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**Committee on Housing and Buildings**

Hon. Pierina Sanchez, Chair

**May 18, 2022**

**Proposed Int. No. 104-A:** By Council Members Feliz, Ariola, Sanchez, Abreu, Hanif, Brewer, Riley, Yeger, Krishnan, Brannan, Williams, Won, Holden, Farías, Restler, Avilés, Ayala, Menin, Ung, Ossé, Richardson Jordan, Gennaro, Hanks, Schulman, Cabán, Narcisse, Barron, Dinowitz, Bottcher, Marte and Rivera (by request of the Bronx Borough President)

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to defining the term self-closing door

**Administrative Code:** Amends section 27-2004

**Proposed Int. No. 105-A:** By Council Members Feliz, Ariola, Sanchez, Abreu, Hanif, Hudson, Riley, Krishnan, Stevens, Williams and, Won, Holden, Farías, Avilés, Ayala, Menin, Ung, Ossé, Richardson Jordan, Gennaro, Velázquez, Hanks, Schulman, Cabán, Narcisse, Barron, Dinowitz, Bottcher, Marte, Rivera and Nurse (by request of the Bronx Borough President)

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to self-closing door corrections and certification, and penalties for self-closing door violations

**Administrative Code:** Amends sections 27-2041.1, 27-2115, and 28-315.10

**Proposed Int. No. 155-A:** By Council Members Carr, Borelli, Ariola, Holden, and Dinowitz

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of buildings to waive filing fees for permits to alter family dwellings to conform to the New York city fire code

**Administrative Code:** Adds section 28-112.13

**Introduction**

On May 18, 2022, the Committee on Housing and Buildings, chaired by Council Member Pierina Sanchez, will hold a hearing on Proposed Int. No. 104-A, in relation to defining the term self-closing door; Proposed Int. No. 105-A, in relation to self-closing door corrections and certification, and penalties for self-closing door violations; and Proposed Int. No. 155-A, in relation to requiring the commissioner of buildings to waive filing fees for permits to alter family dwellings to conform to the New York city fire code. These bills were first heard on April 6, 2022. More information about these bills along with the materials for that hearing can be found at <https://tinyurl.com/yc733x3d>.

**Background**

**The Twin Parks Residential Building Fire**

On January 9, 2022, a high-rise residential fire at the 19-story Twin Parks North West apartment building in the Fordham section of the Bronx resulted in the deaths of 17 individuals, including eight children.[[1]](#footnote-1) Dozens were hospitalized with life-threatening injuries due to smoke inhalation.[[2]](#footnote-2) Investigators determined the fire was caused by a defective space heater that caught fire in a resident’s bedroom.[[3]](#footnote-3) The space heater had reportedly been running continuously for days to supplement the inadequate heat provided by the building. Although the flames were contained primarily to the hallway outside the third floor apartment unit where the fire originated, smoke from the fire quickly inundated the building.[[4]](#footnote-4) As residents of the building evacuated, the door to the third floor apartment from which the fire originated reportedly remained open, causing smoke to permeate throughout the building.[[5]](#footnote-5) The smoke was drawn into a stairwell, leading up to the fifteenth floor, where the stairwell door was also left open.[[6]](#footnote-6) All individuals killed in the fire died from smoke inhalation. Additionally, dozens of residents were displaced from their apartments. It was reported that between 2013 and 2019, HPD inspectors cited the Twin Parks building six times for failure to maintain self-closing doors, all of which had been resolved.[[7]](#footnote-7) Of those violations, doors on the third and fifteenth floors had specifically been mentioned.[[8]](#footnote-8)

Closing doors when escaping a fire can greatly decrease the chance that such fire will spread to other areas of a building. The Twin Parks fire, and other high-rise fires, have demonstrated the fatal results of open doors allowing fires to spread into common hallways, stairways and other apartments. Recognizing the potential life-or-death impact of closing doors during a fire, the Council enacted legislation aimed to address this issue following a string of deadly fires in early 2018.

First, Local Law 111 of 2018, established requirements that doors providing access to interior corridors or stairs be self-closing or equipped with devices to ensure closing after having been opened. This requirement, which applied to occupancy groups R-1 and R-2 established July 31, 2021 as a deadline for compliance with such requirements.[[9]](#footnote-9) The bill placed responsibility on building owners of multiple dwellings to keep and maintain self-closing doors in good repair, and made failure to keep or maintain such doors a class C immediate hazardous violation, with a 21-day period of correction following issuance of violation.[[10]](#footnote-10)

Additionally, Local Law 115 of 2018, required the posting of notices within residential buildings regarding the importance of closing doors when escaping a fire. This requirement, codified in Admin. Code. Section 15-135, places responsibility on building owners to ensure such notices are maintained in conspicuous locations.[[11]](#footnote-11)

**Legislation**

 Below is a brief summary of the legislation being heard by the Committee at this hearing. These summaries are intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bills, which are attached below.

**Proposed Int. No. 104-A,** **A Local Law to amend the administrative code of the city of New York, in relation to defining the term self-closing door**

This bill would add a definition for the term “self-closing door” as it is used within the Housing Maintenance Code.

