



## DEPARTMENT OF BUILDINGS FINISHED BASEMENTS GUIDELINES AND REQUIREMENTS

Over the years the need for additional space has made homeowners look to finish their basements for storage, home offices, rec-rooms, or playrooms. The conversion of a basement to finished space requires a permit. The Building Department is responsible to enforce compliance with the New York State Building Codes and Village Zoning Codes therefore safety is our first concern. Improper egress from a basement or lack of proper combustion air for mechanical equipment can be unsafe.

The following guidelines are intended to assist residents with the minimum code requirements and permit process for proposed, or the legalization of, finished basements on residential properties. The references below highlight only a portion of the code, a registered design professional must be consulted for a full analysis.

Any questions regarding the process can be answered from 8:30 am – 4:30 pm, Monday to Friday by contacting the Building Department at 516.326.6319 or [FPBuildings@FPVillage.org](mailto:FPBuildings@FPVillage.org)  
The Building Department is located at 1 Pool and Garage Road, Floral Park, NY

Current Code Requirements:	
1.	Minimum ceiling height for a finished basement in an existing structure is 6'-8"; new construction will require a 7'-0" ceiling height for habitable spaces. Beams, girders, ducts, pipes, etc. may project into the ceiling space if they are equal to or greater than 6'-4" above the finished floor. (NYSRC R305.1, AJ601.3)
2.	All basements that contain finished space require an emergency escape and rescue opening, either a window or door that leads directly to the outside, in addition to the interior stair.  Emergency and escape rescue openings shall have a net clear opening of not less than 5.7 square feet. The net clear height opening shall be not less than 24" and the net clear width shall be not less than 20". The window sill height may not be more than 44" above the finished floor and when the sill is below grade, a window well must be provided. The horizontal area of the window well shall be not less than 9 square feet, with a horizontal projection and width of not less than 36 inches. The area of the window well shall allow the emergency escape and rescue opening to be fully opened. (NYSRC R310)  Window wells may extend two feet into the required side yards only, provided that the entire well is protected by a horizontal grating constructed in conformity with the NYSRC.  *Note: secondary cooking areas and sleeping rooms in the basement and are prohibited by the Village Code.
3.	Stairs must meet the proper stair width of 3 feet and headroom of 6 foot 8 inches and have code compliant guards and handrails. (See exceptions NYSRC AJ601.3)
4.	Finished basements must be provided with natural light not less than 8 percent of floor area and natural ventilation of not less than 4 percent of floor area or mechanical ventilation and artificial illumination NYSRC R303).
5.	Hard-wired and inter-connected smoke detectors are required. Carbon Monoxide detectors are required with secondary power sources. (NYSRC R314.4 and permanent wiring per R314.6, R315, FCNYS 915, NFPA 720)
6.	All enclosed rooms with heating equipment require fresh air supply and must meet required clearances as per manufacturer's specifications and the residential code.
7.	All electric must meet the requirements of the NYS Residential Code; National Electrical Code and a final Electrical Certificate must be obtained.
8.	All plumbing must meet the requirements of the NYS Residential Code and a plumbing permit is required. Backwater valves are required for all basement plumbing (NYSRC P3008).



## DEPARTMENT OF BUILDINGS FINISHED BASEMENTS GUIDELINES AND REQUIREMENTS

9. All bathrooms must have exhaust fan directly vented to outside or an operable window located in bathroom.
10. If the spaces are heated or cooled, basement walls must be insulated and meet the current NYS Energy Code.
11. If there is valid proof that the basement was finished in a certain year, the code in effect at the time will be referenced. The owner must provide construction drawings, dated contracts, receipts and similar documents or records indicating when the construction took place to establish the time of construction and the level of compliance.
12. If the basement does not meet the ceiling height requirements or other NYS non-code compliant items, a state variance can be obtained. This process can take 1-2 months.  For additional information or to begin a NYS variance or appeal process, contact the Regional office at: Long Island Office Perry B Duryea Jr. State Office Building 250 Veterans Memorial Highway 2A15 Hauppauge, NY 11788-5520 Courtney Nation – 631-952-4915 Variance Application: <a href="https://dos.ny.gov/system/files/documents/2019/12/2078-f-a.pdf">https://dos.ny.gov/system/files/documents/2019/12/2078-f-a.pdf</a> Code Enforcement Official Variance Questionnaire: <a href="https://dos.ny.gov/system/files/documents/2019/12/2076-f.pdf">https://dos.ny.gov/system/files/documents/2019/12/2076-f.pdf</a>
<b>Drawing Requirements:</b>
1. All drawings must be prepared and stamped by a NYS Licensed Architect or Engineer. Include a written statement that “To the best of the knowledge, belief, and professional judgment of the undersigned, the plans and specifications depicted on these drawings are in compliance with the applicable provisions of the 2020 New York State Uniform Fire Prevention and Building Code and all supplements.”
2. Floor plans shall include all room dimensions including height to finished ceilings and any ceiling projections.
3. Floor plans must show location and the use of each room and include all mechanical equipment, location of electrical panels and plumbing fixture layouts.
4. Identify each Emergency Escape opening on the floor plan. Include basement window and window well sizes. Show stair width, tread and riser sizes, hand and/or guardrails and minimum headroom.
5. Indicate natural light and ventilation compliance or mechanical ventilation and artificial illumination.
6. All dimensional lumber in contact with concrete must be pressure treated or protected from contact with concrete by an approved method.
7. Show fresh air supply and venting for all mechanical equipment required clearances as per manufacturer’s specifications and the Building Code.
8. Identify all insulation as required by the Energy Code, provide written statement on drawings “To the best of my knowledge, belief and professional judgment, plans and specifications are in compliance with the NYS Energy Code”.
9. Show all smoke detectors and carbon monoxide detectors.
10. Provide a plumbing riser diagram showing sizes of all domestic water, vent and waste piping if applicable. Note: backwater valves are required for plumbing fixtures located in the basement.