such compartment, bathroom or general toilet room is located on the top story or underneath the bottom of a lawful shaft or court and is lighted and ventilated in either case by a skylight the roof of which contains at least three square feet of glazed surface and is arranged to be readily opened.

j. In lieu of a required window or skylight, it shall be lawful to install a system of ventilation, approved for construction and arrangement by the department, for water-closet compartments used for the business portions of any dwelling or for compartments containing water-closets, bathrooms or general toilet room in any dwelling. Such system of ventilation shall be maintained and operated continuously to provide at least four changes per hour of the air volume of each such water-closet compartment, bathroom or general toilet room daily from seven o'clock in the morning until seven o'clock at night in any business parts of such dwelling and from six o'clock in the morning until midnight in all parts used for dwelling purposes.

k. Every water-closet compartment or bathroom shall be provided with electricity and fixtures to light the same properly.

l. In a fireproof dwelling in which two or more rooms, all of which open directly upon the same public hall, are occupied exclusively by persons employed by the tenants thereof, there shall be provided for the occupants of such rooms and accessible therefrom directly or through such public hall, at least one water-closet compartment for the first four such rooms or fraction thereof and at least one additional water-closet compartment for each additional seven such rooms or fraction thereof, and no further water-closet accommodations for such rooms shall be required.

m. Water-closets may be placed together in a general toilet room provided they are supplementary to required water-closet accommodations or are solely for the use of business portions of the dwelling.

n. Except as herein provided if any living rooms in a fireproof dwelling open directly upon a public hall without any intervening room, foyer or passage, or if any suites of two living rooms in such a dwelling open upon a foyer giving direct access to a public hall, only one water-closet compartment shall be required for every three such living rooms on each story. Every such water-closet compartment shall be accessible to one or more of said rooms without passage through a public hall or any bedroom.

2. Class A dwellings.

a. Every apartment in a class A dwelling, except old-law tenements, shall be provided with a water-closet which shall be placed in a compartment completely separated from any other water-closet.

b. Every apartment in a class A dwelling, except old-law tenements, shall also contain a bath, which may be in a separate compartment or together with the water-closet in a bathroom. There shall be access to at least one such compartment or bathroom from every bedroom without passing through any other bedroom.

3. Class B dwellings.

a. The requirements of paragraph n, of subdivision one of this section shall not apply to a fireproof class B dwelling, every living room of which, except those used only by employees employed exclusively in the management and maintenance of such dwelling, has direct access to a public hall without passing through any other room, foyer or private hall and in which water-closet accommodations are provided in accordance with the provisions of this subdivision.

b. In such a fireproof dwelling there shall be on each story upon which there is any living room at least two water-closet compartments

for the first twenty such living rooms or fraction thereof and at least one additional water-closet compartment for each additional fifteen such living rooms or fraction thereof, and no further water-closet accommodations for such rooms shall be required.

c. There shall be on each story of such fireproof dwelling, in addition to the water-closet accommodations required in paragraph n of subdivision one hereof, at least one water-closet compartment for every fifteen living rooms or fraction thereof not having access to a water-closet compartment without passage through a public hall or bedroom, and every such room shall have access to such a compartment through a public hall. If two or more such compartments be required on any story by the provisions of this paragraph, they may be placed in a general toilet room.

d. For every urinal supplied on any story of such fireproof dwelling on which seventeen rooms or more are occupied exclusively by males, one water-closet compartment less than the number otherwise required may be provided on such story; except that the number of water-closet compartments on such story may not be reduced to less than three-quarters of the number otherwise required.

e. The water-closet compartments on each story of such a dwelling shall be accessible from every living room on the story. Such compartments may be placed in one or more general toilet rooms.

f. In a non-fireproof class B dwelling there shall be at least one water-closet compartment and one wash basin for every seven sleeping rooms and there need not be more than that number except that there shall be at least one on each story. At least one such water-closet compartment and one wash basin on each story of such dwelling shall be accessible from every living room on the same story.

4. Converted dwellings.

a. Every apartment in a class A converted dwelling shall be provided with a water-closet which shall be placed in a compartment or bathroom

within each apartment completely separated from any other water-closet. Every such apartment shall also contain a bath or shower and a wash basin.

b. In every class B converted dwelling there shall be at least one water-closet compartment on any floor containing any room used for class B occupancy and at least one bathroom or shower room and one wash basin for every six persons and for any remainder of less than six persons who may lawfully occupy any room or rooms for class B occupancy.

(c) Additional required water-closets and wash basins which are installed in order to comply with the provisions of this paragraph whether provided separately or in combination, shall be in a compartment separate and apart from every bath or shower required under the provisions of paragraph b, and each such additional required bath or shower shall be in a compartment separate and apart from every water-closet and wash basin required under the provisions of paragraph b, except that any such additional required water-closet, bath or shower or wash basin may be included in a single compartment containing any or all of such facilities, if such compartment is accessible only from or only within a room, apartment or suite of rooms and the occupant or occupants of such room, apartment or suite are exclusively entitled to use all such facilities contained in such compartment.

5. Old-law tenements. In every old-law tenement there shall be provided for the exclusive use of each family at least one water-closet compartment located within the dwelling. Such compartment shall be constructed and ventilated as approved by the department but such compartment shall be located on the same story as that on which the apartment occupied by each such family is situated and shall be equipped with lock and key. The provisions of this subdivision shall not apply (a) to any dwelling which the department of city planning certifies is in an area to be acquired for a public improvement and for which a request for acquisition has been submitted to the board of estimate by a public agency; or (b) to any dwelling in an area for which an urban renewal plan has been submitted to the planning commission, as provided in section five hundred five of the general municipal law, if the planning commission shall certify that compliance with the provisions of

this subdivision would be inconsistent with the plan; or (c) for which a demolition permit has been or shall be issued by the municipality pursuant to local law or ordinance. The exemption provided in (a), (b), and (c) of this subdivision shall be valid for a period of six months after the date of the acquisition request or the date of the submission of the urban renewal plan to the commission or the date of the issuance of the demolition permit as the case may be. Such exemption may be extended from time to time by the department provided, however, that such exemption shall not extend beyond November first, nineteen hundred sixty-five.

6. Single room occupancy.

a. Every apartment used for single room occupancy shall have at least one bath or shower, one wash-basin and one water-closet for each six adult persons who may lawfully occupy the rooms in such apartment as provided in section two hundred forty-eight, and for any remainder of less than six persons. If additional baths or showers or water-closets are installed within an apartment in order to comply with the provisions of this paragraph each water-closet shall be in an enclosure separate and apart from every bathroom or shower room and each bath or shower shall be in an enclosure separate and apart from every water-closet.

b. There shall be access to each required water-closet and bathroom without passing through any sleeping room, except that any water-closet, wash-basin or bathroom which connects directly with any sleeping room shall be deemed to be available only to the occupants of such room and shall not be included in the computations for the required number of water-closets and bathrooms.

7. Saving clause. No change need be made in the number, construction, arrangement, lighting or ventilation of water-closet compartments, bathrooms or general toilet rooms in any portion of any dwelling if the number, construction, arrangement, lighting or ventilation of such water-closet compartments, bathrooms or general toilet rooms was lawful on July first, nineteen hundred sixty-one.