Legislation Details (With Text)

File #:	Int 1422-2025 **Version:** A	**Name:**	NYC construction codes, in relation to conforming provisions of such codes with provisions of the NYC existing building code and electrical and elevator inspections.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Housing and Buildings
On agenda:	10/9/2025		
Enactment date:	1/17/2026	**Enactment #:**	2026/042

Title: A Local Law to amend the administrative code of the city of New York and the New York city construction codes, in relation to conforming provisions of such codes with provisions of the New York city existing building code and electrical and elevator inspections; and repealing sections 28-120.1.1, 28-120.1.2, 28-120.1.3, 28-120.2, 28-120.3, 28-316.1 of the administrative code of the city of New York; sections 102.6, 106.10, 901.9.1, 901.9.1.1, 901.9.2, 901.9.3, 901.9.4, 901.9.4.1, 901.9.4.2, 901.9.4.3, 901.9.5, 901.9.5.1, 901.9.5.3, 901.9.5.4, 901.9.6, 1101.3.1, 1101.3.2, 1101.3.3, 1101.3.4, 1101.3.5, 1101.3.5.1, 1101.3.5.2, 1101.4, 1601.2.1, 1601.2.2, 1601.2.3, 1601.2.4, 3001.11.1, 3303.10.3, D102, D103, D104, and D105 of the New York city building code; sections 102.2.1, 102.4.2.1, 102.4.2.2, 102.4.2.3, and 102.4.2.4 of the New York city fuel gas code; sections 102.4.2.1, 102.4.2.2, 102.4.2.3, 102.4.2.4, 102.4.2.5, 102.4.2.6, 1305.9.13 and 1305.16.1 of the New York city mechanical code; and sections 102.2.1, 102.2.2, 102.4.2.1, 102.4.2.2, 102.4.2.3, 601.3, 601.5 and 701.2.5 of the New York city plumbing code, relating to conforming provisions of such codes with provisions of the New York city existing building code

Sponsors: Pierina Ana Sanchez, Farah N. Louis, (by request of the Mayor)

Indexes:

Attachments: 1. Summary of Int. No. 1422-A, 2. Memorandum In Support, 3. Int. No. 1422, 4. October 9, 2025 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 10-9-25.pdf, 6. Fiscal Impact Statement - City Council, 7. Fiscal Impact Statement - OMB, 8. Committee Report 11/20/25, 9. Hearing Testimony 11/20/25, 10. Appearance Cards 11/20/25, 11. Hearing Transcript 11/20/25, 12. Message of Necessity, 13. Proposed Int. No. 1422-A - 12/17/25, 14. Message of Necessity, 15. Committee Report 12/18/25, 16. Hearing Transcript 12/18/25, 17. Committee Report - Stated Meeting, 18. December 18, 2025 - Stated Meeting Agenda, 19. Int. No. 1422-A (FINAL), 20. Int. No. 1422-A - Fiscal Impact Statement - City Council, 21. Hearing Transcript - Stated Meeting 12-18-25, 22. Local Law 42

Date	Ver.	Action By	Action	Result
10/9/2025	*	City Council	Introduced by Council	
10/9/2025	*	City Council	Referred to Comm by Council	
11/20/2025	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/20/2025	*	Committee on Housing and Buildings	Laid Over by Committee	
12/18/2025	*	Committee on Housing and Buildings	Hearing Held by Committee	
12/18/2025	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
12/18/2025	*	Committee on Housing and Buildings	Amended by Committee	
12/18/2025	A	Committee on Housing and	Approved by Committee	Pass

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		Buildings		
12/18/2025	A	City Council	Approved by Council	Pass
12/18/2025	A	City Council	Sent to Mayor by Council	
12/30/2025	A	Mayor	Hearing Scheduled by Mayor Cancelled	
1/17/2026	A	Administration	City Charter Rule Adopted	
1/20/2026	A	City Council	Returned Unsigned by Mayor	

Int. No. 1422-A

By Council Members Sanchez and Louis (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York and the New York city construction codes, in relation to conforming provisions of such codes with provisions of the New York city existing building code and electrical and elevator inspections; and repealing sections 28-120.1.1, 28-120.1.2, 28-120.1.3, 28-120.2, 28-120.3, 28-316.1 of the administrative code of the city of New York; sections 102.6, 106.10, 901.9.1, 901.9.1.1, 901.9.2, 901.9.3, 901.9.4, 901.9.4.1, 901.9.4.2, 901.9.4.3, 901.9.5, 901.9.5.1, 901.9.5.3, 901.9.5.4, 901.9.6, 1101.3.1, 1101.3.2, 1101.3.3, 1101.3.4, 1101.3.5, 1101.3.5.1, 1101.3.5.2, 1101.4, 1601.2.1, 1601.2.2, 1601.2.3, 1601.2.4, 3001.11.1, 3303.10.3, D102, D103, D104, and D105 of the New York city building code; sections 102.2.1, 102.4.2.1, 102.4.2.2, 102.4.2.3, and 102.4.2.4 of the New York city fuel gas code; sections 102.4.2.1, 102.4.2.2, 102.4.2.3, 102.4.2.4, 102.4.2.5, 102.4.2.6, 1305.9.13 and 1305.16.1 of the New York city mechanical code; and sections 102.2.1, 102.2.2, 102.4.2.1, 102.4.2.2, 102.4.2.3, 601.3, 601.5 and 701.2.5 of the New York city plumbing code, relating to conforming provisions of such codes with provisions of the New York city existing building code

Be it enacted by the Council as follows:

Section 1. Section 101.1 of the administrative code of the city of New York, as amended by local law number 128 for the year 2024, is amended to read as follows:

§28-101.1 Title. The provisions of this chapter shall apply to the administration of the codes set forth in this title[~~and the 1968 building code~~]. This title shall be known and may be cited as the "New York city construction codes" and includes:

The New York city plumbing code.

The New York city building code.

The New York city mechanical code.

The New York city fuel gas code.

The New York city energy conservation code.

The New York city electrical code.

The New York city existing building code.

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§ 2. Section 28-101.3.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2022, is amended to read as follows:

§ 28-101.3.1 Occupancy classifications in prior codes. [~~With regard to prior code buildings, references~~] References to occupancy classifications in this code shall be deemed to refer to the equivalent occupancy classification under the 1968 or prior building codes, as applicable.

§ 3. Sections 28-101.4, 28-101.4.1, 28-101.4.2, 28-101.4.4, 101.4.5, 101.4.5.1 and 101.4.5.2 of the administrative code of the city of New York, as amended by local law number 126 for the year 2022, is amended to read as follows:

§ 28-101.4 Effective date. Except as otherwise specifically provided [~~in sections 28-101.4.1, 28-101.4.2, 28-101.4.3, 28-101.4.4, and 28-101.4.5~~] on and after [July 1, 2008] the effective date of the local law that added this section, all work shall be performed in accordance with the provisions of this code.

Exceptions:

[§ 28-101.4.1] 1. Permit issued or work commenced prior to [~~July 1, 2008~~] the effective date of the local law that amended this section. If a permit for work was issued prior to [~~July 1, 2008~~] the effective date of the local law that amended this section or, if no permit was necessary, work was commenced prior to [~~July 1, 2008~~] the effective date of the local law that amended this section, all of the provisions of [chapter 1 of title 27 of the administrative code] this code as [heretofore] in effect prior to the effective date of the local law that amended this section shall apply to such work.

[§28-101.4.2] 2. Applications for construction document approval submitted prior to [][~~July 1, 2008~~]the effective date of the local law that amended this section. Any work for which an application for construction document approval was submitted to the department prior to [~~July 1, 2008~~]the effective date of the local law that amended this section and not thereafter abandoned, []may, at the option of the owner, be performed in its entirety in accordance with the provisions of this code, or in accordance with the [~~1968 building code~~]laws in effect prior to the effective date of the local law that amended this section, provided that such work is commenced within twelve months after the date of issuance of a permit therefor and is diligently carried on to completion. The commissioner may, for good cause, extend the time period for commencement of the work beyond 12 months.

[~~§28-101.4.3 Optional use of the 1968 building code for work on prior code buildings.~~ ~~At the option of the owner, and subject to applicable provisions of this code, work on prior code buildings may be performed in accordance with the requirements and standards set forth in the 1968 building code, or where the 1968 code so~~

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authorizes, the code in effect prior to December 6, 1968.]

[Exceptions:]

[1. **Fuel gas, plumbing, electrical, and mechanical work.** The installation of and work on all appliances, equipment and systems regulated by the New York city fuel gas code, the New York city plumbing code, the New York city electrical code, and the New York city mechanical code shall be governed by applicable provisions of those codes relating to new and existing installations.]

[2. **Fire protection systems.** Alterations of buildings and changes of use or occupancy shall be governed by chapter 9 of the New York city building code, subject to special provisions for prior code buildings as set forth therein.]

[3. **Elevators, conveyors and amusement rides.** The installation of and work on elevators, conveyors, and amusement rides shall be governed by chapter 30 and appendix K of the New York city building code and the rules of the department, subject to special provisions for prior code buildings as set forth therein.]

[4. **Safety during construction operations.** Safety of public and property during construction operations including demolition shall be governed by chapter 33 of the New York city building code.]

[5. **Accessibility.** Alterations, including minor alterations, of buildings and changes of use or occupancy, shall be governed by chapter 11 of the New York city building code, subject to special provisions for prior code buildings as set forth therein.]

[6. **Encroachments into the public right of way.** Encroachments onto the public right of way shall be governed by chapter 32 of the New York city building code.]

[7. **Administration and enforcement.** Except as otherwise limited by the commissioner, administration and enforcement of the 1968 building code shall be in accordance with this code, including but not limited to approval of construction documents, issuance of permits and certificates of occupancy, tests and inspections, penalties and enforcement.]

[8. **Special inspections.** Controlled inspections and semi-controlled inspections as referenced in the 1968 building code shall be deemed to be special inspections and shall be governed by the provisions of this code relating to special inspections.]

[9. **Materials.** Materials regulated in their use by the 1968 building code shall be subject to applicable provisions of this code.]

[10. **Security grilles.** The installation and replacement of security grilles shall comply with section 1008.1.4.5 of the New York city building code.]

[11. **Energy efficiency.** All work related to energy efficiency shall be regulated by the New York city energy conservation code.]

[12. **Roof recovering and replacements.]**

[12.1. **Installation and materials.** Work involving the recovering or replacing of an existing

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roof covering shall be governed by sections 1510.1 through 1510.6 of the New York city building code;]

[12.2. **Cool roofs.** Work involving the recovering or replacing of an existing roof covering shall comply with section 1504.9 of the New York city building code unless the area to be recovered or replaced is less than fifty percent of the roof area and less than 500 square feet (46 m^2).]

[12.3. **Green roofs.** Notwithstanding the applicant's election to use the 1968 building code or prior code, work involving green roof systems and container gardens shall be permitted to be performed pursuant to Chapter 15 of the New York city building code.]

[12.4. **Sustainable roofs.** Work involving the replacing of an entire existing roof deck or roof assembly shall comply with section 1511.2 of the New York city building code.]

[13. **Handrails.** Where the alteration of a building includes the addition or replacement of an entire stair enclosure including the stairs, handrails shall comply with section 1009.12 and section 1012 of the New York city building code. Where the alteration of a building includes the addition or replacement of ramps, handrails shall comply with section 1010.8 and section 1012 of such code.]

[14. **Guards.** Where the alteration or repair of a building involves the addition or replacement of guards, such guards shall comply with sections 1013 and 1607.7 of the New York city building code.]

[15. **Flood hazard areas.** Within flood hazard areas in accordance with section 28-104.9.4, all work for any activity regulated by Appendix G of the New York city building code shall be governed by such appendix.]

[16. **Structural.** The use of load resistance factor design (LRFD), calculation of live loads, and applicability of seismic and wind loads shall be governed by special provisions for prior code buildings as set forth in section 1601.2 of the New York city building code.]

[17. **Emergency and standby power systems.** The installation of and work on emergency and standby power systems shall comply with section 2702.1 of the New York city building code.]

[18. **Parking garages and open parking lots.** Where an alteration of a parking garage or an open parking lot includes an increase in the size of the electric service, such alteration shall include provisions for the installation of electric vehicle charging stations in accordance with section 406.2.11 or 406.7.11 of the New York city building code, as applicable.]

[19. **Mold protection.** Alterations shall comply with sections 2506 and 2509 of the New York city building code relating to areas subject to moisture or water damage.]

[20. **Exterior glazing.** Where the alteration of a building includes the replacement of all exterior glazing, such alteration shall comply with section 1403.8 of the New York city building code.]

[§28-101.4.4 Reductions of fire safety or structural safety of prior code buildings prohibited. Notwithstanding any other provision of this code, where the alteration of any prior code building or structure in accordance with a provision of this code would result in a reduction of the fire safety or structural safety of such building, relevant provisions of the 1968 building code shall apply to such alteration unless there is full

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compliance with those provisions of this code that would mitigate or offset such reduction of fire protection or structural safety. Where the owner, having a choice to elect the 1968 building code or this code, chooses this code, the applicant shall submit a comparative analysis acceptable to the commissioner of the relevant fire safety and structural safety provisions under the 1968 building code and this code, demonstrating that the alteration does not result in a reduction to the fire and life safety of the building.]

[**Exception:** The use of automatic-closing by smoke detection for doors serving vertical exit enclosures in accordance with section 713.7 of the New York city building code in a prior code building shall not be deemed to result in a reduction of the fire safety or structural safety of such a building.]

[§28-101.4.5] §28-101.4.2. Work that increases existing floor surface area of [a prior code] an existing building by more than 110 percent. [Notwithstanding sections 28-101.4.3 and 28-102.4.3 or any other provision of this code that would authorize alterations of prior code buildings in accordance with the 1968 building code or prior codes, where the] Where, in accordance with chapter 3 of the New York city existing building code, proposed work on an existing building will, at the completion of construction, [will] increase the amount of floor surface area [of a prior code building] by more than 110%, over the amount of existing floor surface area, such entire building shall be made to comply with the provisions of this code as if it were a new building [hereafter erected].

[**Exceptions**: When determining the amount of existing floor surface area for the purposes of section 28-101.4.5, the following shall be excluded from the measured square footage of floor surface area:]

[1. The square footage of floors removed during the course of the work when such floors are removed together with the supporting beams, joists, decking and slabs on grade.]

[2. The square footage of any floor that was installed together with the supporting beams, joists, decking and slabs on grade less than 12 months prior to submission of the application for construction document approval for the proposed work. For the purposes of this exception, floors installed pursuant to a work permit signed off less than 12 months before such submission shall not be counted as existing floor surface area.]

[**§28-101.4.5.1 Changes in scope of work.** In cases where changes in the scope of work during the course of construction would result in increasing the floor surface area at the completion of construction by more than 110 percent over the amount of existing floor surface area as determined pursuant to section 28-101.4.5, such entire building shall be made to comply with the provisions of this code as if hereafter erected and such work shall be refiled as a new building application in accordance with the provisions of section 28-105.2.]

[**Exception:** Work to the extent necessary to relieve an emergency condition may be performed prior to amending plans or obtaining a new permit pursuant to sections 28-105.4.1 and 28-105.12.2.]

[**§28-101.4.5.2 Definitions.** As used in Section 28-101.4.5, the following term shall have the following meaning unless the context or subject matter requires otherwise.]

[**FLOOR SURFACE AREA.** Floor surface area is the gross square foot area of all horizontal floor and roof surfaces, including roofs of bulkheads and superstructures, of a building or structure at any level, including cellar, attic and roof.]

[**§28-101.4.5.3 Effect on zoning resolution.** The provisions of section 28-101.4.5 shall not be construed to affect the status of any nonconforming use or non-complying bulk otherwise permitted to be retained

~~pursuant to the New York city zoning resolution.~~]

§ 4. Section 28-101.5 of the administrative code of the city of New York, as amended by local law number 128 for the year 2024, is amended to read as follows:

§28-101.5 Definitions. As used in this chapter and elsewhere in this title, the following terms shall have the following meanings unless the context or subject matter requires otherwise:

1968 BUILDING CODE. [~~Chapter 1 of title 27 of the administrative code as hereafter in effect.~~]The building laws and regulations in effect prior to July 1, 2008.

[~~1968 OR PRIOR CODE BUILDINGS OR STRUCTURES (PRIOR CODE BUILDINGS).~~ ~~(i) A building or structure in existence prior to July 1, 2008 or one for which a lawful building permit was issued for the erection of such building or structure prior to July 1, 2008. (ii) A building or structure erected in accordance with the 1968 building code under a lawful building permit issued for the erection of such building or structure on or after July 1, 2008 in accordance with section 28-101.4.2 of this code.~~]

ADDITION. [An alteration of a building in existence that increases its exterior dimensions including but not limited to an extension or increase in floor area or height (including an increase in height or area result from the construction of a rooftop structure or rooftop mechanical equipment) of the building.] An alteration to an existing building that results in the increase of its floor area, number of stories, or height.

ADMINISTRATIVE CODE. The administrative code of the city of New York.

ALTERATION. Any construction, addition, change of use or occupancy, [~~or~~] relocation, moving, or raising of an existing building or structure for the purpose of renovation [~~to a building or structure in existence~~] or accommodation of a new use or function.

APPROVAL OR APPROVED. In reference to construction documents, the determination by the department after full examination that submitted construction documents comply with this code and other applicable laws and rules. In reference to materials, the determination by the commissioner that material is acceptable for its intended use.

APPROVED AGENCY. An established and recognized agency that is regularly engaged in conducting tests or furnishing inspection services, when approved pursuant to department rules as qualified to perform or witness identified testing or inspection services.

APPROVED FABRICATOR. An established and qualified person, firm or corporation approved by the commissioner to custom manufacture or build products or assemblies regulated by this code, including the production of concrete.

APPROVED INSPECTION AGENCY. An approved agency that is approved by the department as qualified to perform one or more of the inspections required by this code.

APPROVED TESTING AGENCY. An approved agency that is approved by the department as qualified to test and evaluate the performance of one or more of the materials regulated in their use by this code. Such term shall include, when approved pursuant to department rules, a third party testing or certification agency, evaluation agency, testing laboratory, testing service, licensed concrete testing laboratory, or other entity

concerned with product evaluation.

ARCHITECT. A person licensed and registered to practice the profession of architecture under the education law of the state of New York.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. The term shall be construed as if followed by the phrase "structure, premises, lot or part thereof" unless otherwise indicated by the text.

CERTIFICATE OF COMPLIANCE. A certificate stating that materials and products meet specified standards or that work was done in compliance with approved construction documents and other applicable provisions of law, or, with respect to specified service equipment, a certificate issued by the department authorizing the operation of such equipment. CITY. The city of New York.

CHARTER. The New York city charter.

COMMISSIONER. The commissioner of buildings of the city of New York, or his or her duly authorized representative.

CONSTRUCTION DOCUMENTS. Plans and specifications and other written, graphic and pictorial documents, prepared or assembled for describing the design, location, physical characteristics, and other elements of the project necessary for obtaining a building permit.

DAY. A calendar day, computed in accordance with section 20 of the New York state general construction law, unless otherwise specified as a business day.

DEFERRED SUBMITTAL. Those portions of the design that are not submitted at the time of the application for construction document approval and that are to be submitted to the department within a specified period of time after the issuance of a permit.

DEMOLITION. Full or partial demolition.

DEMOLITION, FULL. The dismantling, razing, or removal of all of a building or structure, including all operations incidental thereto.

DEMOLITION, PARTIAL. The dismantling, razing, or removal of structural members, floors, interior bearing walls, and/or exterior walls or portions thereof, including all operations incidental thereto.

DEPARTMENT. The department of buildings of the city of New York.

ENGINEER. A person licensed and registered to practice the profession of engineering under the education law of the state of New York.

ENLARGEMENT. An addition.

