

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2021**

No. 138

Introduced by Council Members Cornegy, Yeger, Gennaro, Rosenthal, Louis and Gjonaj.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to inspection of building gas piping systems and extension of time to complete work required by inspection

Be it enacted by the Council as follows:

Section 1. Section 28-318.1 of the administrative code of the city of New York, as added by local law number 152 for the year 2016, is amended to read as follows:

§ 28-318.1 General. Commencing January 1, 2019, building gas piping systems, other than gas piping systems of buildings classified in occupancy group R-3, shall be periodically inspected in accordance with this article.

[Exception:] Exceptions:

1. A building that contains no gas piping and for which the owner of such building has submitted to the commissioner, in a form and manner determined by the commissioner, a certificate of a registered design professional, a licensed master plumber or an individual under the direct and continuing supervision of a licensed master plumber, or a person satisfying other qualifications that the commissioner may establish, that such building contains no gas piping.

2. A building that contains gas piping but that is not currently supplied with gas, that does not contain any appliance connected to any gas piping and that complies with section 28-318.3.5.

§ 2. Item 4 of section 28-318.3.3 of the administrative code of the city of New York, as added by local law number 152 for the year 2016, is amended to read as follows:

4. No later than 120 days after the due date for such inspection, in accordance with department rules, such owner shall submit to the department, in a form and manner determined by the department, (i) a certification from a licensed master plumber that all conditions that were identified in the inspection report for which a certification was submitted pursuant to item

2 of this section have been corrected, except that such certification may note that correction of one or more conditions identified in such report, other than conditions referred to in section 28-318.3.4, will reasonably take additional time to complete and (ii) a certification from such owner that such owner is in compliance with item 3 of this section. If such certification notes that one or more conditions will take additional time to complete, such owner shall, no later than 180 days after the due date for such inspection, or by such later date as the department shall determine, submit to the department, in a form and manner determined by the department, a certification from a licensed master plumber that all conditions identified in such report have been corrected.

§ 3. Article 318 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding sections 28-318.3.5 and 28-318.3.6 to read as follows:

§ 28-318.3.5 Buildings without active gas service. A building otherwise required to undergo an inspection pursuant to section 28-318.1 that is not currently supplied with gas, and that has no appliance connected to any gas piping, shall not be required to undergo such inspection when the following is submitted to the department:

1. A signed statement from a person with authority to sign such statement on behalf of any utility company that would be responsible for the provision of gas service if such service were provided containing the following:

1.1. The last date upon which gas was supplied to the building; and

1.2. The date upon which gas service was no longer provided to the building.

2. A signed statement from the owner of such building containing the following:

2.1. A certification that the building no longer receives gas service; and

2.2. A certification that the building no longer contains appliances connected to gas piping.

§ 28-318.3.6 Resumption of gas service. Where the owner of a building that has complied with section 28-318.3.5 seeks to resume gas service to such building, the owner must:

1. Obtain a certificate of approval of gas installation from the department; and

2. Comply with the inspection and certification requirements of sections 28-318.1, 28-318.2 and 28-318.3 and the rules of the department before gas service is resumed, regardless of whether such inspection and certification would otherwise be required for that building at that time.

§ 4. Article 318 of section of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-318.3.7 as follows:

§ 28-318.3.7 Extension of time to complete inspection. Owners who are unable to obtain an inspection of a building pursuant to this article by the date set forth in the rules of the department may receive a 180 day extension of the due date for such inspection, and the filing of any certification required to be filed after such inspection, upon notification to the department in a manner established by the department. The department shall conduct periodic outreach to owners of buildings with gas piping systems that must be inspected pursuant to this article regarding the availability of this extension.

§ 5. This local law takes effect 120 days after becoming law and sections one, two and three are retroactive to and deemed to have been in full force and effect as of January 1, 2020.

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 October 21, 2021 and returned unsigned by the Mayor on November 22, 2021.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 138 of 2021, Council Int. No. 2321-A of 2021) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.