This legislation would take effect 45 days after becoming law.

**Proposed Int. No. 105-A,** **A Local Law to amend the administrative code of the city of New York, in relation to self-closing door corrections and certification, and penalties for self-closing door violations**

This bill would reduce the amount of time for a landlord to correct a violation to keep or maintain self-closing doors from 21 days to 14 days. Once the 14 day window has run, it also requires inspection by the Department of Housing Preservation and Development within 20 days, regardless of whether the owner has submitted a certification of correction. It establishes a civil penalty range of $250-$500 for violation of the self-closing door requirement. It would also increase civil penalties for false certification of correction of class B and class C violations of the Housing Maintenance Code. Finally, this bill would clarify that all doors providing access to interior corridors or stairs in R-1 and R-2 occupancy groups must be self-closing or equipped with a device that will ensure such doors close shut and are latched.

This legislation would take effect 45 days after becoming law, except that the section establishing the new re-inspection period for HPD would take effect on January 1, 2023.

**Proposed Int. No. 155-A,** **A Local Law to amend the administrative code of the city of New York, in relation to permit filing fees for one-, two-, and three-family dwellings damaged by a fire**

This bill would require the Commissioner of Buildings to waive the filing fee for a permit to alter a one-, two- or three-family home, when the dwelling has been damaged by fire, for work to repair damage from the fire and any construction defects discovered following the fire. The fee waiver would extend to other dwellings in the same homeowner’s association or cooperative association to correct the same construction defect. The bill would also require the Department of Buildings to conduct outreach on the waiver in the designated citywide languages.

This legislation would take effect 120 days after becoming law

Proposed Int. No. 104-A

By Council Members Feliz, Ariola, Sanchez, Abreu, Hanif, Brewer, Riley, Yeger, Krishnan, Brannan, Williams, Won, Holden, Farías, Restler, Avilés, Ayala, Menin, Ung, Ossé, Richardson Jordan, Gennaro, Hanks, Schulman, Cabán, Narcisse, Barron, Dinowitz, Bottcher, Marte and Rivera (by request of the Bronx Borough President)

..Title

A Local Law to amend the administrative code of the city of New York, in relation to defining the term self-closing door

..Body

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new paragraph 49 to read as follows:

49. The term “self-closing door” means a door equipped with a device that will ensure the door, when opened and released, returns to the closed position and self-latches shut.

§ 2. This local law takes effect 45 days after it becomes law.

CP/AS

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Proposed Int. No. 105-A

By Council Members Feliz, Ariola, Sanchez, Abreu, Hanif, Hudson, Riley, Krishnan, Stevens, Williams, Won, Holden, Farías, Avilés, Ayala, Menin, Ung, Ossé, Richardson Jordan, Gennaro, Velázquez, Hanks, Schulman, Cabán, Narcisse, Barron, Dinowitz, Bottcher, Marte, Rivera and Nurse (by request of the Bronx Borough President)

..Title

A Local Law to amend the administrative code of the city of New York, in relation to self-closing door corrections and certification, and penalties for self-closing door violations

..Body

Be it enacted by the Council as follows:

Section 1. Section 27-2041.1 of the administrative code of the city of New York, as added by local law number 111 for the year 2018, is amended to read as follows:

§ 27-2041.1 Self-closing doors. a. It shall be the duty of the owner of a multiple dwelling, which is required to be equipped with self-closing doors pursuant to section 28-315.10, or any other applicable law, to keep and maintain such doors in good repair.

b. Any owner required to keep and maintain self-closing doors pursuant to subdivision a of this section who fails to keep or maintain such doors shall be liable for a class C immediately hazardous violation. Notwithstanding any other provision of law to the contrary, the time within which to correct such violation shall be [twenty-one] 14 days after service of the notice of violation.

c. The department shall conduct a re-inspection of a self-closing door violation no later than 20 days after the expiration of the correction period specified in subdivision b, notwithstanding any submission of a certification of correction. The department shall make reasonable efforts to conduct a re-inspection of a self-closing door violation that was issued for a door that opens into an interior corridor and is an entrance door to a dwelling unit, and shall notify the occupant of such dwelling unit of efforts to re-inspect the door within the re-inspection period specified in this subdivision, including information on how to reschedule the re-inspection if the department was unable to access the door for re-inspection.

d. Notwithstanding the civil penalties set forth in subdivision (a) of section 27-2115, the civil penalty for a violation of subdivision a of this section shall be not less than two hundred fifty dollars nor more than five hundred dollars and, in addition, two hundred fifty dollars per day from the date set for correction until the violation is corrected.

§ 2. Subdivision (a) of section 27-2115 of the administrative code of the city of New York, as amended by local law number 65 for the year 1987, is amended to read as follows:

(a) A person who violates any law relating to housing standards shall be subject to a civil penalty of not less than ten dollars nor more than fifty dollars for each non-hazardous violation, not less than twenty-five dollars nor more than one hundred dollars and ten dollars per day for each hazardous violation, fifty dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing five or fewer dwelling units, from the date set for correction in the notice of violation until the violation is corrected, and not less than fifty dollars nor more than one hundred fifty dollars and, in addition, one hundred twenty-five dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing more than five dwelling units, from the date set for correction in the notice of violation until the violation is corrected. A person [wilfully] making a false certification of correction of a violation shall be subject to a civil penalty [of not less than fifty dollars nor more than two hundred fifty dollars for each violation falsely certified] in the following amounts, in addition to the other penalties herein provided: not less than five hundred dollars nor more than one thousand dollars for each immediately hazardous violation falsely certified, not less than two hundred fifty dollars nor more than five hundred dollars for each hazardous violation falsely certified, and not less than fifty dollars nor more than two hundred fifty dollars for each non-hazardous violation falsely certified.

§ 3. Section 28-315.10 of the administrative code of the city of New York, as added by local law number 111 for the year 2018, is amended to read as follows:

§ 28-315.10 Self-closing doors. All doors providing access to interior corridors or stairs in occupancy groups R-1 and R-2 shall be [self-closing or] equipped with a device that will ensure [closing after having been opened] the door, when opened and released, returns to the closed position and self-latches shut by July 31, 2021.

§ 4. Section 28-315.10 of the administrative code of the city of New York is amended to read as follows:

§ 28-315.10 Self-closing doors. All doors providing access to interior corridors or stairs in occupancy groups R-1 and R-2 shall be [self-closing or] equipped with a device that will ensure [closing after having been opened] the door, when opened and released, returns to the closed position and self-latches shut by July 31, 2021.

§ 5. This local law takes effect 45 days after it becomes law, except that the amendment to subdivision c of section 27-2041.1 of the administrative code of the city of New York set forth in section one of this local law takes effect on January 1, 2023, and except that section three of this local law expires and is deemed repealed on the same date that local law number 126 for the year 2021 takes effect; and further except that section four of this local law takes effect on the same date as local law number 126 for the year 2021.

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5/11/2022 10:13 p.m.

Proposed Int. No. 155-A

By Council Members Carr, Borelli, Ariola, Holden and Dinowitz

..Title

A Local Law to amend the administrative code of the city of New York, in relation to permit filing fees for one-, two-, and three-family dwellings damaged by a fire

..Body

Be it enacted by the Council as follows:

Section 1. Article 112 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-112.13 to read as follows:

**§ 28-112.13 Permit filing fees for one-, two- or three-family dwellings damaged by a fire.** For a one-, two- or three-family dwelling that has been damaged as a result of a fire, no filing fee that would otherwise be required to be paid to the department by this code or the rules of the department shall be required to be paid, in connection with a permit for work that is necessary to address the damage to such dwelling that resulted from such a fire, which may include a construction defect discovered following such fire, and which shall be certified to the department by the applicant for such permit. If a construction defect is discovered at such dwelling following such fire, the department shall not charge filing fees for other dwellings in the same homeowner’s association or cooperative association to correct the same construction defect at such dwellings where such situation is certified to the department by the applicant for such permit. The department, with relevant agencies, shall conduct outreach regarding these provisions in the designated citywide languages, as defined in section 23-1101.

§ 2. This local law takes effect in 120 days.

Session 12

NLB/AS

LS #3934/8331

5/11/2022 10:15 p.m.

Session 11

NLB

LS #13656

1. Ashley Southall et al., *19 Killed in New York City’s Deadliest Fire in Decades*, The New York Times (Jan. 9, 2022) <https://www.nytimes.com/2022/01/09/nyregion/nyc-bronx-fire.html> [↑](#footnote-ref-1)
2. *Id.* [↑](#footnote-ref-2)
3. *Bronx Fire: Mayor Revises Number Killed to 17, Including 8 Children*, The New York Times (Jan. 10, 2022) <https://www.nytimes.com/live/2022/01/10/nyregion/bronx-fire-nyc> [↑](#footnote-ref-3)
4. Nicholas Fandos, *Two Open Doors Created ‘Flue Effect’ of Deadly Smoke at Bronx High-Rise*, The New York Times (Jan. 10, 2022) <https://www.nytimes.com/2022/01/10/nyregion/bronx-apartment-fire-smoke.html> [↑](#footnote-ref-4)
5. *Supra*, note 3. [↑](#footnote-ref-5)
6. *Id.* [↑](#footnote-ref-6)
7. *Id.* [↑](#footnote-ref-7)
8. *Nolan Hicks and Jack Morphet, City repeatedly flagged busted fire doors before Bronx tower inferno, The New York Post (Jan. 10, 2022)* [*https://nypost.com/2022/01/10/city-repeatedly-flagged-busted-fire-doors-before-bronx-tower-inferno/*](https://nypost.com/2022/01/10/city-repeatedly-flagged-busted-fire-doors-before-bronx-tower-inferno/) [↑](#footnote-ref-8)
9. Admin. Code §28-315.10 [↑](#footnote-ref-9)
10. Admin. Code §27-2041.1 [↑](#footnote-ref-10)
11. Admin. Code §15-135 [↑](#footnote-ref-11)