ENVIRONMENTAL CONTROL BOARD or **ECB**. The environmental control board established pursuant to section 1049-a of the charter within the office of administrative trials and hearings.

EXISTING BUILDING OR STRUCTURE. A completed building or structure that is in existence at the time of an applicable reference in this code.

FABRICATED ITEM. Products and assemblies regulated by this code that are custom manufactured or built prior to their incorporation into the work at the construction site. Fabricated items shall not include listed,

labeled or approved products or assemblies. Materials produced in accordance with standard specifications referenced by this code, such as rolled structural steel shapes, steel-reinforcing bars, masonry units, and wood structural panels, or in accordance with a referenced standard listed in this code, which provides requirements for quality control done under the supervision of a third-party quality control agency, shall not be considered fabricated items.

FIRE PROTECTION PLAN. A report containing a narrative description of the life and fire safety systems and evacuation system for a structure.

GREEN BUILDING PROJECT. A building project or renovation undertaken that, when constructed, will produce, from renewable resources, a decrease in carbon, or carbon equivalent, emissions in a percentage no less than 50 percent of such building's prior year emissions. This may include installation of renewable energy sources such as solar energy, geothermal ground source heat pumps, or wind energy systems.

HEREAFTER. On or after [July 1, 2008] the effective date of the New York city existing building code.

HERETOFORE. Before [July 1, 2008] the effective date of the New York city existing building code.

INSPECTION CERTIFICATE. Identification applied to a product by an approved agency containing the name of the manufacturer, the function and performance characteristics, and the name and identification of the approved agency that indicates that the product or material has been inspected and evaluated by such approved agency. An inspection certificate shall also mean a certificate issued by the department upon satisfactory completion of an inspection or test.

INTERIM CERTIFICATE OF OCCUPANCY. A type of temporary certificate of occupancy authorizing occupancy of one or more floors of a building prior to the completion of all work needed to obtain a certificate of occupancy for the building, and that remains in effect until the issuance of a certificate of occupancy for the building.

LABEL. An identification applied on a product by the manufacturer that contains the name of the manufacturer, the function and performance characteristics of the product or material, and the name and identification of an approved agency and that indicates that a representative sample of the product or material has been tested and evaluated by an approved agency for compliance with nationally recognized standards or tests to determine suitable usage in a specific manner.

LABELED. Material to which has been attached a label, symbol or other identifying mark of the manufacturer that contains the name of the manufacturer, the function and performance characteristics of the product or material, and the name and identification of an approved agency and that indicates that a representative sample of the material has been tested and evaluated by an approved agency for compliance with nationally recognized standards or tests to determine suitable usage in a specified manner.

LAND SURVEYOR. A person licensed and registered to practice the profession of land surveying under the education law of the state of New York.

LANDSCAPE ARCHITECT. A person licensed and registered to practice the profession of landscape architecture under the education law of the state of New York.

LETTER OF COMPLETION. A document issued by the department indicating that permitted work has been completed, including satisfactory final inspection in accordance with this code. A letter of completion is issued only in circumstances where a certificate of occupancy is not required upon completion of the permitted work.

LIMITED ALTERATION APPLICATION. Application for limited elevator alterations, limited home

improvement alterations, limited oil-burning appliance alterations, limited plumbing alterations, limited reroofing alterations, limited sprinkler alterations, limited standpipe alterations, and limited window replacement alterations submitted pursuant to exception 1 of section 28-104.6. Such work shall not include any associated work that would otherwise require an alteration permit including, but not limited to, any construction of fire-rated partitions and enclosures.

Category 1 work shall be limited to a new installation into an existing building or system. The utilization of this category shall be limited by an annual monetary cap.

Category 2 work shall include any existing system or component that is replaced, repaired or altered. This category shall not be limited by a monetary cap.

Category 3 work shall include any existing system or components that are altered, repaired, or replaced and do not require a department inspection. This category shall not be subject to an annual monetary cap.

LIMITED ELEVATOR ALTERATIONS. An alteration to an existing elevator that is limited in scope, subject to Chapter 5 of the New York city existing building code.

LIMITED HOME IMPROVEMENT ALTERATIONS. An alteration to an existing one- or two-family dwelling that is limited in scope, subject to Chapter 5 of the New York city existing building code.

LIMITED OIL-BURNING APPLIANCE ALTERATIONS. An alteration to an oil burner or boiler system that is limited in scope and/or value, subject to Chapter 5 of the New York city existing building code.

LIMITED PLUMBING ALTERATIONS. An alteration to a plumbing or fuel gas piping system that is limited in scope or value, or both, subject to Chapter 5 of the New York city existing building code.

LIMITED REROOFING ALTERATIONS. A reroofing alteration that is limited in scope, subject to Chapter 5 of the New York city existing building code.

LIMITED SPRINKLER ALTERATIONS. An alteration to a sprinkler system that is limited in scope or value, or both, subject to Chapter 5 of the New York city existing building code.

LIMITED STANDPIPE ALTERATIONS. An alteration to an existing combined standpipe system that is limited in scope or value, or both, subject to Chapter 5 of the New York city existing building code.

LIMITED WINDOW REPLACEMENT ALTERATIONS. A window replacement alteration that is limited in scope, subject to Chapter 5 of the New York city existing building code.

LIMITED OIL-BURNING APPLIANCE ALTERATIONS. [~~An alteration, installation, replacement or repair to an oil-burning appliance that is limited in scope, falling into one of the following categories. Any construction or alteration to fire-rated partitions or enclosures, with the exception of through-penetrations that are firestopped, shall require a separate application filed with the department.~~

~~Category 1. An addition to an existing oil-burning appliance where the total cost of the proposed Category 1 work in the building does not exceed $50,000 in any 12-month period and where the proposed work is limited to the installation of:~~

~~1. oil equipment,~~

~~2. oil-fired appliances, located within the same enclosure or room as the existing oil-burning appliance,~~

~~3. unit heaters, or~~

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~~4. oil piping including no more than two above-ground oil tanks each with a capacity of no more than 330 gallons (1250 L) provided such oil tanks also comply with the capacity limits established in section 1305.11 of the New York city mechanical code. The newly installed tanks shall have a UL listing, be labeled or meet the alternative tank design and construction standards contained in section 1305.14 of the New York city mechanical code.~~

~~Category 2. An alteration, repair or replacement of an existing oil-burning appliance that is not subject to cost or duration limitations and that is limited to the following:~~

~~1. Replacement of oil burners, oil-burning appliances or water heaters in which the heat input per appliance does not exceed 3 million Btu/h (879 kW).~~

~~2. Relocation of an oil burner or oil-burning appliance or water heater within the same enclosure or room.~~

~~3. Placement of a temporary department of buildings registered oil-fired mobile boiler and corresponding fuel oil storage tank with associated piping at a site for emergency heating.~~

~~4. Placement of a temporary fuel oil storage tank with a capacity of 5,000 gallons (18 927 L) or less at a site for emergency use and connected to an existing oil-burning appliance.~~

~~5. Repair, replacement or relocation of oil equipment, appliances or oil piping including two above- ground oil tanks with 330 gallons (1250 L) provided such oil tanks also comply with the capacity limitations of section 1305.11 of the New York city mechanical code. The replacement tanks shall have a UL listing or labeling or meet the alternative tank design and construction standards contained in section 1305.14 of the New York city mechanical code. Any such relocation shall be only within the same enclosure or room.~~]

An alteration to an oil burner or boiler system that is limited in scope or value, or both, subject to chapter 5 of the New York city existing building code.

LIMITED PLUMBING ALTERATIONS. [~~An installation, replacement, repair or alteration to a plumbing or fuel gas piping system, including fixtures and appliances, that is limited in scope, falling into one of the following categories:~~

~~Category 1. An addition to an existing plumbing or fuel gas piping system or service where the total cost of the proposed Category 1 work in the building does not exceed $50,000 in any 12-month period and where the proposed work is limited to the following:~~

~~1. The addition of not more than five plumbing fixtures or fixture connections in a building within any 12-month period, including any associated plumbing necessary to serve such additional fixtures or fixture connections;~~

~~2. The installation of new fuel gas piping in conjunction with the addition of not more than five gas appliances or six unit heaters, limited to residential gas barbecue, Category 1 vented hot water heater, gas infrared heater, gas light, gas oil burner pilot, gas pool heater in conjunction with an R-3 occupancy group, one commercial gas appliance and gas unit heater, including any associated fuel gas piping necessary to serve such additional appliances;~~

~~3. The installation of up to five new sprinkler heads off of an existing domestic water system within any 12-month period;~~

~~4. Installation of a new single domestic gas dryer that is vented directly through an exterior wall in buildings~~

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~~occupied exclusively as one- or two-family dwellings not more than three stories in height, as provided for in the rules of the department.~~

~~— Category 2. The repair, replacement of or alteration to an existing plumbing or fuel gas piping system that is not subject to cost or duration limitations and that is limited to the following:~~

~~— 1. The repair, replacement of or alteration of existing plumbing or fuel gas piping to serve the same number of fixtures and appliances;~~

~~— 2. The in-kind replacement of plumbing fixtures and gas appliances that do not provide heat or hot water when not constituting a minor alteration or ordinary repair under this code. This shall not preclude plumbing work that is a minor alteration or ordinary repair from being filed as a limited alteration application;~~

~~— 3. The relocation and replacement of plumbing fixtures, other than the mere replacement of existing fixtures constituting a minor alteration or ordinary repair under this code. This shall not preclude the relocation and replacement of plumbing fixtures that is a minor alteration or ordinary repair from being filed as a limited alteration application;~~

~~— 4. The installation or replacement of primary backflow preventers;~~

~~— 5. In-kind replacement of gas-fired appliances with a combined heat input of 3 million Btu/h (879kW) or less;~~

~~— 6. Replacement of gas burners with heat input of 3 million Btu/h (879 kW) or less;~~

~~— 7. Relocation of a gas burner/boiler within the same, unaltered fire-rated enclosure or room, with the exception of through-penetrations that are firestopped;~~

~~— 8. In-kind replacement with the following direct-vent appliances with heat input of 350,000 Btu/h (103 kW) or less that are vented directly through exterior walls serving buildings occupied exclusively as one- or two-family dwellings not more than four stories in height:~~

~~— 8.1. gas-fired boilers,~~

~~— 8.2. hot water heaters and~~

~~— 8.3. furnaces;~~

~~— 9. In-kind direct replacement of gas-fired boilers, hot water heaters and furnaces with heat input of 350,000 Btu/h (103 kW) or less; that are vented directly through exterior walls;~~

~~— 10. Placement of a registered gas-fired temporary boiler with associated gas piping at a site for emergency heating and/or hot water;~~

~~— 11. Replacement of up to thirty existing sprinkler heads providing that orifice sizes, type and deflector positions remain the same, and all such sprinkler heads are off of a domestic water system;~~

~~— 12. Rearrangement of not more than 20 sprinkler heads in areas classified in light hazard occupancy, as such term is defined in NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such occupancy, and provided further that all such sprinkler heads were legally installed off of a domestic water system;~~

~~— 13. Rearrangement of not more than 20 sprinkler heads in restaurant service areas classified in Group 1~~

ordinary hazard occupancy, as such term is defined by NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such occupancy, and provided further that all such sprinkler heads were legally installed off of a domestic water system; and

14. Rearrangement of not more than 20 sprinkler heads in mercantile areas classified in Group 2 ordinary hazard occupancy, as such term is defined by NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such occupancy, and provided further that all such sprinkler heads were legally installed off of a domestic water system.]

An alteration to a plumbing or fuel gas piping system that is limited in scope or value, or both, subject to chapter 5 of the New York city existing building code.

LIMITED SPRINKLER ALTERATIONS. [An alteration, installation, replacement or repair to a sprinkler system that is limited in scope, falling into one of the following categories:]

[Category 1. An alteration to an existing sprinkler system where the total cost of the proposed Category 1 work in the building does not exceed fifty thousand dollars in any 12-month period, the fire rating of the area where the new sprinkler heads are being installed is not being altered and the proposed work is limited to the installation of up to five new sprinkler heads off of an existing sprinkler system.]

[Category 2. An alteration, repair or replacement of an existing sprinkler system or combined sprinkler standpipe system that is not subject to cost or duration limitations and that is limited to:]

[1. The replacement of sprinkler heads, provided that orifice sizes, type and deflector positions remain the same;

2. Replacement of parts required for the operation of a sprinkler system or combined sprinkler standpipe system, provided that orifice sizes, type and deflector positions remain the same;

3. Changes that do not alter the type of sprinkler system;

4. Relocation of piping that does not affect the operation of the sprinkler system, provided that orifice sizes, type and deflector positions remain the same;

5. Rearrangement of not more than 30 sprinkler heads in areas classified in light hazard occupancy, as such term is defined in NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such occupancy;

6. Rearrangement of not more than 30 sprinkler heads in restaurant service areas classified in Group 1 ordinary hazard occupancy, as such term is defined in NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such occupancy;

7. Rearrangement of not more than 30 sprinkler heads in mercantile areas classified in Group 2 ordinary hazard occupancy, as such term is defined by NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such occupancy;

8. Rearrangement of sprinkler heads in a storage area under 200 square feet classified Group 1 ordinary hazard, as such term is defined by NFPA 13 as amended by appendix Q of the New York city building code, provided such areas are already sprinklered and such areas will remain in such

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~~occupancy;~~

~~9. Unlimited cut and cap of an existing sprinkler system associated with a permitted demolition or gut renovation; and~~

~~10. Relocation of a fire department connection as part of a combined system.~~] An alteration to a sprinkler system that is limited in scope or value, or both, subject to chapter 5 of the New York city existing building code.

LIMITED STANDPIPE ALTERATIONS. [~~**Category 2.** An alteration, replacement or repair to an existing combined standpipe system that is limited to the following:~~]

[~~1. Replacement or relocation of parts required for the operation of a standalone or combined standpipe system;~~]

[~~2. Relocation of standalone or combined standpipe auxiliary hose sources and cabinets within 10 feet (3048 mm) of their original location, provided that the existing covered area is not affected and provided that such relocation complies with this code for a new installation; and~~]

[~~3. Unlimited cut and cap of an existing standalone or combined standpipe system for a demolition or gut renovation.~~] An alteration to an existing combined standpipe system that is limited in scope or value, or both, subject to chapter 5 of the New York city existing building code.

LISTED. Material identified in a list published by an approved agency that maintains periodic inspection of production of listed material or periodic evaluation services whose listing states either that the material meets identified nationally recognized standards or has been tested and found suitable for a specified purpose when installed in accordance with the manufacturer's installation instructions.

LOW VOLTAGE ELECTRICAL WORK. The installation, alteration, maintenance, or repair of electrical wiring that is designed to operate at less than 50 volts for signaling, communication, alarm, and data transmission circuits.

MAIN USE OR DOMINANT OCCUPANCY (OF A BUILDING). Refers to a single occupancy classification assigned to a structure by the department according to such structure's main use or dominant occupancy.

MANUFACTURER'S DESIGNATION. Identification applied to material by the manufacturer indicating that the material complies with a specified standard or set of rules (see "Label" and "Mark").

MARK. Identification applied to a product by the manufacturer indicating the name of the manufacturer and the function of a product or material (see "Label" and "Manufacturer's Label and designation").

MATERIALS. Materials, assemblies, appliances, equipment, devices, systems, products and methods of construction regulated in their use by this code.

MINOR ALTERATIONS. See Chapter 2 of the New York city existing building code.

MINOR ELECTRICAL WORK. Electrical work that is limited in scope, falling into 1 of the following categories:

1. Replacement of defective circuit breakers or switches rated 30 amperes or less, excluding main service disconnects;

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2. Replacement of parts in electrical panels where voltage does not exceed 150 volts to ground;

3. Replacement of minor elevator parts as defined by rule;

4. Replacement of defective controls rated at 30 amperes or less;

5. Repair of defective fixtures;

6. Replacement of fixtures in existing outlets, provided the number of such fixtures does not exceed 5 and does not increase existing wattage;

7. Replacement, repair, disconnection, or reconnection of motors not to exceed 1 horsepower, and associated devices;

8. Repairs to low pressure heating plants with a capacity of less than 15 pounds per square inch, except as may otherwise be required by rule of the commissioner;

9. Installation of any 10 or fewer units not requiring the installation of an additional branch circuit;

10. Installation of motors of fractional horsepower; [and]

11. Installation of transformers rated at 1000 volt amperes or less; and

12. Other categories of work as described in department rules, consistent with public safety.

OCCUPANCY. The purpose or activity for which a building or space is used or is designed, arranged or intended to be used.

OWNER. Any person, agent, firm, partnership, corporation or other legal entity having a legal or equitable interest in, or control of the premises.

PARTY WALL. A fire division on an interior lot line common to two adjoining buildings.

PERMIT. An official document or certificate issued by the commissioner that authorizes performance of specified work or activity.

PERSON. An individual, partnership, corporation, or other legal entity.

PREMISES. Land, improvements thereon, or any part thereof.

PRIOR CODE BUILDING OR STRUCTURE. [~~See 1968 OR PRIOR CODE BUILDING OR STRUCTURE (PRIOR CODE BUILDING)~~] A building or structure erected in accordance with the building laws in effect prior to July 1, 2008.

PROFESSIONAL CERTIFICATION. A personal verification of a registered design professional made under such professional's signature and seal that accompanies construction documents and other related documents filed with the department and that attests that such documents do not contain false information and are in compliance with all applicable provisions of law.

PROGRESS INSPECTION. Inspection of permitted construction work in progress to verify compliance with the code and with approved construction documents.

PROJECT. A design and construction undertaking comprised of work related to one or more buildings or structures and the site improvements. A project is represented by one or more plan/work applications, including

construction documents compiled in accordance with article 104 of this chapter, that relate either to the construction of new buildings or structures or to the demolition or alteration of existing buildings or structures. Applications for a project may have different registered design professionals and different application numbers, and may result in the issuance of one or more permits.

REGISTERED DESIGN PROFESSIONAL. An architect or engineer.

REGISTERED DESIGN PROFESSIONAL OF RECORD. The registered design professional who prepared or supervised the preparation of applicable construction documents filed with the department.

REQUIRED. Shall mean required by the provisions of this code.

RETAINING WALL. A wall designed to prevent the lateral displacement of soil or other materials.

SERVICE EQUIPMENT. Equipment or systems, and all components thereof, that provide sanitation, power, light, heat, ventilation, air conditioning, refuse disposal, fire-fighting, transportation or other facilities for buildings.

SIGN-OFF. The issuance by the department of a letter of completion or certificate of occupancy for permitted work indicating the satisfactory completion of all required inspections and receipt by the department of all required submittal documents.

SINGLE ROOM OCCUPANCY MULTIPLE DWELLING. See section 28-107.2.

SPECIAL INSPECTION. Inspection and testing of selected materials, equipment, installation, fabrication, erection or placement of components and connections, to ensure compliance with approved construction documents and referenced standards as required by chapter 17 of the New York city building code or elsewhere in this code or its referenced standards.

SPECIAL INSPECTION AGENCY. An agency employing one or more persons who are special inspectors and that meets the requirements of department rules.

SPECIAL INSPECTOR. An individual employed by a special inspection agency having required qualifications and authorized by department rules to perform or witness particular special inspections required by this code or by the rules of the department, including but not limited to a qualified registered design professional so authorized.

STRUCTURE. That which is built or constructed, including among others: buildings, stadia, tents, reviewing stands, platforms, stagings, observation towers, radio towers, tanks, trestles, open sheds, shelters, fences, and display signs.

SUBMITTAL DOCUMENTS. Completed application forms, construction documents, reports and any other documents submitted in compliance with this code or other applicable laws and rules including but not limited to special inspection reports, certifications or approvals from other governmental agencies and other data required by this code or by the department.

SUPERINTENDENT OF CONSTRUCTION (CONSTRUCTION SUPERINTENDENT). An individual, when authorized pursuant to department rules as qualified to superintend permitted construction work on behalf of the owner.

USE (USED). The purpose for which a building, structure, or space is occupied or utilized, unless otherwise indicated by the text. Use (used) shall be construed as if followed by the words "or is intended, arranged, or

designed to be used."

UTILITY COMPANY OR PUBLIC UTILITY COMPANY. The term shall be construed to have the same meaning as that contained in section two of the New York state public service law.

UTILITY CORPORATION OR PUBLIC UTILITY CORPORATION. The term shall be construed to have the same meaning as that contained in section two of the New York state public service law.

[~~WORK NOT CONSTITUTING MINOR ALTERATIONS OR ORDINARY REPAIRS.~~ ~~See section 28-105.4.2.1~~]

WRITING (WRITTEN). The term shall be construed to include handwriting, typewriting, printing, photo-offset, or any other form of reproduction in legible symbols or characters, including, in the discretion of the commissioner, electronic media.

WRITTEN NOTICE. A notification in writing delivered by hand to the person or parties intended, or delivered at or sent by mail or in the discretion of the commissioner by electronic media to the last address known to the party giving such notice.

ZONING RESOLUTION. The zoning resolution of the city of New York, adopted December [fifteenth, nineteen hundred sixty-one] 15, 1961, including all amendments thereto.

§ 5. Section 28-102.4.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-102.4.1 [~~Prior~~] Compliance of prior code buildings [~~must comply~~] with the applicable retroactive requirements of the 1968 building code and prior codes. Prior code buildings must comply with the applicable retroactive requirements of the 1968 building code and prior codes, including those requiring the installation of fire safety and building safety systems and the filing of verifying reports [~~with the department of such installations by the dates specified in section 27-228.5 of the *administrative code* or in other applicable provisions of such 1968 building code~~]verifying compliance of such installations. A violation of such provisions shall be a violation of this code.

§ 6. Section 28-102.4.2 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-102.4.2 Change in use or occupancy. [~~Except as otherwise provided in sections 28-101.4.1, 28-101.4.2, 28-101.4.3 or 28-101.4.4 changes~~] Changes in the use or occupancy of any existing building or structure [~~made after July 1, 2008 shall comply with the provisions of this code. Any changes made in the use or occupancy of a building or structure not in compliance with this code shall be prohibited and shall be a violation of this code. After a change in use or occupancy has been made in a building, the re-establishment of a prior use or occupancy that would not be lawful in a new building of the same construction class shall be prohibited unless and until all the applicable provisions of this code and other applicable laws and rules for such reestablished use or occupancy shall have been complied with. A change from a use prohibited by the provisions of this code, but which was permitted prior to July 1, 2008, to another use prohibited by the provisions of this code shall be deemed a violation of this code~~ shall comply with the provisions of this code. A violation of such provisions

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shall be a violation of this code.

§ 7. Section 28-102.4.3 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-102.4.3 Alteration of [~~prior code~~] existing buildings. [~~Except as otherwise provided in sections 28-101.4.1, 28-101.4.2, 28-101.4.3 and 28-101.4.4, prior code buildings altered after July 1, 2008~~] Alteration of existing buildings, including prior code buildings, shall comply with the provisions of this code. [~~In accordance with subdivision eleven of section three of the New York state multiple dwelling law and article 4 of subchapter 1 of the 1968 building code, at the option of the owner, multiple dwellings erected prior to December 6, 1969 may be altered and buildings erected prior to December 6, 1969 may be converted to multiple dwellings in accordance with applicable provisions of the New York state multiple dwelling law and the building laws and regulations in effect prior to December 6, 1968, provided the general safety and public welfare are not thereby endangered. At a minimum, the application of sections 28-101.4.3, 28-101.4.4 and 28-101.4.5 to any such alteration shall be deemed necessary to protect the general safety and public welfare.~~]

§ 8. Section 28-102.4.4 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-102.4.4 Continuation of unlawful use or occupancy. The continuation of the unlawful use or occupancy of a building or structure contrary to the provisions of this code, [~~or contrary to~~] the provisions of prior codes or other applicable law or rule, shall be a violation of this code.

§ 9. Section 28-104.6 of the administrative code of the city of New York, as amended by local law number 128 for the year 2024, is amended to read as follows:

§ 28-104.6 Applicant. The applicant for approval of construction documents shall be the registered design professional who prepared or supervised the preparation of the construction documents on behalf of the owner.

Exception: The applicant may be other than a registered design professional for:

1. Limited elevator alterations, limited home improvement alterations, limited oil-burning appliance alterations, limited plumbing alterations, limited reroofing alterations, limited sprinkler alterations, [~~and~~] limited standpipe alterations, and limited window replacement alterations (limited alteration applications)[, where the applicant is licensed to perform such work pursuant to this code];

2. Demolition applications other than those specified in section 3306.5 of the New York city building code, where the applicant is the demolition contractor performing such demolition. In such cases, the commissioner may require structural plans designed by a registered design professional to address any critical structural, sequencing or site safety items;

3. Elevator applications;

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4. Applications for work falling within the practice of landscape architecture as defined by the New York state education law, including but not limited to landscaping and vegetation plans, tree protection plans, erosion and sedimentation plans, grading and drainage plans, curb cuts, pavement plans, and site plans for urban plazas and parking lots, where the applicant is a landscape architect. Landscape architects shall not file plans for stormwater management and plumbing systems;

5. Other categories of work consistent with rules promulgated by the commissioner.

§ 10. Section 28-104.7.13 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-104.7.13 Identification of work involving relocation, moving, or raising [~~or moving~~] of a building. Where an existing building is being relocated, moved, or the lowest above-grade floor or the lowest subgrade floor of a building is to be raised, lifted, or elevated[~~or moved~~], such work shall be listed on the title sheet of the construction documents as subject to special inspection.

§ 11. Section 28-104.7.16 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-104.7.16 Tenant protection plan. The title sheet of construction documents shall contain a statement requiring a tenant protection plan be submitted in accordance with the requirements of [~~article 120~~] chapter 15 of the New York city existing building code prior to the issuance of a permit for alteration, construction, or partial demolition work in a building containing one or more occupied dwelling units.

§ 12. Section 28-105.2 of the administrative code of the city of New York, as amended by local law number 77 for the year 2023, is amended to read as follows:

§ 28-105.2 Classification of work permits. For the purposes of this code, work permits shall be classified as follows:

1. New building permits: for the construction of new buildings, including as provided for in section 28-101.4.5.

2. Alteration permits: for the alteration of buildings or structures, including new and existing sign structures and partial demolition in conjunction with such [~~buildings~~] building or [~~structures~~] structure, and permits for limited home improvement alterations, limited reroofing alterations, and limited window replacement alterations.

3. Foundation and earthwork permits: for the construction or alteration of foundations, including earthwork, excavation, fill, and foundation insulation.

4. Earthwork permits: for work solely involving earthwork, excavation, or fill operations.

5. Full demolition permits: for the full demolition and removal of buildings or structures.

6. Plumbing permits: for the installation or alteration of plumbing and plumbing systems, including gas piping. Such permits shall include permits for limited plumbing alterations.

7. Sign permits: for the erection, installation, display, or alteration of signs.

8. Service equipment permits: for the installation or alteration of service equipment, including but not limited to air conditioning and ventilating systems, boilers, elevators, escalators, moving walkways, dumbwaiters, mobile boilers and mobile oil tanks. Such permits shall include permits for limited oil-burning appliance alterations and limited elevator alterations.

9. Temporary construction installation permits: for the erection, installation and use of temporary construction installations to facilitate construction and/or safety during construction, including but not limited to temporary fences, railings, catch platforms, over-the-sidewalk chutes, footbridges, sidewalk sheds, and scaffolds.

10. Fire protection and suppression system permits: for the installation and alteration of fire protection and suppression systems, including sprinkler systems and standpipe systems. Such permits shall include permits for limited sprinkler alterations and limited standpipe alterations.

11. Crane and derrick permits: for the use of power-operated cranes and derricks during construction.

12. Temporary structure permits and temporary use authorizations: for temporary structures and uses, see article 111.

§ 13. Section 28-105.4 of the administrative code of the city of New York, as amended by local law number 128 for the year 2024, is amended to read as follows:

§ 28-105.4 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code, the zoning resolution or any other law or rules enforced by the department. Such exemptions shall not relieve any owner of the obligation to comply with the requirements of or file with other city agencies. Unless otherwise indicated, permits shall not be required for the following:

1. Emergency work, as set forth in section 28-105.4.1.

2. Minor alterations and ordinary repairs, as [~~described~~] defined in chapter 2 of the New York city existing building code.

3. Certain work performed by a public utility company or public utility corporation, as set forth in section 28-105.4.3.

4. Ordinary plumbing work, as [set forth] defined in chapter 2 of the New York city existing building code.

5. Permits for the installation of certain signs, as set forth in section 28-105.4.5.

6. Geotechnical investigations, as set forth in section 28-105.4.6.

7. The installation, alteration or removal of alternative automatic fire extinguishing systems, including but

not limited to fire extinguishing systems for commercial cooking equipment, subject to the approval of the fire department in accordance with section 105 of the New York city fire code.

8. The installation, alteration or removal of fire alarm systems, emergency alarm systems and fire department in-building auxiliary radio communication systems, subject to the approval of the fire department in accordance with the requirements of this code. Such work shall be submitted in accordance with the rules and regulations of the fire department.

9. Low voltage electrical work.

10. Electrical work relating to the construction and maintenance of city streetlights and city traffic lights owned, operated, or controlled by the city or any agency thereof.

11. Other categories of work as described in department rules, consistent with public safety.

§ 14. Section 28-105.4.2 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-105.4.2 Minor alterations and ordinary repairs. A permit shall not be required for minor alterations and ordinary repairs as set forth in section 105.3 of the New York city existing building code.

§ 15. Section 28-105.4.2.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-105.4.2.1 [~~Definitions.~~ ~~The following words and terms shall, for the purposes of this section 28-105.4.2 and as used elsewhere in this code, have the meanings shown herein.~~

~~MINOR ALTERATIONS.~~ ~~Minor changes or modifications in a building or any part thereof, excluding additions thereto, that do not in any way affect health or the fire or structural safety of the building or the safe use and operation of the service equipment therein. Minor alterations shall not include any of the work described as "work not constituting minor alterations or ordinary repairs."~~

~~ORDINARY REPAIRS.~~ ~~Replacements or renewals of existing work in a building, or of parts of the service equipment therein, with the same or equivalent materials or equipment parts, that are made in the ordinary course of maintenance and that do not in any way affect health or the fire or structural safety of the building or the safe use and operation of the service equipment therein. Ordinary repairs shall include the repair or replacement of any plumbing fixture, piping or faucets from any exposed stop valve to the inlet side of a trap. Ordinary repairs shall not include any of the work described as "work not constituting minor alterations or ordinary repairs."~~

~~WORK NOT CONSTITUTING MINOR ALTERATIONS OR ORDINARY REPAIRS.~~ ~~Minor alterations or ordinary repairs shall not include:~~

~~1. The removal or cutting away of any load bearing or required fire rated wall, fire door, floor, or roof~~

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~~construction, or any portion thereof;~~

~~2. The removal, cutting, or modification of any beams or structural supports; 3. The removal, change, or closing of any required exit;~~

~~4. The addition, rearrangement, relocation, removal or replacement of any parts of the building affecting loading or exit requirements, or light, heat, ventilation, or elevator requirements or accessibility requirements, or any fire suppression or fire protection system;~~

~~5. Additions to, alterations of, or rearrangement, relocation, replacement, repair or removal of any portion of a standpipe or sprinkler system, water distribution system, house sewer, private sewer, or drainage system, including leaders, or any soil, waste or vent pipe, or any gas distribution system;~~

~~6. Any plumbing work other than the repair or replacement of plumbing fixtures, piping or faucets from the exposed stop valve to the inlet side of a trap;~~

~~7. The alteration or repair of a sign for which a permit is required; or~~

~~8. Any other work affecting health or the fire or structural safety of the building or the safe use and operation of the service equipment therein.~~] Reserved.

§ 16. Section 28-105.4.4 of the administrative code of the city of New York, as amended by local law number 77 for the year 2023, is amended to read as follows:

§ 28-105.4.4 Ordinary plumbing work. [~~The following ordinary plumbing work may be performed without a permit, provided that the licensed plumber performing such work: (i) provides a monthly report listing completed work and work in progress during the preceding month, including the block, lot and address of each job, a description of the work performed or in progress at each address, and the location in each building where the work was performed or is in progress; (ii) pays the fees for such work in accordance with this code; and (iii) submits to the department a certification that the work was performed in accordance with this code and all applicable laws and rules. Ordinary plumbing work shall include:~~

~~1. The removal of a domestic plumbing system not connected to a fire suppression or fire protection system, or the removal of a portion of such system.~~

~~2. The relocation of up to two plumbing fixtures within the same room to a maximum of 10 feet (3048 mm) distant from the original location, except in health care facilities.~~

~~3. The installation, replacement or repair of a food waste grinder (food waste disposal) or secondary back flow preventer and the replacement or repair of a sump pump.~~

~~4. The repair components of a plumbing appliance or plumbing appurtenance or the replacement of a plumbing appurtenance.~~

~~5. In buildings classified as residential occupancy groups occupied by five families or fewer, the replacement of a gas water heater, gas furnace, or a gas-fired boiler with a capacity of 350,000 BTU (103 kW) or less where the existing appliance shutoff valve is not moved, provided that the plumber has inspected the chimney and~~

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~~found it to be in good operational condition.~~

~~6. The repair or replacement of any non-gas, non-fire suppression piping not longer than 25 feet (7620 mm) inside a building, or connected piping previously repaired or replaced under this provision.~~

~~7. The repair or replacement of any non-gas, non-fire suppression branch piping after the riser shutoff valve, including the replacement of fixtures.~~

~~8. The replacement of an appliance connector serving the following domestic gas appliances: ranges, ovens, stoves, barbecues, and clothes dryers where the existing appliance shutoff valve remains and replacement shall be in accordance with this code and the New York city fuel gas code. The existing appliance shutoff valve shall be accessible and in good working condition with no noticeable corrosion or deterioration.~~

~~9. The replacement of the following domestic gas appliances: ranges, ovens, stoves, barbecues, and clothes dryers where the existing appliance shutoff valve remains and when such appliance replacement is in accordance with this code and the New York City fuel gas code. The existing appliance shutoff valve shall be accessible and in good working condition with no noticeable corrosion or deterioration~~] As defined in Chapter 2 of the New York city existing building code, the installation, relocation, repair, and removal of certain plumbing work that may be performed without a permit provided the licensed plumber provides the department with monthly reports of work performed in accordance with section 105.3.1.2 of the New York city existing building code.

§ 17. Section 28-116.2 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-116.2 Types of inspections and assessments. The inspections and assessments set forth in sections 28-116.2.1 through [~~28-116.2.4~~]28-116.2.6 are required or authorized by this code.

§ 18. Section 28-116.2.3.2 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-116.2.3.2 Special inspection of relocating, moving, or raising [~~and moving~~] of a building. Where an existing building is being relocated, moved, or the lowest above-grade floor or the lowest subgrade floor of a building is to be raised, lifted[,] or elevated[~~or moved~~], periodic special inspection of such work is required. The permit holder shall notify the department in writing at least 48 hours before the commencement of such work.

§ 19. Section 28-116.2.4 of the administrative code of the city of New York, as amended by local law number 128 for the year 2024, is amended to read as follows:

[~~§28-116.2.4~~] §28-116.2.6 Final inspection. There shall be a final inspection of all permitted work. Final inspections shall comply with sections [~~28-116.2.4.1~~]28-116.2.6.1 through [~~28-116.2.4.3~~]28-116.2.6.4.

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Exception. A final inspection shall not be required for minor electrical work as defined in section 28-101.5.

§ 20. Article 116 of chapter 1 of title 28 of the administrative code of the city of New York, is amended by adding new sections 28-116.2.4 and 28-116.2.5 to read as follows:

§ 28-116.2.4 Structural condition assessments. Initial and detailed condition assessments shall be performed before and during the construction phase of the project as provided for in section 704 of the New York city existing building code.

§ 28-116.2.5 Architectural conditions assessment. Where an existing building is being altered and the work area exceeds 50 percent of the floor area, the design professional of record shall perform an assessment of certain building elements within the work area to evaluate their condition. Such assessment shall be performed in accordance with section 803.10 of the New York city existing building code.

§ 21. Sections 28-116.2.4.1, 28-116.2.4.2 and 28-116.2.4.3 of the administrative code of the city of New York are redesignated as sections 28-116.2.6.1, 28-116.2.6.2 and 28-116.2.6.3, respectively and a new section 28-116.2.6.4 is added to read as follows:

28-116.2.6.4 Electrical final inspection. Final inspections for electrical work for which a permit is required shall be performed in accordance with the New York city electrical code.

§ 22. Section 28-117.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-117.1 Place of assembly certificate of operation. It shall be unlawful to use or occupy any building or space, including an outdoor space, as a place of assembly without a certificate of operation issued by the commissioner. An application for a certificate of operation shall be made to the department in such form and containing such information as the commissioner shall provide. The department shall inspect every place of assembly space prior to the issuance of a certificate of operation. The commissioner shall not issue a certificate of operation unless the department determines that the space conforms substantially to the approved construction documents and to this code or the 1968 building code as applicable and that the certificate of occupancy authorizes such use. A certificate of operation shall not be issued to a place of assembly providing seating or other moveable furnishings unless the commissioner approves a plan conforming to this code or the 1968 building code as applicable and the rules of the department. Seating and other moveable furnishings shall be maintained at all times during occupancy in accordance with the approved plan. Any amendment of such

plan shall be subject to the prior approval of the commissioner.

Exception: A place of assembly certificate of operation shall not be required in certain existing special occupancy structures in accordance with section 305.5.18 of the New York city existing building code.

§ 23. Section 28-117.1.2 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-117.1.2 New certificate required. The following changes to a place of assembly shall require a new place of assembly certificate of operation instead of an amendment filed in accordance with section 28-117.1.3:

1. For a department issued place of assembly permit or place of assembly certificate of operation that does not have a nine-digit job number, any change of zoning use group, assembly occupancy group A-1 through A-5, or any of the changes set forth in section 28-117.1.3.

2. For all other department issued place of assembly permits or place of assembly certificates of operation, any change of zoning use group or assembly occupancy group A-1 through A-5.

3. Where required by section 305.5.18.3 of the New York city existing building code.

§ 24. Section 28-117.1.3 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-117.1.3 Amendments. No change shall be made to a place of assembly that is inconsistent with the most recently issued place of assembly certificate of operation or renewal unless an amendment to such certificate is filed with and approved or accepted by the department. Changes that require an amendment include any of the following:

1. Any physical change requiring an alteration permit to be issued by the department.

2. Any amendment to the plan for seating and other moveable furnishing, in accordance with section 28-117.1.

3. Any change to the name of the establishment.

4. Where required by section 305.5.18 of the New York city existing building code unless limited work is permitted within an assembly space in accordance with such section.

§ 25. Section 28-118.3.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-118.3.1 Change of occupancy or use. No building, open lot or portion thereof hereafter altered so as to change from one occupancy group to another, or from one zoning use group to another, either in whole or in part, shall be occupied or used unless and until the commissioner has issued a certificate of occupancy certifying that the alteration work for which the permit was issued has been completed substantially in accordance with the approved construction documents and the provisions of [~~this code~~] chapter 10 of the New York city existing building code and other applicable laws and rules for the new occupancy or use.

