

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2001**

No. 51

Introduced by Council Members Spigner and Malavé-Dilan; also Council Members Dear, Freed, Harrison, Lopez, Wooten, Linares and Moskowitz

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to extending the term of a plumbing or fire suppression piping contractor license and the renewal period to two years, requiring continuing education for a licensed master plumber and licensed fire suppression piping contractor to renew their license, expanding the scope of minor plumbing work that may be performed by unlicensed individuals and changing certain permitting practices.

Be it enacted by the Council as follows:

Section 1. Section 26-137 of the administrative code of the city of New York is amended to read as follows:

§26-137 Term of license; renewal. All licenses, *except for plumbing licenses and fire suppression piping contractor licenses*, issued by the commissioner under the provisions of this subchapter shall expire one year from the date of issuance thereof, and may be renewed annually, provided that application for renewal of the license is made thirty calendar days prior to the expiration date of the license. *A plumbing license and a fire suppression piping contractor license shall expire two years from the date of issuance thereof, and may be renewed every two years thereafter, provided that application for renewal of the license is made between thirty and sixty calendar days prior to its expiration date.* All applications for renewal of a license shall be accompanied by the required renewal fee. If application for renewal is not made as provided above, the commissioner may, nevertheless, renew the license provided the applicant pays an additional fee of five dollars, except as otherwise provided in this subchapter, and provided further that the applicant satisfies the commissioner as to his or her qualifications.

§2. Section 26-147 of the administrative code of the city of New York, as amended by local law number 55 for the year 1989, is amended to read as follows:

§26-147 License fees. a. The fee for obtaining a certificate shall be [one] *two* hundred dollars; and the [annual] *biennial* renewal fee to maintain the certificate shall be [fifty] *one hundred* dollars.

b. The fee for obtaining a plate shall be seventy-five dollars, and fifty dollars for a seal. If the plate or seal is lost, and an affidavit is submitted establishing such fact, a new plate or seal shall be issued by the commissioner upon application and payment of a fee of one hundred dollars for a plate and seventy-five dollars for a seal. The [annual] *biennial* renewal fee to retain such plate and seal shall be [seventy-five] *one hundred and fifty* dollars. Such plate or seal shall remain the property of the city of New York. If application for renewal is not made between thirty and sixty calendar days prior to the expiration date of the license, the applicant shall be required to pay an additional fee of fifty dollars.

§3. Subdivision a of section 26-150 of the administrative code of the city of New York, as amended by local law number 55 for the year 1989, is amended to read as follows:

a. All certificates of competence, plates and seals shall expire on the [one-year] *two-year* anniversary date of the issuance of the certificate, plate and seal. Application for the [annual] *biennial* renewal of certificates, plates and seals shall be made between thirty and sixty days prior to the expiration/anniversary date. The failure of an individual to renew such certificate, plate and seal prior to the expiration/anniversary date shall have the effect of cancellation of the certificate, plate and seal. If a certificate, plate and seal is canceled, the individual shall apply for a new certificate, plate and seal.

§4. Article 2 of subchapter 2 of chapter 1 of title 26 of the administrative code of the city of New York is amended by adding a new section 26-150.1 to read as follows:

§26-150.1 Renewals of Master Plumber and Fire Suppression Piping Contractor Licenses. A certificate of competence, plate and seal for a licensed master plumber and for a licensed fire suppression contractor shall be renewed provided that the certificate holder shall have satisfactorily completed a seven hour continuing education course approved by the department within two years prior to the renewal date. The content of the course and the qualifications of providers of the course shall be approved by the department in accordance with the rules of the department.

§5. Section 27-126 of the administrative code of the city of New York is amended to read as follows:

§27-126 Work not constituting minor alterations or ordinary repairs. (a) For the purposes of this code, minor alterations or ordinary repairs shall not include the cutting away of any wall, floor, or roof construction, or any portion thereof; or the removal, cutting, or modification of any beams or structural supports; or the removal, change, or closing of any required means of egress; or the rearrangement or relocation of any parts of the building affecting loading or exit requirements, or light, heat, ventilation, or elevator requirements; nor shall minor alterations or ordinary repairs include additions to, alterations of, or rearrangement, relocation, *replacement, repair* or removal of any *portion of a standpipe or sprinkler [piping] system, water distribution [piping,] system, house sewer, private sewer, or drainage system, including leaders, or any soil, waste or vent pipe, or any gas distribution system, or any other work affecting health or the fire or structural safety of the building.*

(b) Minor alterations or ordinary repairs shall include the repair or replacement of any fixture, piping or faucets from the inlet side of a trap to any exposed stop valve.

§6. Section 27-175 of the administrative code of the city of New York is amended to read as follows:

§27-175 Alteration and repair slip. [a.] (a.) An application for a plumbing permit may be treated as an application for an alteration and repair slip where the total cost of the proposed work in the building, as certified by the permit applicant, does not exceed

[fourteen] *eighteen* thousand dollars in any [twelve month] *twelve-month* period and the proposed work consists of any of the following:

- (1) The installation of new plumbing or gas piping, or the rerouting of existing plumbing or gas piping.
- (2) The addition of not more than two plumbing fixtures or fixture connections.
- (3) The mounting of new plumbing fixtures on existing roughings, other than the mere replacement of existing fixtures constituting a minor alteration or ordinary repair under article five of this subchapter.
- (4) The installation or replacement of backflow prevention devices.

[b.] (b) Upon the approval of the application, an alteration and repair slip shall be issued in lieu of a plumbing permit, with the same force and effect as if a plumbing permit had been issued.

§7. Section 27-919 of the administrative code of the city of New York is amended to read as follows:

§27-919 Inspection. Every new plumbing and gas piping system and every part of an existing system that has been altered, except for ordinary [repair] *repairs*, shall be inspected and tested to determine compliance with code requirements *except that the commissioner may promulgate rules authorizing a certification from a master plumber for minor work that was performed in accordance with applicable codes in lieu of the two day inspection notification requirement of section 27-920 of this article and the inspection reporting requirements of subdivision a of section 27-922 of this article.* In no event shall such certification be allowed for *any new installation, or any alteration to an existing as piping system.*

§8. This local law shall take effect immediately, except that section four shall take effect one year after enactment, provided however, that the department of buildings may promulgate rules and take all actions necessary, including the approval of any course or courses for continuing education requirements pursuant to section four, on or before the date upon which this local law shall take effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on July 26, 2001, and approved by the Mayor on August 8, 2001.

CARLOS CUEVAS, City Clerk Of The Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 51 of 2001, Council Int. No. 893-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on July 26, 2001: 41 for, 0 against, 0 not voting.

Was signed by the Mayor on August 8, 2001.

Was returned to the City Clerk on August 8, 2001.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel