Legislation Details (With Text)

File #:	Int 0746-2011 **Version:** *	**Name:**	Carbon monoxide alarms.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Housing and Buildings
On agenda:	12/19/2011		
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Title:	A Local Law to amend the administrative code of the city of New York, relation to carbon monoxide alarms.		
Sponsors:			
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Attachments:	1. Committee Report 12/13/11, 2. Hearing Testimony 12/13/11, 3. Hearing Transcript 12/13/11, 4. Committee Report 12/16/11, 5. Hearing Transcript 12/16/11, 6. Committee Report - Stated Meeting, 7. Fiscal Impact Statement, 8. Hearing Transcript - Stated Meeting 12-19-11, 9. Mayor's Letter, 10. Local Law		

Date	Ver.	Action By	Action	Result
12/13/2011	*	Committee on Housing and Buildings	Hearing on P-C Item by Comm	
12/13/2011	*	Committee on Housing and Buildings	P-C Item Laid Over by Comm	
12/16/2011	*	Committee on Housing and Buildings	Hearing on P-C Item by Comm	
12/16/2011	*	Committee on Housing and Buildings	P-C Item Approved by Comm	Pass
12/19/2011	*	City Council	Referred to Comm by Council	
12/19/2011	*	City Council	Introduced by Council	
12/19/2011	*	City Council	Approved by Council	Pass
12/19/2011	*	City Council	Sent to Mayor by Council	
12/27/2011	*	Mayor	Hearing Held by Mayor	
12/27/2011	*	Mayor	Signed Into Law by Mayor	
12/27/2011	*	City Council	Recved from Mayor by Council	

Preconsidered Int. No. 746

By Council Members Weprin, Dilan, Jackson, Mark-Viverito, Lander, Barron, Chin, Crowley, Eugene, Ferreras, Gennaro, Greenfield, Mealy, Palma, Recchia, Rose, Van Bramer, Williams and Halloran (in conjunction with the Mayor)

A Local Law to amend the administrative code of the city of New York, relation to carbon monoxide alarms.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding

a new article 12 to read as follows:

ARTICLE 12

CARBON MONOXIDE ALARMS

§28-312.1 Periodic replacement of carbon monoxide alarms. Carbon monoxide alarms required pursuant to section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturers suggested useful life of the alarm.

Exception. A carbon monoxide alarm installed prior to the effective date of this article shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturers suggested useful life of the alarm or within 6 months after the effective date of this article, whichever is later.

§28-312.2 Audible notification of expiration of useful life. All carbon monoxide alarms installed after the effective date of this article shall comply with UL 2034 and be of a type that emits an audible notification at the expiration of the useful life of such alarm.

§2. Standard reference number UL 2034 of Underwriters Laboratories (UL) as set forth in chapter 35 of the New York city building code is amended to read as follows:

UL

Underwriters Laboratories
333 Pfingsten Road
Northbrook, IL 60062-2096

Standard reference Number	Title
2034-[96, revised 3/8/05] 08	Standard for Single and Multiple Station Carbon Monoxide Alarms

§3. The first undesignated paragraph of subdivision (b) of section 27-2046.1 of the administrative

code of the city of New York, as added by local law number 7 for the year 2004, is amended to read as follows:

It shall be the duty of the owner of a class A multiple dwelling and a private dwelling which is required to be equipped with one or more carbon monoxide detecting devices pursuant to [article seven of subchapter seventeen of chapter one of this title] section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code to:

§4. Paragraphs (1), (2), (5) and (6) of subdivision (b) of section 27-2046.1 of the administrative code of the city of New York, as added by local law number 7 for the year 2004, are amended to read as follows:

(1) provide and install one or more approved and operational carbon monoxide detecting devices in each dwelling unit and replace such devices as necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code

(2) post a notice in a form approved by the commissioner in a common area of a Class A multiple dwelling and otherwise provide such notice to the occupants of a private dwelling informing the occupants of such dwelling that the owner is required by law to install one or more approved and operational carbon monoxide detecting devices in each dwelling unit in the dwelling and to periodically replace such devices upon the expiration of their useful life, provided that an owner may choose to post or otherwise provide a single notice that complies with this provision as well as the provisions of paragraph two of subdivision a of section 27-2045 of this article;

(5) provide written information regarding the testing and maintenance of carbon monoxide detecting devices to at least one adult occupant of each dwelling unit including, but not limited to, general information concerning carbon monoxide poisoning and what to do if a carbon monoxide detecting device goes off; the useful life of the device and the owner's duty to replace such device pursuant to article 12 of chapter 3 of title 28 of the administrative code. Such information may include material that is distributed by the manufacturer,

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material prepared by the department of buildings or material approved by the department of buildings; and

(6) keep such records as the commissioner shall prescribe relating to the installation and maintenance of carbon monoxide detecting devices in the building, including the manufacturers suggested useful life of devices, and make such records available to the commissioner upon request.

§5. The first undesignated paragraph of subdivision (c) of section 27-2046.1 of the administrative code of the city of New York, as added by local law number 7 for the year 2004, is amended to read as follows:

Notwithstanding the provisions of subdivision a of section 27-2005 and subdivision c of section 27-2006 of this chapter, it shall be the sole duty of the occupant of each dwelling unit in a class A multiple dwelling and the occupant of a dwelling unit in a private dwelling in which a carbon monoxide detecting device has been provided and installed by the owner pursuant to the provisions of [article seven of subchapter seventeen of chapter one of this title] section 908.7 of the New York city building code, sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code or article 12 of chapter 3 of title 28 of the administrative code to:

§6. Subdivision f of section 27-2046.1 of the administrative code of the city of New York, as added by local law number 7 for the year 2004, is amended to read as follows:

(f) The occupant of a dwelling unit in which a carbon monoxide detecting device is newly installed or installed to replace a device that has exceeded the manufacturers suggested useful life or as a result of such occupant's failure to maintain such device or where such device has been lost or damaged by such occupant, shall reimburse the owner in the amount of twenty-five dollars for the cost of such work. Such occupant shall have one year from the date of installation to make such reimbursement.

§7. The first undesignated paragraph of subdivision (a) of section 27-2046.2 of the administrative code of the city of New York, as added by local law number 7 for the year 2004, is amended to read as follows:

It shall be the duty of the owner of a class B multiple dwelling which is required to be equipped with one or more carbon monoxide detecting devices pursuant to [article seven of subchapter seventeen of chapter one of this title] section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code to:

§8. Paragraphs (2) and (4) of subdivision (a) of section 27-2046.2 of the administrative code of the city of New York, as added by local law number 7 for the year 2004, are amended to read as follows:

(2) keep and maintain carbon monoxide detecting devices in good repair and replace such devices when necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code;

(4) keep such records as the commissioner shall prescribe relating to the installation and maintenance of carbon monoxide detecting devices in the building, including the manufacturers suggested useful life of devices, and make such records available to the commissioner upon request.

§9. This local law shall take effect 120 days after its date of enactment except that the department of housing preservation and development may promulgate rules or take other actions to implement its provisions prior to such effective date and at any time prior to such effective date, owners may replace previously installed carbon monoxide detecting devices which have exceeded their useful life pursuant to paragraph (1) of subdivision (b) of section 27-2046.1 of the code and the period of reimbursement pursuant to subdivision (f) of section 27-2046.1 by the occupant of a dwelling unit for which such replacement has occurred shall commence as of the date of such replacement.

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