§ 26. The title of Article 120 of chapter 1 of title 28 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

ARTICLE 120

TENANT OR OCCUPANT PROTECTION PLAN

§ 27. Section 28-120.1 of the administrative code of the city of New York, as amended by local law number 119 for the year 2019, subdivision 3.1 as amended by local law number 40 for the year 2021 and local law number 126 for the year 2021, is amended to read as follows:

§ 28-120.1 Tenant or occupant protection plan. A tenant or occupant protection plan shall be prepared [~~and submitted~~]for the alteration, construction, or partial demolition [~~of~~]work performed in buildings [~~in which any dwelling unit~~]that will be occupied during [~~construction~~]such work, including newly constructed buildings that are partially occupied where work is ongoing, where required by and in accordance with chapter 15 of the New York city existing building code. [~~The tenant protection plan shall be prepared by a registered design professional and filed with the department. The registered design professional preparing the tenant protection plan shall be retained by the general contractor performing the alteration, construction, or partial demolition work. No permit shall be issued for work that requires a tenant protection plan unless such plan is approved by the department. Such plan shall contain a statement signed by the owner and signed by the applicant affirming that the building contains dwelling units that will be occupied during construction and shall identify in sufficient detail the specific units that are or may be occupied during construction, the means and methods to be employed to safeguard the safety and health of the occupants throughout the construction, including, where applicable, details such as temporary fire-rated assemblies, opening protectives, or dust containment procedures. Such means and methods shall be described with particularity and in no case shall terms such as "code compliant," "approved," "legal," "protected in accordance with law" or similar terms be used as a substitute for such description. The tenant protection plan must be site specific. The elements of the tenant~~

protection plan may vary depending on the nature and scope of the work but at a minimum, must comply with all applicable laws and regulations, including the New York city construction codes, the New York city housing maintenance code, the New York city noise control code and the New York city health code, and shall make detailed and specific provisions for:]

[1. **Egress.** At all times in the course of construction, provision shall be made for adequate egress as required by this code and the tenant protection plan shall identify the egress that will be provided. Required egress shall not be obstructed at any time except where approved by the commissioner.]

[2. **Fire safety.** All necessary laws and controls, including those with respect to occupied dwellings, as well as additional safety measures necessitated by the construction shall be strictly observed.]

[3. **Health requirements.** Specification of means and methods to be used for control of dust, disposal of construction debris, pest control and maintenance of sanitary facilities shall be included.]

[3.1. There shall be included a statement of compliance with applicable provisions of law relating to lead and asbestos, and such statement shall describe with particularity what means and methods are being undertaken to meet such compliance.]

[4. **Compliance with housing standards.** The requirements of the New York city housing maintenance code, and, where applicable, the New York state multiple dwelling law shall be strictly observed.]

[5. **Structural safety.** No structural work shall be done that may endanger the occupants.]

[6. **Noise restrictions.** Specification of means and methods to be used for the limitation of noise to acceptable levels in accordance with the New York city noise control code shall be included. Where hours of the day or the days of the week in which construction work may be undertaken are limited pursuant to the New York city noise control code, such limitations shall be stated.]

[7. **Maintaining essential services.** Where heat, hot water, cold water, gas, electricity, or other utility services are provided in such building or in any dwelling unit located therein, the tenant protection plan shall specify the means and methods to be used for maintaining such services during such work in accordance with the requirements of the New York city housing maintenance code. If a disruption of any such service is anticipated during the work, then such plan shall specify the anticipated duration of such disruption and the means and methods to be employed to minimize such disruption, including the provision of sufficient alternatives for such service during such disruption. Notification of the disruption must be given to all affected occupants of occupied dwelling units.]

[Exception: In the following instances, the tenant protection plan may be prepared and filed by the registered design professional of record for the alteration, construction, or partial demolition work as part of the underlying application:

1. Work in occupied one- and two-family homes.

2. Work limited to the interior of a single dwelling unit of an occupied multiple dwelling with no disruption to the essential services of other units, where such dwelling is owner-occupied. For a dwelling unit within a property that is owned by a condominium or held by a shareholder of a cooperative corporation under a proprietary lease, the unit must be occupied by the owners of record for such unit.]

§ 28. Sections 28-120.1.1, 28-120.1.2, 28-120.1.3, 28-120.2, and 28-120.3 of the administrative code of the city of New York are REPEALED.

§ 29. Section 28-301.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-301.1 Owner's responsibilities. All buildings and all parts thereof and all other structures shall be maintained in a safe condition. All service equipment means of egress, materials, devices, and safeguards that are required in a building by the provisions of this code[~~, the 1968 building code~~] or other applicable laws or rules, or that were required by law when the building was erected, altered, or repaired, shall be maintained in good working condition. Whenever persons engaged in building operations have reason to believe in the course of such operations that any building or other structure is dangerous or unsafe, such person shall forthwith report such belief in writing to the department. The owner shall be responsible at all times to maintain the building and its facilities and all other structures regulated by this code in a safe and code-compliant manner and shall comply with the inspection and maintenance requirements of this chapter.

§ 30. The title of article 307 of chapter 3 of title 28 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

ARTICLE 307

[~~WORKPLACE~~] OBSTRUCTION OF EXITS

§ 31. Section 28-307.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-307.1 Workplace exists. Workplace exists shall comply with the requirements of sections 28-307.1.1 through 28-307.1.3.

§28-307.1.1 Obstruction of workplace exits prohibited. Except for the exemptions specified in subdivision j of section 27-371 of the administrative code or chapter 10 of the New York city building code, as applicable, it shall be unlawful for an employer or the agent of an employer to lock the doors of a workplace or otherwise obstruct or prohibit exit from a workplace when such act may endanger the health or safety of any employee, independent contractor or other individual in such workplace in the event of a fire or other hazardous condition or event. The commissioner shall classify a violation of this section as an immediately hazardous violation. Notwithstanding any other provision of this code, upon criminal

conviction or civil adjudication of liability for a violation of this section an additional fine or civil penalty of not less than five thousand dollars nor more than twenty thousand dollars shall be imposed for each employee, independent contractor or other individual endangered by a violation of this section.

§ 32. Sections 28-307.1.1, 28-307.2, and 28-307.3 of the administrative code of the city of New York are redesignated as sections 28-307.1.1.1, 28-307.1.2, and 28-307.1.3, respectively.

§ 33. Title 28 of the administrative code of the city of New York is amended by adding new sections 28-307.2 and 28-307.3 to read as follows:

§ 28-307.2 Obstruction of corridors. Corridors shall be kept readily accessible and unobstructed at all times. Corridors shall be kept free of combustible contents, except that in buildings classified in Occupancy Groups E and I, combustible contents may be stored in noncombustible lockers, and combustible bulletin boards meeting the requirements of chapter 8 of the New York city building code shall be permitted.

§ 28-307.3 Obstructions to fire tower balconies and vestibules. Fire tower balconies and vestibules shall be kept clear of obstructions that may reduce required width or headroom for egress.

§ 36. The title of article 316 of chapter 3 of title 28 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

ARTICLE 316

[~~INSULATION OF CONCEALED PIPES EXPOSED DURING ALTERATION OR REPAIR~~]

RESERVED

§ 37. Section 28-316.1 of the administrative code of the city of New York is REPEALED.

§ 38. Section 28-422.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-422.1 Elevator agency inspector license required. It shall be unlawful to witness and/or perform inspections and tests on behalf of an elevator agency pursuant to article 304 of chapter 3 of this code unless licensed pursuant to this article. Licensed elevator inspectors shall perform such work under the direct and

continuing supervision of a designated elevator agency director in responsible charge licensed pursuant to article 421 of this chapter.

§ 39. Section 28-425.1 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-425.1 Elevator agency technician license required. It shall be unlawful to perform elevator work as defined in this chapter, unless that work is performed by or under the direction of an elevator agency technician and under the direct supervision of a designated director of an elevator agency licensed pursuant to article 421 of this chapter.

§ 40. Section 28-425.3 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-425.3 Qualifications. An applicant for an elevator agency technician license or a restricted elevator agency technician license must possess a valid elevator mechanic's license issued by the New York state department of labor in accordance with the provisions of article thirty-three of the New York state labor law. Such state license must remain valid during the term of the city license. The agency may, by rule, establish qualifications for elevator agency technicians, including, but not limited to, acceptable proof that an applicant has worked on elevator construction, maintenance or repair with direct and continuing supervision [~~in this state~~] for a specified period of time prior to the effective date of this article; provided, however, that the provisions of this section and any rules adopted pursuant thereto shall not be inconsistent with the requirements for elevator mechanics contained in article thirty-three of the New York state labor law and nothing herein shall prevent the enactment by local law, ordinance, or rule of additional requirements.

§ 41. Chapter 1 of the New York city building code is amended by adding a new section 101.4.7 to read as follows:

101.4.7 Existing buildings. The provisions of the *New York City Existing Building Code* shall apply to matters governing the repair, alteration, change of occupancy, addition to, moving, raising, and relocation of existing buildings.

§ 42. Section 102.6 of the New York city building code is REPEALED.

§ 43. Section 106.3 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

106.3 Work exempt from permit. Exemptions from permit requirements of this code as authorized in Chapter 1 of Title 28 of the *Administrative Code*, the *New York City Existing Building Code,* and the rules of the department shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or rules.

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§ 44. Section 106.10 of the New York city building code is REPEALED.

§ 45. Section 107.11.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

107.11.2 Stormwater. Applications for construction document approval shall include submittal documents relating to the availability and feasibility of a public combined or storm sewer or other approved method for stormwater discharge in accordance with Sections 107.11.2.1 and 107.11.2.2 for the following types of applications:

1. New buildings;

2. Alterations of buildings proposing horizontal building enlargement pursuant to Section 106 of the *New York City Existing Building Code*; [and/]or

3. Alterations that increase impervious surfaces on the tax lot pursuant to Section 106 of the *New York City Existing Building Code*.

[~~Exceptions:~~]

[~~1. Applications for construction document approval for the alteration of an existing one- or two-family dwelling need not include such submittal documents, where the footprint of a proposed horizontal building enlargement and any proposed increase in impervious surfaces combined is less than or equal to 200 square feet (19 m^2). Construction documents shall include the amount of proposed increase in impervious area.~~]

[~~1.1. This exception shall not apply if the horizontal building enlargement and increase in impervious surface related to the current application for construction document approval and any other enlargement or increase in impervious surface made on the same tax lot after July 1, 2008 together exceed 200 square feet (19 m^2).~~]

[~~2. Applications for construction document approval for the alteration of a building need not include such submittal documents, where the increase in area of the footprint resulting from a proposed horizontal building enlargement and any proposed increase in impervious surfaces on a lot combined is less than or equal to 1,000 square feet (93 m^2), and on-site disposal of stormwater conforming to the provisions of the applicable laws and rules as determined by the department is proposed for such enlargement and/or increase in impervious surface. Construction documents shall include the amount of proposed increase in impervious area.~~]

[~~2.1. This exception shall not apply where on-site disposal cannot be designed to conform to the provisions of the applicable laws and rules including but not limited to minimum required distances from lot lines or structures or subsoil conditions as determined by the department.~~]

[~~2.2. This exception shall not apply if the horizontal building enlargement and increase in impervious surface related to the current application for construction document approval and all other enlargements or increases in impervious surface made on the same tax lot after July 1, 2008 together exceed 1000 square feet (93 m^2).~~]

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§ 46. Section 201.3 of the New York city building code, as amended by local law number 126 for the year 2021, and section 201.3.1 of such code, as added by local law number 126 for the year 2021, are amended to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *New York City Fuel Gas Code, New York City Fire Code, New York City Mechanical Code, New York City Electrical Code, New York City Plumbing Code*, [~~or the~~]*New York City Energy Conservation Code, or the New York City Existing Building Code*, such terms shall have the meanings ascribed to them as in those codes.

201.3.1 Terms defined in the general administrative provisions. The following terms are defined in Section 28-101.5 of the *Administrative Code*:

1968 BUILDING CODE.

[~~1968 OR PRIOR CODE BUILDINGS OR STRUCTURES (PRIOR CODE BUILDINGS).~~]

ACCEPTANCE OR ACCEPTED.

ADDITION.

ADMINISTRATIVE CODE.

ALTERATION.

APPROVAL OR APPROVED.

APPROVED AGENCY.

APPROVED FABRICATOR.

APPROVED INSPECTION AGENCY.

APPROVED TESTING AGENCY.

ARCHITECT.

BUILDING.

CHARTER.

CERTIFICATE OF COMPLIANCE.

CITY.

COMMISSIONER.

CONSTRUCTION DOCUMENTS.

DAY.

DEFERRED SUBMITTAL.

DEMOLITION.

DEMOLITION, FULL.

DEMOLITION, PARTIAL.

DEPARTMENT.

ENGINEER.

ENLARGEMENT.

ENVIRONMENTAL CONTROL BOARD or ECB.

EXISTING BUILDING OR STRUCTURE.

FABRICATED ITEM.

FIRE PROTECTION PLAN.

HEREAFTER.

HERETOFORE.

INSPECTION CERTIFICATE.

INTERIM CERTIFICATE OF OCCUPANCY.

LABEL.

LABELED.

LAND SURVEYOR.

LANDSCAPE ARCHITECT.

LETTER OF COMPLETION.

LIMITED ALTERATION APPLICATION.

LIMITED ELEVATOR ALTERATIONS.

LIMITED HOME IMPROVEMENT ALTERATIONS

LIMITED OIL-BURNING APPLIANCE ALTERATIONS.

LIMITED PLUMBING ALTERATIONS.

LIMITED REROOFING ALTERATIONS.

LIMITED SPRINKLER ALTERATIONS.

LIMITED STANDPIPE ALTERATIONS.

LIMITED WINDOW REPLACEMENT ALTERATIONS.

LISTED.

MAIN USE OR DOMINANT OCCUPANCY (OF A BUILDING).

MANUFACTURER'S DESIGNATION.

MARK.

MATERIALS.

OCCUPANCY.

OWNER.

PARTY WALL.

PERMIT.

PERSON.

PREMISES.

PRIOR CODE BUILDING OR STRUCTURE.

PROFESSIONAL CERTIFICATION.

PROGRESS INSPECTION.

PROJECT.

REGISTERED DESIGN PROFESSIONAL.

REGISTERED DESIGN PROFESSIONAL OF RECORD.

REQUIRED.

RETAINING WALL.

SERVICE EQUIPMENT.

SIGN-OFF.

SINGLE ROOM OCCUPANCY MULTIPLE DWELLING.

SPECIAL INSPECTION.

SPECIAL INSPECTION AGENCY.

SPECIAL INSPECTOR.

STRUCTURE.

SUBMITTAL DOCUMENTS.

SUPERINTENDENT OF CONSTRUCTION (CONSTRUCTION SUPERINTENDENT).

USE (USED).

UTILITY COMPANY OR PUBLIC UTILITY COMPANY.

UTILITY CORPORATION OR PUBLIC UTILITY CORPORATION.

[WORK NOT CONSTITUTING MINOR ALTERATIONS OR ORDINARY REPAIRS.]

WRITING (WRITTEN).

WRITTEN NOTICE.

ZONING RESOLUTION.

§ 47. Chapter 3 of the New York city building code is amended by adding a new section 307.3.2 to read as follows:

307.3.2 Group H-1 prohibited. Group H-1 occupancies shall be prohibited from being located within the fire district as indicated in Appendix D.

§ 48. Chapter 4 of the New York city building code is amended by adding a new section 401.1.1 to read as follows:

401.1.1 Existing buildings. Alterations, additions, and changes of occupancy made to existing buildings subject to this chapter shall comply with additional requirements of the *New York City Existing Building Code*.

§ 49. Chapter 4 of the New York city building code is amended by adding a new section 403.1.1 to read as follows:

403.1.1 Existing high-rise buildings. Alterations and additions made to existing high-rise buildings shall also comply with the requirements of Chapters 8, 9, and 11 of the *New York City Existing Building Code*.

§ 50. Section 406.9.6 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

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406.9.6 Accessory uses and occupancies. Parking lot offices, attendant shelters, storage facilities, and similar structures used in conjunction with open parking lots may be provided as an accessory use and shall comply with the applicable code provisions. Such accessory structures may be constructed of combustible materials subject to the limitations of Section [~~D105.1 of Appendix D~~]601.1.1.5.

§ 51. Table 504.3 of the New York city building code, as amended by local law number 126 for the year 2021, and tables 504.4 and 506.2, as added by local law number 126 for the year 2021, are amended to read as follows:

TABLE 504.3[a,~~,k~~] ALLOWABLE BUILDING HEIGHT IN FEET ABOVE GRADE PLANE

OCCUPANC	TYPE OF CONSTRUCTION									
	SEE FOOTNOTES	TYPE I		TYPE II		TYPE III		TYPE IV[j]	TYPE V	
		A	B[i]	A	B	A	B	HT	A	B
A-1	NS[b,c]	UL	160	65	55	65	55	65	50	40
	S	UL	420	85	75	85	75	85	70	60
U[e]	NS[b,c]	UL	160	65	55	65	55	65	50	40
	S	UL	180	85	75	85	75	85	70	60
	= Not permitt		= Not permitted in Fire District without sprinklers							

For SI: 1 foot = 304.8 mm.

Note: UL = Unlimited; NP = Not permitted; NS = Buildings not equipped throughout with an automatic sprinkler system; S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

a. See the following sections for general exceptions to Table 504.3:
   1. See Chapters 4 and 5 for specific exceptions to the allowable height in this chapter.
   2. Section 506.3, Allowable area increase due to frontage.
   3. Section 507, Unlimited area building.

b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

c. The NS value is only for use in buildings not required by this code to be equipped throughout with an automatic sprinkler system.

d. For open parking structures, see Section 406.5.

e. For private garages, see Section 406.3.

f. See Section 415.8 for limitations.

g. See Exception 9 of Section D105.1 for allowances of Type VA and VB construction for R-3

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occupancies.

h. See Exception 12 of Section D105.1 for allowances of Type VA construction and height limitations for R-3 occupancies in Lower Density Growth Management Areas.

i. See Section 403.2.1 for additional requirements for high-rise buildings.

j. Type IV construction utilizing cross-laminated timber or structural composite lumber shall be sprinklered where required by Section 903.2.13.

k. For existing high-rise buildings, refer to the *New York City Existing Building Code*.

TABLE 504.4[a,b,-i] ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE

OCCUP CLASSI	TYPE OF CONSTRUCTION									
	SEE FOOTN	TYPE I		TYPE II		TYPE III		TYP E IV[i]	TYPE V	
		A	B	A	B	A	B	HT	A	B
A-1	NS[b,c]	UL	UL	6	3	6	3	6	3	2
	S	UL	UL	7	4	7	4	7	4	3
U[e]	NS[b,c]	UL	5	4	2	3	2	4	2	1
	S	UL	6	5	3	4	3	5	3	2

= Not permitted in Fire District

= Not permitted in Fire District without sprinklers

= Number of stories in nonsprinklered 1- & 2-family buildings shall be limited by Secti 903.2.8.

Note: UL = Unlimited; NP = Not Permitted; NS = Buildings not equipped throughout with an automatic sprinkler system; S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

a. See the following sections for general exceptions to Table 504.4.
   1. See Chapters 4 and 5 for specific exceptions to the allowable height in this chapter.
   2. Section 506.3, Allowable area increase due to frontage.
   3. Section 507, Unlimited area building.

b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

c. The NS value is only for use in buildings not required by this code to be equipped throughout with an automatic sprinkler system.

d. For open parking structures, see Section 406.5.

e. For private garages, see Section 406.3.

f. See Section 415.8 for limitations.

g. See Exception 9 of Section D105.1 for allowances of Type VA and VB construction for R-3

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occupancies.

h. See Exception 12 of Section D105.1 for allowances of Type VA construction and height limitations for R-3 occupancies in Lower Density Growth Management Areas.

i. Type IV construction utilizing cross-laminated timber or structural composite lumber shall be sprinklered where required by Section 903.2.13.

j. For existing high-rise buildings, refer to the *New York City Existing Building Code*.

TABLE 506.2[a,j] ALLOWABLE AREA FACTOR (A_t = NS, S1, S13D, S13R, or SM, as applicable) 1

OCCUPANC	SEE FOOT	TYPE OF CONSTRUCTION								
		TYPE I		TYPE II		TYPE III		TYPE IV[i]	TYPE V	
		A	B	A	B	A	B	HT	A	B
A-1	NS[b,c]	UL	UL	17,500	10,500	14,700	5,600	15,000	8,400	5,500
	S1	UL	UL	52,500	31,500	44,100	16,800	45,000	25,200	16,500
	SM	UL	UL	35,000	21,000	29,400	11,200	30,000	16,800	11,000
U[e]	NS[b,c]	UL	35,000	19,000	8,500	14,000	8,500	18,000	9,000	5,500
	S1	UL	105,000	57,000	25,500	42,000	25,500	54,000	27,000	16,500
	SM	UL	70,000	38,000	17,000	28,000	17,000	36,000	18,000	11,000
	= Not permitted in Fire Dist			= Not permitted in Fire District without sp						

Note: UL = Unlimited; NP = Not permitted;

For SI: 1 square foot = 0.0929 m^2.

NS = Buildings not equipped throughout with an automatic sprinkler system; S1 = Buildings a maximum of one story above grade plane equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; SM = Buildings two or more stories above grade plane equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

a. See the following sections for general exceptions to Table 506.2.
   1. See Chapters 4 and 5 for specific exceptions to the allowable height in this chapter.
   2. Section 506.3, Allowable area increase due to frontage.
   3. Section 507, Unlimited area building.

b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

c. The NS value is only for use in buildings not required by this code to be equipped throughout with an automatic sprinkler system.

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d. For open parking structures, see Section 406.5.

e. For private garages, see Section 406.3.

f. See Section 415.8 for limitations.

g. See Exception 9 of Section D105.1 for allowances of Type VA and VB construction for R-3 occupancies.

h. See Exception 12 of Section D105.1 for allowances of Type VA construction for R-3 occupancies in Lower Density Growth Management Areas.

i. Type IV construction utilizing cross-laminated timber or structural composite lumber shall be sprinklered where required by Section 903.2.13.

j. For existing high-rise buildings, refer to the *New York City Existing Building Code*.

§ 52. Chapter 6 of the New York city building code is amended by adding sections 601.1.1, 601.1.1.1, 601.1.1.2, 601.1.1.3, 601.1.1.4, and 601.1.1.5 to read as follows:

601.1.1 Buildings in fire districts. The construction of buildings in fire districts as indicated in Appendix D shall be subject to Sections 601.1.1.1 through 601.1.1.5. Existing buildings located in fire districts shall comply with the *New York City Existing Building Code*.

601.1.1.1 Type of construction permitted. Every building hereafter erected within the fire district or located partially in the fire district pursuant to Section 601.1.1.4, shall be either Type I, II, III, or IV. Every building, room, or space hereafter altered or erected shall be constructed as required based on the type of construction indicated in Chapter 6, except as provided in Section 601.1.1.2.

601.1.1.2 Fire resistance rating. The fire-resistance rating of bearing walls, floors, roofs, and their supporting structural members shall comply with Table 601, but in no event shall such rating be less than 1 hour.

Exceptions. The following buildings or building elements may be constructed with fire-resistance rating in accordance with Table 601:

1. Buildings of Type IV construction.

2. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

3. Automobile parking structures. Buildings surrounded on all sides by a permanently open space of not less than 30 feet (9144 mm).

4. Partitions complying with Section 603.1, Item 11.

601.1.1.3 R-1 and R-2 occupancies. No building or space classified in Occupancy Group R-1 or R-2 may be located on a lot containing a building classified in construction Type IIB, VA, or VB.

601.1.1.4 Buildings located partially in the fire district. Any building located partially in the fire district, so that it is both inside and outside the district, shall be of a type of construction required for the

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fire district if more than 25 percent of the total floor area of the building is located inside the fire district.

601.1.1.5 Exceptions to restrictions in fire district. Sections 601.1.1.1 through 601.1.1.4 shall not apply in the following instances or to the following structures:

1. Temporary platforms, reviewing stands, and similar miscellaneous structures used for a limited period of time, subject to the approval of the commissioner.

2. Fences not over 6 feet (1829 mm) high.

3. Water towers, tank structures, and trestles not over 35 feet (10 668 mm) high and having an exterior separation of at least 30 feet (9144 mm) may be constructed of wood planking and timbers of dimensions not less than as required for Type IV construction.

4. Detached greenhouses accessory to a one- or two-family dwelling located on the same lot at least 6 feet (1829 mm) from any lot line or building walls and not exceeding 14 feet (4267 mm) in height.

5. Porches on dwellings not over one story in height, and not over 10 feet (3048 mm) wide from the face of the building, provided such porch does not come within 5 feet (1524 mm) of any property line.

6. Sheds open on a long side not over 15 feet (4572 mm) high and 500 square feet (46 m^2) in area.

7. Existing one- and two-family dwellings of a type of construction not permitted in the fire district may be extended by up to 25 percent of the floor area existing at the time of inclusion in the fire district using any type of construction permitted by this code.

8. Wood decks less than 600 square feet (56 m^2) where constructed of 2-inch (51 mm) nominal wood that is pressure treated for exterior use.

9. One- or two-family detached or semidetached dwellings of two stories or less in height and 2,500 square feet (232 m^2) or less in area per story located within Zoning Districts R-2 through R-5 may be constructed or reconstructed of construction Type VA, or if damaged for any cause only the damaged portions shall be required to be reconstructed to conform to Type VA construction. In addition, a one-family dwelling located within Zoning District R-1 regardless of whether such dwelling is located within the fire district, may be constructed of Type VB construction in conformance with the area and height limits established by Tables 504.3, 504.4, and 506.2.

10. An accessory building or structure used as an office or similar use for an open parking lot located on the same lot, may be constructed of Type VA or VB construction provided its area shall be limited to 150 square feet (14 m^2) and height of 10 feet (3048 mm) maximum. Such structure shall be located not less than 6 feet (1829 mm) from any lot line or buildings on the same lot.

11. Temporary fences, sidewalk sheds, signs, and other safeguards installed in accordance with Chapter 33.

12. One- or two-family detached, zero lot line, or semi-detached dwellings of three stories in height

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and 2,500 square feet (232 m^2) or less in area per story located within Zoning Districts R-1 through R-5 within Lower Density Growth Management Areas as defined by the *New York City Zoning Resolution* may be constructed or reconstructed of construction Type VA where such buildings are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. If such dwellings are damaged, only the damaged portions shall be required to be reconstructed to conform to Type VA construction where such buildings are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. In addition, no portion of a one- or two-family detached, zero lot line or semi-detached dwellings located within Zoning Districts R-1, R-2, or R-5 within Lower Density Growth Management Areas shall exceed a maximum building height of 35 feet (10 688 mm) above the grade plane.

§ 52. Section 901.1 the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

901.9 [~~Special provisions for prior code buildings~~]Existing buildings and systems. The provisions of this chapter shall apply to alterations[~~and~~], repairs, changes of use or occupancy, and additions [~~and changes of use or occupancy to prior code~~]to existing buildings and systems in accordance with [~~Sections 901.9.1 through 901.9.6~~] the *New York City Existing Building Code*.

§ 53. Sections 901.9.1, 901.9.1.1, 901.9.2, 901.9.3, 901.9.4, 901.9.4.1, 901.9.4.2, 901.9.4.3, 901.9.5, 901.9.5.1, 901.9.5.3, 901.9.5.4, 901.9.6 the New York city building code are REPEALED:

§ 54. Sections 903.6.2, 903.6.5, 905.11.2, 905.11.5, 905.11.6, and 912.2.2 of the New York city building code, as amended by local law number 126 for the year 2021, are amended to read as follows:

903.6.2 Alterations. [~~Cross connections and risers for independent (stand-alone) existing sprinkler systems that are exposed during alterations, including alterations pursuant to Section 28-101.4.2 of the *Administrative Code*, shall be painted red and the handles of valves serving such existing sprinkler systems shall be painted green. Where the alteration requires a hydrostatic pressure test such painting shall be completed prior to such test.~~

~~Exception:~~ ~~Where a standpipe system is used as a combination standpipe and sprinkler system, the sprinkler risers and cross connections that are also used for the standpipe system shall be painted red and the handles of valves serving such combination system shall be painted yellow.~~] Refer to Section 304.2 of the *New York City Existing Building Code*.

903.6.5 Certification of completion of system painting. [~~For all buildings where sprinkler and combination sprinkler and standpipe systems are not subject to a special inspection pursuant to Section 1705.2.9 of this code, a licensed master plumber, licensed master fire suppression piping contractor,~~

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~~registered design professional or an individual holding an appropriate certificate of fitness from the Fire Department for the operation and/or maintenance of such system shall certify on forms provided by the department that all required painting has been completed in accordance with Section 903.6. Such certification shall be maintained on the premises and made available for inspection by the department and the Fire Department.~~]Refer to Section 304.2.3 of the *New York City Existing Building Code*.

905.11.2 Alterations. [~~Existing handles of valves serving existing standpipe systems and existing unpainted standpipe risers that are exposed during alterations, including alterations pursuant to Section 28-101.4.2 of the Administrative Code shall be painted red. Where the alteration requires a hydrostatic pressure test such painting shall be completed prior to such test.~~]Refer to Section 304.3.1 of the *New York City Existing Building Code*.

905.11.5 Combination standpipe and sprinkler systems. [~~Where a standpipe system that is used as a combination standpipe and sprinkler system is required to be painted pursuant to Section 905.11.1, 905.11.2, 905.11.3 or 905.11.4, the sprinkler risers and cross connections that are also used for the standpipe system shall be painted red, and the handles of valves serving such combination standpipe and sprinkler system shall be painted yellow.~~]Refer to Section 304.3.2 of the *New York City Existing Building Code*.

905.11.6 Certification of completion of system painting. [~~For all buildings where standpipe and combination sprinkler and standpipe systems are not subject to a special inspection pursuant to Section 1704.24 of this code, a licensed master plumber, licensed master fire suppression piping contractor, registered design professional or an individual holding an appropriate certificate of fitness from the Fire Department for the operation and/or maintenance of such system shall certify on forms provided by the department that all required painting has been completed in accordance with Section 905.11. Such certification shall be maintained on the premises and made available for inspection by the department and the Fire Department.~~] Refer to Section 304.3.3 of the *New York City Existing Building Code*.

912.2.2 Existing buildings. [~~On existing buildings, wherever the Fire Department connection is not visible to approaching fire apparatus, the Fire Department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the Fire Department.~~]Refer to Section 304.4 of the *New York City Existing Building Code*.

§ 55. Chapter 10 of the New York city building code is amended by adding a new section 1001.1.1 to read as follows:

1001.1.1 Existing buildings. Means of egress of existing buildings, including prior code buildings that are undergoing alterations, additions, or changes of occupancy shall be subject to the *New York City Existing Building Code*.

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§ 56. Sections 1001.3.1 and 1001.3.2 of the New York city building code, as amended by local law number 126 for the year 2021, are amended to read as follows:

1001.3.1 Workplace exits. Except as specifically provided for in this chapter, no employer or agent of such employer shall lock the doors of or otherwise prohibit exit from any workplace, when by so doing the health or safety of any employee, independent contractor or other individual working in such workplace may become endangered by fire or other hazardous condition. Refer to Section 305.3.1 of the *New York City Existing Building Code* and Article 307 of Title 28 of the *Administrative Code*.

1001.3.2 Inadequate exits for existing structures. Every existing structure which is not provided with means of egress as required by this chapter and, in which the means of egress are, in the opinion of the commissioner, inadequate for the safety of the occupants, shall be provided with means of egress or fire protection as directed by the commissioner. Refer to Section 305.4 of the *New York City Existing Building Code*.

§ 57. Section 1003.7 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1003.7 Elevators, escalators and moving walks. Elevators, escalators and moving walks shall not be used as a component of a required means of egress from any other part of the building.

Exceptions:

1. Elevators used as a component of an accessible means of egress in accordance with Section 1009.4.
2. Elevators permitted to be used for occupant self-evacuation pursuant to Sections 403.5.2 and 403.6.2.
3. Existing escalators used as a previously approved component of a means of egress where allowed by Section 305.5.17 of the *New York City Existing Building Code*.

§ 58. Section 1008.2.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1008.2.1 Illumination level under normal power. The means of egress illumination level shall be not less than 1 footcandle (11 lux) at the walking surface.

Exceptions:

1. For auditoriums, theaters, concert or opera halls and similar assembly occupancies, the externally illuminated walking surface is permitted to be reduced during performances to not

less than 0.5 footcandle (5.38 lux) for aisles and cross aisles, and 0.2 footcandle (2.15 lux) for other portions of the space, provided that the required illumination is automatically restored upon activation of a premise's fire alarm system where such system is provided.

2. Safe areas in assembly occupancies shall be illuminated in accordance with Section 1029.19.3.2.

3. Open exterior spaces used to receive occupants as Class 1 or 2 exits in assembly occupancies shall be illuminated in accordance with Section 1029.19.4.

4. [~~In exits in buildings that contain existing photoluminescent exit path markings tested in laboratory conditions with 2 footcandles (22 lux) of activating illumination, the illumination level shall not be less than 2 footcandles (22 lux).~~]Spaces subject to the exceptions in section 305.7 of the *New York City Existing Building Code.l*

§ 59. Section 1015.1 of the New York city building code, as added by local law number 126 for the year 2021, is amended to read as follows:

1015.1 General. Guards shall comply with the provisions of Sections 1015.2 through 1015.7. Operable windows with sills located more than 72 inches (1829 mm) above finished grade or other surface below shall comply with Section 1015.8. In accordance with *New York City Existing Building Code*, guards in existing buildings shall comply with Sections 1015.2 through 1015.7 of this section.

§ 60. Section 1023.11 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1023.11 Smokeproof enclosures and pressurization alternative. In buildings required to comply with Section 403 or 405, each of the interior exit stairways and ramps serving a story with a floor surface located more than 75 feet (22 860 mm) above the lowest level of Fire Department vehicle access or more than 30 feet (9144 mm) below the finished floor of a level of exit discharge serving such stories shall be protected by a smokeproof enclosure or pressurization alternative in accordance with Section 909.20.

Exception: Where an existing building is not subject to this requirement as set forth in Section 305.5.11 of the *New York City Existing Building Code*.

§ 61. Section 1029.1.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1029.1.2 Place of assembly Certificate of Operation. A Certificate of Operation shall be required for a place of assembly in accordance with Section 303.7. It shall be unlawful to occupy any building or space as a place of assembly unless and until a Certificate of Operation therefore has been issued by the department pursuant to the provisions of Chapter 1 of Title 28 of the *Administrative Code*. A Certificate of Operation shall be required for new assembly spaces in existing buildings in accordance with Section 305.5.18.3 of the *New York City Existing Building Code*.

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Exception: A Place of Assembly Certificate of Operation shall not be required for certain existing special occupancy structures in accordance with Section 305.5.18.2 of the *New York City Existing Building Code*.

§ 62. Section 1031.11 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1031.11 Luminous egress path markings. Luminous egress path markings in high-rise buildings subject to Section 403.5.5 shall be provided in accordance with Section 1025 and Appendix S. Luminous egress path markings in high-rise existing buildings shall also comply with the *New York City Existing Building Code* as applicable.

§ 63. Section 1101.3 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1101.3 [**Special provisions for prior code**]**Existing buildings.** The provisions of this chapter shall apply to alterations, including minor alterations but excluding ordinary repairs, alterations affecting an area containing a primary function, and changes of use or occupancy to **[**prior code**]**existing buildings, portions of such buildings, and spaces within such buildings in accordance with [Sections 1101.3.1 through 1101.3.5. Alterations within prior code buildings affecting an area containing a primary function shall comply with the requirements of Section 1101.4.**]** the *New York City Existing Building Code*. This section shall not impose a requirement for greater accessibility than that which would be required for new construction, nor shall it reduce or have the effect of reducing accessibility.

[Exception: The provisions of this chapter are not applicable to:]

[1. Group R-3 occupancies in buildings with first occupancy on or before March 13, 1991.

2. Group R-3 occupancies in buildings with first occupancy after March 13, 1991, and originally constructed in a single structure with fewer than four dwelling or sleeping units.]

§ 64. Sections 1101.3.1, 1101.3.2, 1101.3.3, 1101.3.4, 1101.3.5, 1101.3.5.1, 1101.3.5.2, and 1101.4 of the New York city building code are REPEALED.

§ 65. Section 1106.8.3 of the New York city building code, as added by local law number 126 for the year 2021, is amended to read as follows:

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1106.8.3 Accessible route. At each electric vehicle charging station required to be accessible, the charging station shall be located along an accessible route. An accessible route shall be provided between the charging station and the charging space.

[Exception: ~~In existing facilities with no accessible route, electrical vehicle charging stations are not required to be located along an accessible route.~~]

§ 66. Sections 1109.2.1.4, 1109.2.1.5, 1109.2.1.6, and 1109.2.1.7 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1109.2.1.4 [~~Location.~~ ~~Family or assisted-use toilet and bathing rooms shall be located on an accessible route. Family or assisted-use toilet rooms shall be located not more than one story above or below separate-sex toilet rooms. The accessible route from any separate-sex toilet room to a family or assisted-use toilet room shall not exceed 500 feet (152 m).~~] **Clear floor space.** Where doors swing into a family or assisted-use toilet or bathing room, a clear floor space not less than 30 inches by 48 inches (762 mm by 1220 mm) shall be provided, within the room, beyond the area of the door swing.

1109.2.1.5 Privacy. Doors to family or assisted-use toilet and bathing rooms shall be securable from within the room.

1109.2.1.6 [~~Clear floor space.~~ ~~Where doors swing into a family or assisted-use toilet or bathing room, a clear floor space not less than 30 inches by 48 inches (762 mm by 1219 mm) shall be provided, within the room, beyond the area of the door swing.~~] **Prohibited location.** In passenger transportation facilities and airports, the accessible route from separate-sex toilet rooms to a family or assisted-use toilet room shall not pass through security checkpoints.

1109.2.1.7 [~~Privacy.~~ ~~Doors to family or assisted-use toilet and bathing rooms shall be securable from within the room.~~] **Location.** Family or assisted-use toilet and bathing rooms shall be located on an accessible route. Family or assisted-use toilet rooms shall be located not more than one story above or below separate-sex toilet rooms. The accessible route from any separate-sex toilet room to a family or assisted-use toilet room shall not exceed 500 feet (152 m).

§ 67. Section 1109.7.1.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1109.7.1.1 [~~Prior code~~]Existing buildings. In **[**~~prior code~~**]**accordance with Section 306 of the *New York City Existing Building Code*, LULA elevators in existing buildings, **[**~~LULA elevators~~**]**shall comply with Section 408 (Limited-use/Limited-Application Elevators) of ICC A117.1 and with Part 5.2 of ASME A17.1 as modified by Appendix K of this code. LULA elevators shall be limited to a maximum rise of not more than 25 feet (7620 mm) and shall be permitted to be a part of the required accessible route as follows:

1. In spaces complying with Section 1109.7.1 where a LULA is permitted in new construction;

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2. Where the total floor area of the entire building is less than 10,000 square feet (929 m²); or

3. Where it serves an individual occupancy of less than 10,000 square feet (929 m²) in buildings of 10,000 square feet (929 m²) or more.

§ 68. Section 1109.8.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1109.8.1 [~~Prior code~~]Existing buildings. [~~In prior code buildings~~]In accordance with Section 306 of the *New York City Existing Building Code*, platform (wheelchair) lifts installed in accordance with Section 410 (Platform Lifts) of ICC A117.1, ASME A18.1, and Chapter 30 of this code, in existing buildings, shall be permitted to be a part of the required accessible route. § 69. Section 1111.3 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1111.3 Other signs. Signage indicating special accessibility provisions shall be provided as follows:

1. Each assembly area required to comply with Section 1108.2.7 shall provide a sign notifying patrons of the availability of assistive listening systems. The sign shall comply with ICC A117.1 requirements for visual characters and shall include the International Symbol of Access for Hearing Loss.

   Exception: Where ticket offices or windows are provided, signs are not required at each assembly area provided that signs are displayed at each ticket office or window informing patrons of the availability of assistive listening systems.

2. At each door to an area of rescue assistance, an exterior area for assisted rescue, an egress stairway, exit passageway and exit discharge, signage shall be provided in accordance with Section 1013.4.

3. At areas of rescue assistance, signage shall be provided in accordance with Section 1009.11.

4. At exterior areas for assisted rescue, signage shall be provided in accordance with Section 1009.11.

5. At two-way communication systems, signage shall be provided in accordance with Section 1009.8.2.

6. In interior exit stairways and ramps, floor level signage shall be provided in accordance with Section 1023.9.

7. [~~At~~]In accordance with Section 306.2.3 of the *New York City Existing Building Code*, prior code buildings with one or more inaccessible entrances, signage stating that a portable ramp is available, if provided by the building, shall be provided at each inaccessible building entrance and shall contain the phone number to request such ramp. The use of a portable ramp by any building must comply with all applicable laws and any such ramp shall comply with Section 405 (Ramps) of ICC A117.1, except to the extent the commissioner has waived a requirement pursuant to section 28-313.3.1 of the *Administrative Code*. All signage posted pursuant to this section shall comply with Section [~~1110~~] 1111 and be maintained in good condition. Nothing in this section shall be construed to authorize the provision of a portable ramp where such provision would not otherwise be lawful.

8. Signs identifying the type of access provided on amusement rides required to be accessible by Section

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1110.4.8 shall be provided at entries to queues and waiting lines. In addition, where accessible unload areas also serve as accessible load areas, signs indicating the location of the accessible load and unload areas shall be provided at entries to queues and waiting lines. These directional sign characters shall meet the visual character requirements in accordance with Section 703.2 (Visual Characters) of ICC A117.1.

§ 70. Chapter 15 of the New York city building code is amended by adding a new section 1505.1.1 to read as follows:

1505.1.1 Roof covering in fire district. Roof coverings in the fire district shall conform to the requirements of Class A or B roof coverings of Table 1505.1.

§ 69. Section 1601.2 of the New York city building code, as added by local law number 126 for the year 2021, is amended to read as follows:

1601.2 [~~Special provisions for prior code~~]Existing buildings. [~~The provisions of Sections 1601.2.1 through 1601.2.4 shall apply to structural work on prior code buildings.~~]Alterations, additions, changes of use or occupancy, relocation, moving, or raising of existing buildings shall comply with Chapter 7 of the *New York City Existing Building Code*. This chapter shall apply to structural alterations made to existing buildings as described by Section 701.1 of the *New York City Existing Building Code*.

§ 69. Sections 1601.2.1, 1601.2.2, 1601.2.3, and 1601.2.4 of the New York city building code are REPEALED.

§ 70. Sections 1705.25.6 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1705.25.6 [~~Raising and~~] Relocating, moving, and raising of a building. A periodic special inspection shall be required in accordance with Sections 1705.25.7 through 1705.25.10 where an existing building is being relocated, moved or the lowest above-grade floor or the lowest subgrade floor of a building is to be raised, lifted[~~,~~] or elevated[~~ or moved~~].

§ 70. Sections 2401.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

2401.2 Glazing replacement. The installation of replacement glass shall be as required for new installations.

See [~~Sections 28-101.4.1, 28-101.4.2, 28-101.4.3 and 28-101.4.4~~] the *New York City Existing Building Code* for requirements relating to existing buildings.

Exception: Permit or inspection is not required for certain glazing repair or replacement work as [~~described in Title 1 of the Rules~~]described in Chapter 4 of the [~~City of New York~~]*New York City Existing Building Code*.

§ 71. Chapter 27 of the New York city building code is amended by adding a new section 2701.1.1 to read as follows:

2701.1.1 Existing buildings. Existing buildings and additions to existing buildings shall be subject to the *New York City Existing Building Code* and this chapter, as referenced by such code.

§ 72. The title of section 2702 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

SECTION BC 2702
EMERGENCY [~~AND~~], STANDBY AND OPTIONAL STANDBY POWER SYSTEMS

§ 73. Sections 2702.1 and 2702.1.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

2702.1 Installation. Emergency power systems, [~~and~~]standby, and optional standby power systems shall be installed in accordance with the *New York City Electrical Code*, NFPA 110 and NFPA 111.

2702.1.1 Fuel supply. Systems relying on fuel supplies shall have an on-premises fuel supply sufficient for not less than 6-hour full-demand operation of the system. However, natural gas from the public utility street main shall be permitted as the sole fuel supply for (i) emergency power systems serving Group R-2 occupancies, (ii) emergency power systems where permitted by Appendix G of this code, [~~and~~] (iii) standby power systems and optional standby power systems supplying emergency or standby loads, provided that an outside gas cut-off valve separate from other gas services is installed in accordance with Section E.6 of Appendix E of the *New York City Fuel Gas Code*, and (iv) optional standby power systems if such optional standby power system is supplying only optional standby loads.

§ 74. Section 2702.2.1.1 of the New York city building code, as added by local law number 126 for the year 2021, is amended to read as follows:

2702.2.1.1 Prior code buildings. In prior code buildings, where a stationary generator is not otherwise required, the power source for emergency power to the voice/alarm communication system may be served by a gas generator or an uninterruptable power source (UPS) in accordance with the *New York*

City Electrical Code. See Section 308.2 of the *New York City Existing Building Code*.

§ 75. Section 2702.2.20.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

2702.2.20.1 Equipment requiring emergency power system. [~~With respect to such~~]Where an emergency and standby power is required for Occupancy Groups B, E, and R- 1 as specified in section 2702.2.20, the following equipment, where such equipment is required by this code, shall be **[**~~provided with~~ **]**connected to an emergency power system:

1. Exit signs and means of egress illumination required by Chapter 10;
2. Elevator car lighting;
3. Emergency voice/alarm communications systems, including Fire Department in-building Auxiliary Radio Communication systems (ARCs) provided where required or installed voluntarily in accordance with Section 916;
4. Automatic fire detection systems;
5. Fire alarm systems; and
6. Electrically powered fire pumps, including manual fire pumps, automatic fire pumps and sprinkler booster pumps.

§ 76. Section 2702.4.1 of the New York city building code, as added by local law number 126 for the year 2021, is amended to read as follows:

2702.4.1 Additional optional standby power systems. Where a functioning emergency power system or required standby power system is in place and provides power to all required emergency or required standby power loads, any additional optional standby power system need not supply power to such emergency or required standby power loads. See Section 308.3.2 of the *New York City Existing Building Code*.

§ 77. Section 3001.11 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3001.11 Special provisions for prior code buildings. Prior code buildings shall be permitted to comply with Section [~~3001.11.1~~**]** 312.4 of the *New York City Existing Building Code*.

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§ 78. Section 3001.11.1 of the New York city building code is REPEALED.

§ 79. Section 3002.4.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3002.4.2 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings five or more stories above, or four or more stories below grade plane, or underground buildings as described in Section 405.1, not fewer than one elevator subject to Section 3003.3 shall be provided with an elevator car of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches (610 mm by 2134 mm), with not less than 5 inch (127 mm) radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed on both jambs of the hoistway entrances on each floor. Standby power shall be required for such an elevator if it serves a building subject to Section 3002.4.1. Prior code buildings shall comply with Section 312.6.3 of the *New York City Existing Building Code*.

Exceptions:

1. An elevator serving not more than one individual dwelling unit in a building pursuant to Section 3002.4.3.1 or 3002.4.3.2.
2. Limited-Use/Limited-Application (LULA) elevators (25 feet maximum rise).

§ 80. Section 3003.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3003.1 Standby power. In buildings and structures where standby power is required or furnished to operate an elevator, the operation shall be in accordance with Sections 3002.4.1 and 3003.1.1 through 3003.1.4. Prior code buildings shall comply with Section 312.6.5 of the *New York City Existing Building Code*.

§ 81. Section 3007.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3007.1 General. Where required by Section 403.6.1, every floor of the building shall be served by a fire service access elevator complying with Sections 3007.1 through 3007.8. Except as modified in this section, the fire service access elevator shall be installed in accordance with this chapter and ASME A17.1/CSA B44 as modified by Appendix K, Chapter K1. For existing buildings, refer to Section 312.6.2 of the *New York City Existing Building Code*.

§ 82. Chapter 33 of the New York city building code is amended by adding a new section 3303.7.4.4 to

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read as follows:

3303.7.4.4 Temporary core sprinkler protection. Temporary core sprinkler protection shall be provided on occupied floors on which an existing sprinkler system is to be temporarily disconnected during alterations in accordance with Section 1506 of the *New York City Existing Building Code*.

§ 83. Section 3303.9 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3303.9 [~~Elements to be maintained in existing buildings~~]Existing elements and egress to be maintained. [~~Required means of egress, existing~~]Existing structural elements, fire protection [~~devices~~]systems, and sanitary safeguards shall be maintained at all times during construction or demolition operations[~~in existing buildings~~]. [~~Required~~]Existing required means of egress shall not be removed, obstructed, or diminished in any manner that would destroy the full effectiveness of such means of egress.

Exception: Where adequate alternate provisions are provided in accordance with the requirements of this code, or where the element is temporarily or permanently disconnected, removed, or demolished in accordance with the requirements of this code and of the agency or authority having jurisdiction to temporarily or permanently disconnect, remove, or demolish such element. Such alternative means, disconnection, removal, or demolition shall be shown on the approved plans and shall comply with the applicable provisions of the *New York City Existing Building Code*. Fire protection systems, including but not limited to sprinklers, standpipes, and fire alarms, shall only be taken out of service in accordance with the requirements of the *New York City Fire Code*.

§ 84. Section 3303.10 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3303.10 Operations in occupied buildings. [~~When construction or demolition activity occurs in an occupied building, barricades, signs, drop cloths, and other protective means shall be installed and maintained as necessary to provide reasonable protection for the occupants against hazard and nuisance. Such protective means shall be indicated on an occupant protection plan, or where a tenant protection plan is required by Section 3303.10.1, on a tenant protection plan~~]In addition to the requirements of this chapter, the requirements of Chapter 15 of the *New York City Existing Building Code* shall apply to construction or demolition operations performed in an existing building and a building that will be occupied during work.

3303.10.1 Tenant protection plan. [~~In buildings containing any occupied dwelling units, including newly constructed buildings that are partially occupied where work is still ongoing within the building, all alteration, construction or partial demolition work shall be performed in accordance with a tenant protection plan as required by Article 120 of Title 28 of the *Administrative Code*.~~] Tenant protection plans shall be provided where required by and in accordance with Section 1503 of the *New York City Existing Building Code*.

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§ 85. Section 3303.10.2 of the New York city building code, as amended by local law number 77 for the year 2023, is amended to read as follows:

3303.10.2 [~~Inspections of tenant~~]Occupant protection plan. [~~The owner shall notify the department in writing at least 72 hours prior to the commencement of any work requiring a tenant protection plan. The department shall conduct an inspection of 10 percent of such sites within seven days after the commencement of such work to verify compliance with the tenant protection plan. The department shall conduct follow up inspections of such sites every 180 days until such construction is completed to verify compliance with the building code and tenant protection plan. Thereafter, the department shall conduct an inspection within 10 days of receipt of a complaint concerning such work~~] Occupant protection plans shall be provided in accordance with Section 1504 of the *New York City Existing Building Code*.

§ 86. Section 3303.10.3 of the New York city building code is REPEALED.

§ 87. Section 3310.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3310.1 Scope. This section shall apply to:

1. The construction of a new major building;
2. The vertical or horizontal enlargement of a major building;
3. The full or partial demolition of a major building;
4. The alteration, maintenance, or repair of a façade of a major building[~~, provided the building is more than 14 stories or 200 feet (60 960 mm) in height, whichever is less, and also provided the façade work requires a sidewalk shed to be installed~~]; and
5. Any construction or demolition work, including the alteration, maintenance, or repair of a façade, in a building so designated by the commissioner.

[~~Exception~~] Exceptions: The requirements of this section shall not apply to[~~partial~~]:

1. Work that does not require a permit.

2. Work whose scope is limited to that authorized by a Limited Alteration Application.

3. Partial demolition operations limited to the interior components of a major building, provided no mechanical demolition equipment, other than handheld devices, are used.

4. The alteration, maintenance, or repair of a façade, including partial demolition operations incidental there to, that does not require a sidewalk shed or equivalent overhead protection to be

installed.

5. The alteration, maintenance, or repair of a façade, including partial demolition operations incidental there to, on a building that does not exceed either 14 stories or 200 feet (60 960 mm) in height.

§ 88. Section D101.1 of the New York city building code, as amended by local law number 33 for the year 2007, is amended to read as follows:

D101.1 Scope. The provisions of this appendix shall regulate the division of the city of New York into geographical territories known as fire districts[~~and control the occupancy groups and construction classes permitted in the fire districts~~]. Wherever reference is made to the fire district, it shall be construed to mean the fire districts designated and referred to in this appendix.

§ 89. Section D102 of the New York city building code is REPEALED, except that the title of such section is amended to read as follows:

SECTION BC D102

[~~BUILDING RESTRICTIONS~~] RESERVED

§ 90. Section D103 of the New York city building code is REPEALED, except that the title of such section is amended to read as follows:

SECTION BC D103
[~~CHANGES TO BUILDINGS~~]RESERVED

§ 91. Section D104 of the New York city building code is REPEALED, except that the title of such section is amended to read as follows:

SECTION BC D104

[~~BUILDINGS LOCATED PARTIALLY IN THE FIRE DISTRICT~~]RESERVED

§ 92. Section D105 of the New York city building code is REPEALED, except that the title of such

section is amended to read as follows:

SECTION BC D105

[~~EXCEPTIONS TO RESTRICTIONS IN FIRE DISTRICT~~]RESERVED

§ 93. Section 102.2.1 of the New York city fuel gas code is REPEALED.

§ 94. Chapter 1 of the New York city fuel gas code is amended by adding a new section 102.3.2 to read as follows:

102.3.2 Periodic inspection of gas piping systems. Building gas piping systems, other than gas piping systems of buildings classified in Occupancy Group R-3, shall be periodically inspected in accordance with Article 318 of Chapter 3 of Title 28 of the *Administrative Code*.

§ 95. Section 102.4.2 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

102.4.2 [~~Special provisions for prior code buildings. In addition to the requirements of Sections 102.4 and 102.4.1, the provisions of Sections 102.4.2.1 through 102.4.2.4 shall apply to prior code buildings.~~] **Existing buildings.** Additions, alterations, renovations, or repairs in existing buildings and structures shall also comply with the provisions of the *New York City Existing Building Code*, including Sections 302.9 and 311 of the *New York City Existing Building Code*.

§ 96. Sections 102.4.2.1, 102.4.2.2, 102.4.2.3, and 102.4.2.4 of the New York city fuel gas code are REPEALED.

§ 97. Section 102.5 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

102.5 Change in occupancy. Refer to Chapter 1 of [~~Title 28 of the Administrative Code~~] the *New York City Existing Building Code* for changes of occupancy.

§ 98. Section 102.7 of the New York city fuel gas code, as amended by local law number 126 for the

year 2021, is amended to read as follows:

102.7 [~~Reserved.~~] Relocated, moved, or raised buildings. Refer to Chapters 3 and 14 of the *New York City Existing Building Code* for fuel gas systems serving relocated, moved, or raised buildings.

§ 99. Section 106.3 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

106.3 Work exempt from permit. Exemptions from permit requirements of this code as authorized in [~~Chapter 1 of Title 28 of the *Administrative Code*~~] section 105.3 of the *New York City Existing Building Code* and the rules of the department shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or rules.

§ 100. Section 106.6 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

106.6 Permits with respect to limited alteration applications. For permits with respect to limited alteration applications, refer to [~~Sections 28-101.5 and~~] Section 28-104.6, Exception 1, of the *Administrative Code* and Chapter 5 of the *New York City Existing Building Code*.

§ 101. Sections 201.3 and 201.3.1 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *New York City Electrical Code, New York City Building Code, New York City Fire Code, New York City Mechanical Code, New York City Plumbing Code,* [~~or the~~] *New York City Energy Conservation Code*, or the *New York City Existing Building Code*, such terms shall have meanings ascribed to them as in those codes.

201.3.1 Terms defined in the general administrative provisions. The following terms are defined in Section 28-101.5 of the *Administrative Code*:

1968 BUILDING CODE.

[~~1968 OR PRIOR CODE BUILDINGS OR STRUCTURES (PRIOR CODE BUILDINGS).~~]

ACCEPTANCE OR ACCEPTED.

ADDITION.

ADMINISTRATIVE CODE.

ALTERATION.

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APPROVAL OR APPROVED.

APPROVED AGENCY.

APPROVED FABRICATOR.

APPROVED INSPECTION AGENCY.

APPROVED TESTING AGENCY.

ARCHITECT.

BUILDING.

CERTIFICATE OF COMPLIANCE.

CHARTER.

CITY.

COMMISSIONER.

CONSTRUCTION DOCUMENTS.

DAY.

DEFERRED SUBMITTAL.

DEMOLITION.

DEMOLITION, FULL.

DEMOLITION, PARTIAL.

DEPARTMENT.

ENGINEER.

ENLARGEMENT.

ENVIRONMENTAL CONTROL BOARD or ECB.

EXISTING BUILDING OR STRUCTURE.

FABRICATED ITEM.

FIRE PROTECTION PLAN.

HEREAFTER.

HERETOFORE.

INSPECTION CERTIFICATE.

INTERIM CERTIFICATE OF OCCUPANCY.

LABEL.

LABELED.

LAND SURVEYOR.

LANDSCAPE ARCHITECT.

LETTER OF COMPLETION.

LIMITED ALTERATION APPLICATION.

LIMITED ELEVATOR ALTERATIONS.

LIMITED HOME IMPROVEMENT ALTERATIONS.

LIMITED OIL-BURNING APPLIANCE ALTERATIONS.

LIMITED PLUMBING ALTERATIONS.

LIMITED REROOFING ALTERATIONS.

LIMITED SPRINKLER ALTERATIONS.

LIMITED STANDPIPE ALTERATIONS.

LIMITED WINDOW REPLACEMENT ALTERATIONS.

LISTED.

MAIN USE OR DOMINANT OCCUPANCY (OF A BUILDING).

MANUFACTURER'S DESIGNATION.

MARK.

MATERIALS.

OCCUPANCY.

OWNER.

PARTY WALL.

PERMIT.

PERSON.

PREMISES.

PRIOR CODE BUILDING OR STRUCTURE.

PROFESSIONAL CERTIFICATION.

PROGRESS INSPECTION.

PROJECT.

REGISTERED DESIGN PROFESSIONAL.

REGISTERED DESIGN PROFESSIONAL OF RECORD.

REQUIRED.

RETAINING WALL.

SERVICE EQUIPMENT.

SIGN-OFF.

SINGLE ROOM OCCUPANCY MULTIPLE DWELLING.

SPECIAL INSPECTION.

SPECIAL INSPECTION AGENCY.

SPECIAL INSPECTOR.

STRUCTURE.

SUBMITTAL DOCUMENTS.

SUPERINTENDENT OF CONSTRUCTION (CONSTRUCTION SUPERINTENDENT).

USE (USED).

UTILITY COMPANY OR PUBLIC UTILITY COMPANY.

UTILITY CORPORATION OR PUBLIC UTILITY CORPORATION.

[WORK NOT CONSTITUTING MINOR ALTERATIONS OR ORDINARY REPAIRS.]

WRITING (WRITTEN).

WRITTEN NOTICE.

ZONING RESOLUTION.

§ 102. Sections 301.9 of the New York city fuel gas code, as amended by local law number 126 for the

year 2021, is amended to read as follows:

301.9 Repair. Defective material or parts shall be replaced or repaired in such a manner so as to preserve the original approval or listing and to be in compliance with the *New York City Existing Building Code*.

§ 103. Section 301.12 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

301.12 Seismic resistance. When earthquake loads are applicable in accordance with the *New York City Building Code*, the supports shall be designed and installed for the seismic forces in accordance with that code.

Exception: For existing buildings, refer to Section 307.2.1 of the *New York City Existing Building Code*.

§ 104. Section 302.1.1 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

302.1.1 Loading. [~~Alterations resulting in the addition of loads to any member, such as HVAC equipment and water heaters, shall not be permitted without verification that the members are capable of supporting such additional loading.~~] Refer to Section 307.2.3 of the *New York City Existing Building Code* for alterations resulting in the addition of loads to any member in existing buildings or structures.

§ 105. Section 306.5 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where equipment or appliances requiring access are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade, roof, or floor level to access such equipment or appliances, an interior or exterior means of access shall be provided. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) in height or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). Such access to the roof or elevated structure and access from the roof or elevated structure to equipment requiring maintenance shall not require the use of portable ladders. Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.

Permanent ladders installed to provide the required access shall comply with the following minimum design criteria:

1. The side railing shall extend above the parapet or roof edge not less than 30 inches (762 mm).
2. Ladders shall have rung spacing not to exceed 12 inches (305 mm) on center. The uppermost rung shall be not more than 24 inches (610 mm) below the upper edge of the roof hatch, roof or parapet, as applicable.

3. Ladders shall have a toe spacing not less than 7 inches (178 mm) deep.

4. There shall be not less than 18 inches (457 mm) between rails.

5. Rungs shall have a diameter not less than 0.75-inch (19 mm) and be capable of withstanding a 300-pound (136.1 kg) load.

6. Where a cage, well or ladder safety device is provided, ladders over 20 feet (6096 mm) in height shall be provided with landing platforms for each 30 feet (9144 mm) of height. Where a cage, well or ladder safety device is not provided, ladders over 20 feet (6096 mm) in height shall be provided with landing platforms for each 20 feet (6096 mm) in height. Landings shall be capable of withstanding a load of 100 pounds per square foot (488.2 kg/m^2). A guardrail and toeboard shall be provided on all open sides of the landing.

7. Climbing clearance. The distance from the centerline of the rungs to the nearest permanent object on the climbing side of the ladder shall be not less than 30 inches (762 mm) measured perpendicular to the rungs. This distance shall be maintained from the point of ladder access to the bottom of the roof hatch. A minimum clear width of 15 inches (381 mm) shall be provided on both sides of the ladder measured from the midpoint of and parallel with the rungs, except where cages or wells are installed.

8. Landing required. The ladder shall be provided with a clear and unobstructed bottom landing area having a minimum dimension of 30 inches by 30 inches (762 mm by 762 mm) centered in front of the ladder.

9. Ladders shall be protected against corrosion by approved means.

10. Service personnel shall have access to ladders at all times.

11. Where ladder extensions are installed, the side rails of through or side-step ladder extensions shall extend 3½ feet (1067 mm) above the parapets and landings. For through ladder extensions, the rungs shall be omitted from the extensions and shall have not less than 18 inches (457 mm) nor more than 24 inches (610 mm) of clearance between rails. For side-step or offset fixed ladder sections, at landings, the side rails and rungs shall be carried to the next regular rung beyond or above the 3½ feet (1067 mm) minimum.

Catwalks installed to provide the required access shall be not less than 24 inches (610 mm) wide and shall have railings as required for service platforms.

[~~Exception:~~] <u>Exceptions:</u>

<u>1.</u> This section shall not apply to Group R-3 occupancies.

<u>2. Access for the replacement of existing appliances and equipment on roofs and elevated structures shall comply with the requirements of section 311.2.3 of the *New York City Existing Building Code*.</u>

§ 106. Section 306.6 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

306.6 Guards. Guards shall be provided where various components that require service and roof hatch openings are located within 10 feet (3048 mm) of a roof edge or open side of a walking surface and such edge or open side is located more than 30 inches (762 mm) above the floor, roof, or grade below. The guard shall extend not less than 30 inches (762 mm) beyond each end of components that require service. The top of the guard shall be located not less than 42 inches (1067 mm) above the elevated surface adjacent to the guard. The guard shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *New York City Building Code*.

Exception: The requirements of this section shall not apply to alterations or repairs to existing buildings in accordance with Section 311.2.3 of the *New York City Existing Building Code*.

§ 107. Section 401.3 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

401.3 Modifications to existing systems. [~~In modifying or adding to existing piping systems, sizes shall be maintained in accordance with this chapter.~~**]** Alterations and additions to existing piping systems shall comply with Section 311 of the *New York City Existing Building Code*. Existing piping sizes shall be maintained in accordance with this chapter.

§ 108. Section 401.5 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

401.5 Identification. All piping installed in new construction **[**~~and all new piping installed in existing buildings~~**]** , whether or not the piping is intended to be enclosed when construction is completed, shall be identified by a yellow label marked "Gas" in black letters. Where the installation requires a gas test, such labeling shall be completed prior to such test. Labels shall be provided in accordance with ASME A13.1 and the marking shall be spaced at intervals not exceeding 5 feet (1524 mm). The marking shall not be required on pipe located in the same room as the appliance served.

§ 109. Section 404.3 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

404.3 Prohibited locations. Piping shall not be installed in or through a ducted supply, return or exhaust duct, or a trash or clothes chute, chimney or gas vent, ventilating duct, dumbwaiter or elevator shaft. Piping installed downstream of the point of delivery shall not extend through any townhouse unit other than the unit served by such piping. Piping, fixtures, or equipment shall be located so as not to interfere with the normal operation of windows or doors and other exit openings. The following installation limitations shall apply:

1. **Stair enclosures.** Gas piping shall not be installed within a stair enclosure or required exit or exit way.

2. **Fire standpipe riser.** Gas piping shall not be installed in any shaft containing standpipe risers.

3. **Fire pump and fire pump rooms.** Gas piping, gas consumption devices, appliances or any other gas equipment shall not be installed within any space housing a fire pump. Access to gas meter rooms shall

not be permitted through rooms housing a fire pump.

4. **Fire-rated construction.** Gas piping shall not be installed within a wall or assembly required to have a fire-resistance rating. Through penetrations of fire-resistance-rated assemblies shall be in accordance with Chapter 7 of the *New York City Building Code*.

5. **Public corridor.** Gas piping shall not be installed in public corridors and exit enclosures.

Exceptions:

1. Gas piping may be installed in public corridors or exit enclosures where separated by a fire-resistance-rated assembly meeting the hour rating and, if applicable, the impact-resistance rating required for the corridor or exit enclosure. Such assembly shall be rated for exposure to fire from both sides.

2. In residential buildings that do not have floors below grade, or in multi-use buildings that have a residential occupancy, gas piping may be installed in public corridors in accordance with the following:

2.1. Gas piping shall be permitted to be installed within a public corridor at the lowest level of the building or the lowest residential level of the building.

2.2. All gas valves located within the public corridor shall be accessible for maintenance and inspection.

2.3. Gas pressure within the public corridor piping shall not exceed ½ psi (14 inch w.c.).

2.4. The public corridor shall be ventilated in accordance with the *New York City Mechanical Code*. The pipe shall not be installed in a return air plenum.

2.5. Pipes must be welded.

3. Existing gas piping and meters in prior code buildings as provided for in Section 311.2 of the *New York City Existing Building Code*.

§ 110. Section 406.1 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. Inspections and tests shall be conducted by the licensed master plumber or a person in their direct employ meeting the qualifications set forth in section 28-423 of the *Administrative Code*.

§ 111. Section 406.1.3 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

406.1.3 New branches. Where new branches are installed, the new branches shall be pressure tested.

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Connections between the new piping and the existing piping shall be pressure tested.

Exception: For new branches, the point of connection not subjected to the pressure test shall be checked with a noncorrosive leak-detecting fluid or other approved leak detecting methods.

§ 111. Sections 406.6.2.1.2 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

406.6.2.1.2 Partial gas authorization. A certificate of approval of gas installation may be issued for a portion of a gas piping system provided the remainder of the system is locked-off by the gas service provider or the licensed master plumber.

§ 112. Sections 406.6.2.3 of the New York city fuel gas code, as amended by local law number 126 for the year 2021, is amended to read as follows:

406.6.2.3 Alterations to gas piping systems. When alterations, extensions, or repairs to existing gas meter piping or gas distribution piping requires the operation of a service head valve, regulator valve or meter valve that would interrupt the flow of gas to a building, the utility shall be notified by the owner or his or her authorized representative. Notification shall not be required for the operation of valves downstream of the point of delivery.

§ 113. Chapter 4 of the New York city fuel gas code is amended by adding a new section 409.10 to read as follows:

409.10 Section valves. Section valves may be installed and shall be permitted to isolate sections of the gas piping system.§ 114. Section 102.4.2 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

102.4.2 [~~Special provisions for prior code buildings. In addition to the requirements of Sections 102.4 and 102.4.1, the provisions of Sections 102.4.2.1 through 102.4.2.6 shall apply to prior code buildings~~] **Existing buildings.** Additions, alterations, renovations, or repairs in existing buildings and structures shall also comply with the provisions of the *New York City Existing Building Code*, including Sections 302.9 and 309 of the *New York City Existing Building Code*.

§ 115. Sections 102.4.2.1, 102.4.2.2, 102.4.2.3, 102.4.2.4, 102.4.2.5, and 102.4.2.6 of the New York city mechanical code are REPEALED.

§ 116. Section 102.5 of the New York city mechanical code, as amended by local law number 126 for

the year 2021, is amended to read as follows:

102.5 Change in occupancy. Refer to Chapter 1 of [~~Title 28 of the Administrative Code~~] the *New York City Existing Building Code* for changes of occupancy.

§ 117. Section 102.7 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

102.7 [~~Reserved.~~] Relocated, moved, or raised buildings. Refer to Chapters 3 and 14 of the *New York City Existing Building Code* for mechanical systems serving relocated, moved, or raised buildings.

§ 118. Section 106.3 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1**06.3 Work exempt from permit.** Exemptions from permit requirements of this code as authorized in [~~Chapter 1 of Title 28 of the *Administrative Code*~~] section 105.3 of the *New York City Existing Building Code* and the rules of the department shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or rules.

§ 119. Section 106.5 of the New York city mechanical code, as added by local law number 126 for the year 2021, is amended to read as follows:

106.5 Permits with respect to limited alteration applications. For permits with respect to limited alteration applications refer to [~~Sections 28-101.5 and~~] Section 28-104.6, Exception 1 of the *Administrative Code* and Chapter 5 of the *New York City Existing Building Code*.

§ 120. Section 201.3 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *New York City Building Code*, *the New York City Electrical Code*, the *New York City Fire Code*, the *New York City Fuel Gas Code*, the *New York City Plumbing Code*, [~~or~~] the *New York City Energy Conservation Code*, or the *New York City Existing Building Code*, such terms shall have meanings ascribed to them as in those codes.

§ 121. Section 201.3.1 of the New York city mechanical code, as added by local law number 126 for the year 2021, the definition of registered design professional of record and required, as amended by local law number 77 for the year 2023, is amended to read as follows:

201.3.1 Terms defined in the general administrative provisions. The following terms are defined in Section 28-101.5 of the *Administrative Code*:

1968 BUILDING CODE.

[~~1968 OR PRIOR CODE BUILDINGS OR STRUCTURES (PRIOR CODE BUILDINGS).~~]

ACCEPTANCE OR ACCEPTED.

ADDITION.

ADMINISTRATIVE CODE.

ALTERATION.

APPROVAL OR APPROVED.

APPROVED AGENCY.

APPROVED FABRICATOR.

APPROVED INSPECTION AGENCY.

APPROVED TESTING AGENCY.

ARCHITECT.

BUILDING.

CHARTER.

CERTIFICATE OF COMPLIANCE.

CITY.

COMMISSIONER.

CONSTRUCTION DOCUMENTS.

DAY.

DEFERRED SUBMITTAL.

DEMOLITION.

DEMOLITION, FULL.

DEMOLITION, PARTIAL.

DEPARTMENT.

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ENLARGEMENT.

ENVIRONMENTAL CONTROL BOARD or ECB.

EXISTING BUILDING OR STRUCTURE.

FABRICATED ITEM.

FIRE PROTECTION PLAN.

HEREAFTER.

HERETOFORE.

INSPECTION CERTIFICATE.

INTERIM CERTIFICATE OF OCCUPANCY.

LABEL.

LABELED.

LAND SURVEYOR.

LANDSCAPE ARCHITECT.

LETTER OF COMPLETION.

LIMITED ALTERATION APPLICATION.

LIMITED ELEVATOR ALTERATIONS.

LIMITED HOME IMPROVEMENT ALTERATIONS.

LIMITED OIL-BURNING APPLIANCE ALTERATIONS.

LIMITED PLUMBING ALTERATIONS.

LIMITED REROOFING ALTERATIONS.

LIMITED SPRINKLER ALTERATIONS.

LIMITED STANDPIPE ALTERATIONS.

LIMITED WINDOW REPLACEMENT ALTERATIONS.

LISTED.

MAIN USE OR DOMINANT OCCUPANCY (OF A BUILDING).

MANUFACTURER'S DESIGNATION.

MARK.

MATERIALS.

OCCUPANCY.

OWNER.

PARTY WALL.

PERMIT.

PERSON.

PREMISES.

PRIOR CODE BUILDING OR STRUCTURE.

PROFESSIONAL CERTIFICATION.

PROGRESS INSPECTION.

PROJECT.

REGISTERED DESIGN PROFESSIONAL.

REGISTERED DESIGN PROFESSIONAL OF RECORD.

REQUIRED.

RETAINING WALL.

SERVICE EQUIPMENT.

SIGN-OFF.

SINGLE ROOM OCCUPANCY MULTIPLE DWELLING.

SPECIAL INSPECTION.

SPECIAL INSPECTION AGENCY.

SPECIAL INSPECTOR.

STRUCTURE.

SUBMITTAL DOCUMENTS.

SUPERINTENDENT OF CONSTRUCTION (CONSTRUCTION SUPERINTENDENT).

USE (USED).

UTILITY COMPANY OR PUBLIC UTILITY COMPANY.

UTILITY CORPORATION OR PUBLIC UTILITY CORPORATION.

[WORK NOT CONSTITUTING MINOR ALTERATIONS OR ORDINARY REPAIRS.]

WRITING (WRITTEN).

WRITTEN NOTICE.

ZONING RESOLUTION.

§ 122. Section 301.14 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

301.14 Repair. Defective material or parts shall be replaced or repaired in such a manner so as to preserve the original approval or listing and to be in compliance with the *New York City Existing Building Code*.

§ 123. Section 301.18 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

301.18 Seismic resistance. Where earthquake loads are applicable in accordance with the *New York City Building Code*, mechanical system supports shall be designed and installed for the seismic forces in accordance with the *New York City Building Code*.

Exception. For existing buildings, refer to Section 307.2.1 of the *New York City Existing Building Code*.

§ 124. Section 302.1.1 of the New York city mechanical code, as added by local law number 126 for the year 2021, is amended to read as follows:

302.1.1 Loading. [~~Alterations resulting in the addition of loads to any member, such as HVAC equipment and water heaters, shall not be permitted without verification that the members are capable of supporting such additional loading.~~] Refer to Section 307.2.3 of the *New York City Existing Building Code* for modifications resulting in the addition of loads to any structural member in existing buildings or structures.

§ 124. Section 304.11 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

304.11 Guards. Guards shall be provided where appliances, equipment, fans or other components that

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require service and roof hatch openings are located within 10 feet (3048 mm) of a roof edge or open side of a walking surface and such edge or open side is located more than 30 inches (762 mm) above the floor, roof, or grade below. The guard shall extend not less than 30 inches (762 mm) beyond each end of such appliances, equipment fans, components and roof hatch openings and the top of the guard shall be located not less than 42 inches (1066.8 mm) above the elevated surface adjacent to the guard. The guard shall be constructed so as to prevent the passage of a 21-inch-diameter (533.4 mm) sphere and shall comply with the loading requirements for guards specified in the *New York City Building Code*.

Exception: The requirements of this section shall not apply to alterations or repairs to existing buildings in accordance with Section 309.2.2 of the *New York City Existing Building Code*.

§ 125. Section 306.5 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where equipment or appliances requiring access are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4876.8 mm) above grade, roof or floor level to access such equipment or appliances, an interior or exterior means of access shall be provided. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) in height or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). Such access to the roof or elevated structure to and access from the roof or elevated structure to equipment requiring maintenance shall not require the use of portable ladders. Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.

Permanent ladders installed to provide the required access shall comply with the following minimum design criteria:

1. The side railing shall extend above the parapet or roof edge not less than 30 inches (762 mm).

2. Ladders shall have rung spacing not to exceed 12 inches (304.8 mm) on center. The uppermost rung shall be not more than 24 inches (609.6 mm) below the upper edge of the roof hatch, roof or parapet, or equipment access platform, as applicable.

3. Ladders shall have a toe spacing not less than 7 inches (177.8 mm) deep.

4. There shall be not less than 18 inches (457.2 mm) between rails.

5. Rungs shall have a diameter not less than 0.75-inch (19 mm) and be capable of withstanding a 300-pound (136.1 kg) load.

6. Where a cage, well or ladder safety device is prohibited, ladders over 20 feet (6096 mm) in height shall be provided with landing platforms for each 30 feet (9144 mm) of height. Where a cage, well or ladder safety device is not provided, ladders over 20 feet (6096 mm) in height shall be provided with landing platforms for each 20 feet (6096 mm) of height. Landings shall be capable of withstanding 100 pounds (488.2 kg/m{2}) per square foot. A guard rail and toeboard shall be provided on all open sides of the landing.

7. Climbing clearance. The distance from the centerline of the rungs to the nearest permanent object on the climbing side of the ladder shall be not less than 30 inches (762 mm) measured perpendicular to the rungs. This distance shall be maintained from the point of ladder access to the bottom of the roof hatch. A minimum clear width of 15 inches (381 mm) shall be provided on both sides of the ladder measured from the midpoint of and parallel with the rungs except where cages or wells are installed.

8. Landing required. The ladder shall be provided with a clear and unobstructed bottom landing area having a minimum dimension of 30 inches by 30 inches (762 mm by 762 mm) centered in front of the ladder.

9. Ladders shall be protected against corrosion by approved means.

10. Service personnel shall have access to ladders at all times.

11. Where ladder extensions are installed, the side rails of through or side-step ladder extensions shall extend 3 1/2 feet (1066.8 mm) above the parapets and landings. For through ladder extensions, the rungs shall be omitted from the extensions and shall have not less than 18 inches (457.2 mm) nor more than 24 inches (609.6 mm) of clearance between rails. For side-step or offset fixed ladder sections, at landings, the side rails and rungs shall be carried to the next regular rung beyond or above the 3 1/2 feet (1066.8 mm) minimum.

Catwalks installed to provide the required access shall be not less than 24 inches (609.6 mm) wide and shall have railings as required for service platforms.

[~~Exception:~~]Exceptions:

1. This section shall not apply to Group R-3 occupancies.

2. The requirements of this section shall not apply to alterations or repairs to existing buildings in accordance with Section 309.2.2 of the *New York City Existing Building Code*.

§ 126. Section 313.3.7 of the New York city mechanical code, as added by local law number 126 for the year 2021, is amended to read as follows:

313.3.7 Cooling towers and fluid coolers. All moving parts of cooling towers located on a roof or floor other than a floor on grade shall be installed on vibration isolators providing a minimum isolation efficiency of 90 percent at fan rotor rpm with a maximum static deflection of 4 inches (101.6 mm). Each isolator shall incorporate a leveling device and a resilient pad having a minimum thickness of 1/4 inch (6.4 mm). Vibration cutoff switches shall be provided.

Exception: The requirements of this section shall not apply to replacements of cooling towers and fluid coolers on existing buildings in accordance with Section 309.2.3 of the *New York City Existing Building Code*.

§ 127. Section 401.4 of the New York city mechanical code, as amended by local law number 77 for the year 2023, is amended to read as follows:

401.4 Intake opening location. Ventilation air intake openings shall comply with all of the following:

1. Intake openings shall be located not less than 10 feet (3048 mm) from lot lines or buildings on the same lot. For buildings on lots measuring less than 20 feet (6096 mm) in width, intake openings shall be located at

the centerline between lot lines. Where openings front on a street or public way, the distance shall be measured to the centerline of the street or public way.

2. Outdoor air intakes for office occupancies having occupied floors located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access serving spaces above the second story and serving spaces greater than 10,000 square feet (929 m{2}) of floor area shall be located at least 20 feet (6096 mm) above ground level, at least 30 feet (9144 mm) from exhaust outlets and other exhaust discharges, and at least 20 feet (6096 mm) from areas that may collect vehicular exhaust, such as off street loading bays.

3. Mechanical and gravity outdoor air intake openings shall be located not less than 10 feet (3048 mm) horizontally from any hazardous or noxious contaminant source, such as vents, exhausts (including but not limited to exhaust from dry cleaning establishments, spray booths, and cooling towers), streets, alleys, parking lots and loading docks, except as specified in Item 3 of Section 501.3.1. Outdoor air intake openings shall be permitted to be located less than 10 feet (3048 mm) horizontally from streets, alleys, parking lots and loading docks provided that the openings are located not less than 25 feet (7620 mm) vertically above such locations. Where openings front on a street or public way, the distance shall be measured to the centerline of the street or public way.

4. Where the requirements of Item 3 above cannot be achieved, intake openings shall be located not less than 3 feet (914.4 mm) below contaminant sources where such sources are located within 10 feet (3048 mm) of the opening.

5. Intake openings in Group I occupancies shall comply with ANSI/ASHRAE/ASHE 170, as required.

6. Intake openings on structures in flood hazard areas shall comply with the additional requirements of Appendix G of the New York City Building Code.

[~~Exception:~~] Exceptions:

1. Group R-3 occupancies are not required to comply with Section 401.4.

2. Ventilation air intake openings in prior code buildings shall comply with the requirements of Section 809.3 of the *New York City Existing Building Code*.

§ 128. Section 701.5 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

701.5 Prohibited sources. Openings and ducts shall not connect appliance enclosures with a space in which the operation of a fan will adversely affect the flow of the combustion, ventilation, and dilution air. Combustion, ventilation, and dilution air shall not be subject to ice or snow blockage. No combustion, ventilation, and dilution air inlet shall be less than 30 inches (762 mm) above grade. Combustion, ventilation, and dilution air shall not be obtained from a hazardous location, except where the fuel-fired appliances are located within the hazardous location and are installed in accordance with this code. Combustion, ventilation, and dilution air shall not be taken from a refrigeration machinery room, except where a refrigerant vapor detector system is installed to automatically shut off the combustion process in the event of refrigerant leakage. For structures in

flood hazard areas, air shall be obtained from a location complying with the additional requirements of Appendix G of the *New York City Building Code*.

Exception: Existing combustion, ventilation, and dilution air intakes in prior code buildings shall comply with the requirements of Section 809.8 of the *New York City Existing Building Code*.

§ 129. Section 803.10.5 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

803.10.5 Pitch. Connectors shall rise vertically to the chimney or vent with a minimum pitch equal to one-fourth unit vertical in 12 units horizontal (2-percent slope).

Exception: Replacement of existing connectors shall comply with the requirements of Section 809.9 of the *New York City Existing Building Code*.

§ 130. Section 908.3.2 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

908.3.2 Outside. Cooling towers shall be constructed of noncombustible materials.

Exceptions:

1. Fill and drift eliminators of limited combustible materials may be considered noncombustible if the cooling towers are provided with automatic sprinkler protection in compliance with Chapter 9 of the *New York City Building Code*.

2. Fill and drift eliminators for any individual cooling tower cell may be made of limited combustible materials provided all the following conditions are met:

   2.1. The cooling tower is located on a building of construction Types IA or IB of the *New York City Building Code*.

   2.2. The cooling tower cell is located at least 30 feet (9144 mm) away from windows or fresh air intakes which are at an elevation above the roof on which the cooling tower is located, whether in the same building or in an adjoining building.

   2.3. The cooling tower cell is located not less than 15 feet (4572 mm) from the lot line.

   2.4. The cooling tower cell is located not less than 10 feet (3048 mm) from any chimney, except that the distance shall not be less than 20 feet (6096 mm) from a chimney venting products of combustion other than from gas- or oil-fired appliances, whether on the same or an adjoining building.

3. Replacement cooling towers in prior code buildings shall comply with the requirements of Section 809.10 of the *New York City Existing Building Code*.

§ 131. Section 1004.3 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1004.3 Working clearance. Clearances shall be maintained around boilers, generators, heaters, tanks and related equipment and appliances so as to permit inspection, servicing, repair, replacement and visibility of all gauges. When boilers are installed or replaced, clearance shall be provided to allow access for maintenance and repair per the boiler's listing and manufacturer's instructions. Passageways for inspection around all sides of boilers shall have an unobstructed width of not less than 18 inches (457.2 mm) unless the boiler's listing or department approval or manufacturer's instructions state otherwise.

Exception: Where a boiler or appliance in an existing building is being replaced in-kind, the clearances at such boiler or appliance shall comply with the requirements of Section 809.11 of the *New York City Existing Building Code*.

§ 132. Section 1004.3.1 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1004.3.1 Top clearance. Clearances from the tops of boilers to the ceiling or other overhead obstruction shall be in accordance with Table 1004.3.1.

Exception. Where an appliance in an existing building is being replaced in-kind, the clearance at such appliance shall comply with the requirements of Section 809.11 of the *New York City Existing Building Code*.

§ 133. Section 1301.1 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

1301.1 Scope. This chapter shall govern the design, installation, and construction [~~and repair~~] of fuel-oil storage and piping systems. Alterations, additions, and repairs to existing fuel-oil storage and piping systems shall comply with the requirements of the *New York City Existing Building Code*. The storage of flammable and combustible liquids not addressed in this chapter shall be in accordance with the *New York City Fire Code*.

§ 134. Section 1305.9.1 of the New York city mechanical code, as amended by local law number 126 for the year 2021, is amended to read as follows:

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1305.9.1 Shaft enclosure. The piping from a transfer pump to equipment at levels above the lowest floor or storage tanks at levels above the lowest floor in buildings, the return or overflow piping, and vent piping where required to be connected to the main storage tank shall be enclosed in a shaft constructed of 4-inch (101.6 mm) concrete or masonry having a 4-inch (101.6 mm) clearance from all pipe or pipe covering in accordance with the *New York City Building Code*. Multiple fuel oil risers serving multiple systems are permitted within a common shaft enclosure. All shaft penetrations shall be fire stopped.

Exceptions:

1. An enclosure shall not be required for piping located within the same room as the pump, tank, or equipment where such room is itself enclosed with construction and materials having at least a 2 -hour fire-resistance rating.

2. An enclosure shall not be required for outdoor piping in existing buildings that are in compliance with Section [~~1305.9.13~~] 809.14.2 of the *New York City Existing Building Code*.

3. A concrete or masonry shaft enclosure shall not be required for metallic double wall flexible fuel oil piping installed in a shaft enclosure having a fire-resistance rating of at least 2-hours and that complies with Sections 703.2 and 708 of the *New York City Building Code*.

§ 135. Sections 1305.9.13 and 1305.16.1 of the New York city mechanical code are REPEALED.

§ 136. Sections 102.2.1 and 102.2.2 of the New York city plumbing code are REPEALED.

§ 137. Section 102.4.2 of the New York city plumbing code, as amended by local law number 14 of 2020, is amended to read as follows:

102.4.2 [~~Special provisions for prior code buildings.~~ ~~In addition to the requirements of Sections 102.4 and 102.4.1, the provisions of Sections 102.4.2.1 through 102.4.2.3 shall apply to prior code buildings.~~] **Existing buildings.** Additions, alterations, renovations, or repairs in existing buildings and structures shall also comply with Sections 302.9 and 310 of the *New York City Existing Building Code* and all other applicable provisions of the *New York City Existing Building Code*.

§ 138. Sections 102.4.2.1, 102.4.2.2 and 102.4.2.3 of the New York city plumbing code are REPEALED.

§ 139. Section 102.5 of the New York city plumbing code, as amended by local law number 14 for the

year 2020, is amended to read as follows:

102.5 Change in occupancy. Refer to Chapter 1 of [~~Title 28 of the Administrative Code~~] the *New York City Existing Building Code* for changes of occupancy.

§ 140. Section 106.7 of the New York city plumbing code, as added by local law number 14 for the year 2020, is amended to read as follows:

106.7 Permits with respect to limited alteration applications. For permits with respect to limited alteration applications refer to Sections 28-101.5 and Section 28-104.6, Exception 1 of the *Administrative Code* and Chapter 5 of the *New York City Existing Building Code*.

§ 141. Section 107.6.2 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

107.6.2 Stormwater. Applications for construction document approval shall include submittal documents relating to the availability and feasibility of a public combined or storm sewer or other approved method for stormwater discharge in accordance with [~~Sections 107.6.2.1 and 107.6.2.2~~] the following provisions for the following types of applications:

1. New buildings pursuant to Sections 107.6.2.1 and 107.6.2.2;

2. Alterations of buildings proposing horizontal building enlargement pursuant to Section 106.2.9.6.2 of the *New York City Existing Building Code* and Sections 107.6.2.1 and 107.6.2.2 of this code as applicable; and/or

3. Alterations that increase impervious surfaces on the tax lot pursuant to Section 106.2.9.6.2 of the *New York City Existing Building Code* and Sections 107.6.2.1 and 107.6.2.2 of this code as applicable.

[~~Exceptions:~~]

[~~1. Applications for construction document approval for the alteration of an existing one- or two-family dwelling need not include such submittal documents, where the footprint of a proposed horizontal building enlargement and any proposed increase in impervious surfaces combined is less than or equal to 200 square feet (19 m^2). Construction documents shall include the amount of proposed increase in impervious area.~~]

[~~1.1. This exception shall not apply if the horizontal building enlargement and increase in impervious surface related to the current application for construction document approval and any other enlargement or increase in impervious surface made on the same tax lot after July 1, 2008 together exceed 200 square feet (19 m^2).~~]

[~~2. Applications for construction document approval for the alteration of a building need not include such submittal documents, where the increase in area of the footprint resulting from~~

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~~a proposed horizontal building enlargement and any proposed increase in impervious surfaces on a lot combined is less than or equal to 1,000 square feet (93 m^2), and on-site disposal of stormwater conforming to the provisions of the applicable laws and rules as determined by the department is proposed for such enlargement and/or increase in impervious surface. Construction documents shall include the amount of proposed increase in impervious area.~~]

[~~2.1. This exception shall not apply where on-site disposal cannot be designed to conform to the provisions of the applicable laws and rules including but not limited to minimum required distances from lot lines or structures or subsoil conditions as determined by the department.~~]

[~~2.2. This exception shall not apply if the horizontal building enlargement and increase in impervious surface related to the current application for construction document approval and all other enlargements or increases in impervious surface made on the same tax lot after July 1, 2008 together exceed 1,000 square feet (93 m^2).~~]

§ 142. Sections 201.3 and 201.3.1 of the New York city plumbing code, as amended by local law number 14 for the year 2020, are amended to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *New York City Building Code*, *New York City Fire Code*, *New York City Electrical Code*, *New York City Fuel Gas Code*, *New York City Mechanical Code*, [~~or the~~] *New York City Energy Conservation Code*, or the *New York City Existing Building Code*, such terms shall have the meanings ascribed to them as in those codes.

201.3.1 Terms defined in the general administrative provisions. The following terms are defined in Section 28-101.5 of the *Administrative Code*:

1968 BUILDING CODE.

[~~1968 OR PRIOR CODE BUILDINGS OR STRUCTURES (PRIOR CODE BUILDINGS).~~]

ACCEPTANCE OR ACCEPTED.

ADDITION.

ADMINISTRATIVE CODE.

ALTERATION.

APPROVAL OR APPROVED.

APPROVED AGENCY.

APPROVED FABRICATOR.

APPROVED INSPECTION AGENCY.

APPROVED TESTING AGENCY.

ARCHITECT.

BUILDING.

CHARTER.

CERTIFICATE OF COMPLIANCE.

CITY.

COMMISSIONER.

CONSTRUCTION DOCUMENTS.

DAY.

DEFERRED SUBMITTAL.

DEMOLITION.

DEMOLITION, FULL.

DEMOLITION, PARTIAL.

DEPARTMENT.

ENGINEER.

ENLARGEMENT.

ENVIRONMENTAL CONTROL BOARD or ECB.

EXISTING BUILDING OR STRUCTURE.

FABRICATED ITEM.

FIRE PROTECTION PLAN.

HEREAFTER.

HERETOFORE.

INSPECTION CERTIFICATE.

INTERIM CERTIFICATE OF OCCUPANCY.

LABEL.

LABELED.

LAND SURVEYOR.

LANDSCAPE ARCHITECT.

LETTER OF COMPLETION.

LIMITED ALTERATION APPLICATION.

LIMITED ELEVATOR ALTERATIONS.

LIMITED HOME IMPROVEMENT ALTERATIONS.

LIMITED OIL-BURNING APPLIANCE ALTERATIONS.

LIMITED PLUMBING ALTERATIONS.

LIMITED REROOFING ALTERATIONS.

LIMITED SPRINKLER ALTERATIONS.

LIMITED STANDPIPE ALTERATIONS.

LIMITED WINDOW REPLACEMENT ALTERATIONS.

LISTED.

MAIN USE OR DOMINANT OCCUPANCY (OF A BUILDING).

MANUFACTURER'S DESIGNATION.

MARK.

MATERIALS.

OCCUPANCY.

OWNER.

PARTY WALL.

PERMIT.

PERSON.

PREMISES.

PRIOR CODE BUILDING OR STRUCTURE.

PROFESSIONAL CERTIFICATION.

PROGRESS INSPECTION.

PROJECT.

REGISTERED DESIGN PROFESSIONAL.

REGISTERED DESIGN PROFESSIONAL OF RECORD.

REQUIRED.

RETAINING WALL.

SERVICE EQUIPMENT.

SIGN-OFF.

SINGLE ROOM OCCUPANCY MULTIPLE DWELLING.

SPECIAL INSPECTION.

SPECIAL INSPECTION AGENCY.

SPECIAL INSPECTOR.

STRUCTURE.

SUBMITTAL DOCUMENTS.

SUPERINTENDENT OF CONSTRUCTION (CONSTRUCTION SUPERINTENDENT).

USE (USED).

UTILITY COMPANY OR PUBLIC UTILITY COMPANY.

UTILITY CORPORATION OR PUBLIC UTILITY CORPORATION.

[WORK NOT CONSTITUTING MINOR ALTERATIONS OR ORDINARY REPAIRS.]

WRITING (WRITTEN).

WRITTEN NOTICE.

ZONING RESOLUTION.

§ 143. Section 403.1 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the commissioner. The number of occupants shall be determined by the *New York City Building Code*. Occupancy classification shall be determined in accordance with the *New York City Building Code*.

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Exception: The requirements of this section shall not apply to alterations or repairs to existing buildings which comply with Section 310.2 of the *New York City Existing Building Code*.

§ 144. Sections 601.3 and 601.5 of the New York city plumbing code are REPEALED.

§ 145. Sections 614.1.5 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

614.1.5 Retroactive requirement for existing buildings. Existing buildings greater than five stories that supply potable water from the public water main for dwelling units and sleeping units in Occupancy Groups I-1, R-1, R-2, and R-3 with the assistance of pumps shall be provided with fixtures capable of supplying an emergency source of potable water in accordance with this section [~~within 8 years after the effective date of this section~~] by December 31, 2020 in accordance with Section 28-315.8.1 of the *Administrative Code*.

Exception: Areas in such existing buildings greater than five stories where emergency fixtures are installed are not required to comply with Section 1104.3 or 1107.3 of the *New York City Building Code* unless where required pursuant to Section 1101.3.

§ 146. Section 701.2.5 of the New York city plumbing code is REPEALED.

§ 147. Sections 1101.2.1 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

1101.2.1 Increases in existing impervious surfaces. Whenever impervious surfaces on the lot are increased, such impervious surfaces shall drain into a storm sewer system, or a combined sewer system, or to an approved place of disposal.

Exception: [~~An existing one- or two-family dwelling where the area of a proposed horizontal building enlargement plus any proposed increase in impervious surfaces in total is less than or equal to 200 square feet (19 m^2). In such cases, the storm water discharge may be accommodated by existing facilities. For the purposes of this exception, the 200 square feet (19 m^2) shall include all enlargements and increases cumulatively after July 1, 2008.~~] The requirements of this section shall not apply to existing one- or two-family dwellings subject to section 310.8 of the *New York City Existing Building Code*.

§ 148. Sections 1101.12 of the New York city plumbing code, as added by local law number 14 for the year 2020, is amended to read as follows:

1101.12 Site grading. Except as otherwise permitted by this code, no person shall perform site grading or land

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contour work, as defined in Section 19-146 of the *Administrative Code*, [~~that~~] either of which would cause storm water to flow across sidewalks or onto an adjacent property. Site grading or land contour work performed on the site of a covered development project shall comply with the rules of the Department of Environmental Protection and this code.

§ 150. Section 86.1 of the New York city electrical code, as added by local law number 128 for the year 2024, is amended to read as follows:

86.1 General. Electrical work for which a permit is required, except for minor electrical work as defined in section 28-101.5, shall be subject to inspection by the department [~~, except for minor electrical work as defined in section 28-101.5~~] as directed by the commissioner. It shall be the duty of the permit holder to schedule such inspection and ensure that all applicable laws and rules are followed. A satisfactory inspection by the department shall not be construed to be an approval by the department of a violation of the provisions of this code or any other provision of law. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code and applicable rules of the department relating to inspections.

§ 151. Section 86.2 of the electrical code of the city of New York, as added by local law number 128 of 2024 is amended to read as follows:

86.2 Required inspections and testing. In addition to any inspections otherwise required by this code or applicable rules, the following inspections shall be required:

1. **Energy [~~Code~~] code [~~Compliance~~] compliance [~~Inspections~~] inspections.** Inspections required by the New York City Energy Conservation Code shall be made in accordance with the rules of the department, as applicable.
2. **Final [~~Inspection~~] Inspection.** It shall be the duty of the permit holder to notify the department when work requiring final inspection, pursuant to this code or rules of the department, is ready to be inspected and to schedule [~~a final~~] such inspection.

§ 152. Sections 28-304.6.6.2 and 28-304.8 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§28-304.6.6.2 Periodic inspection repair. All defects as found in such periodic inspection report shall be corrected within 90 days after the date of test. The department may grant one extension of 45 days upon submission of an application by the owner demonstrating a practical difficulty in complying within the 90-day timeframe. An affirmation of correction shall be filed within 14 days of the date of correction.

***

§28-304.8 Fees. Every owner of elevators and other devices shall pay to the department a report filing fee for each elevator or device, and a fee for each extension request pursuant to sections 28-304.6.6.1 and 28-304.6.6.2 in the amount prescribed by the department's rules.

§ 153. 1. Except as provided in subdivision two or subdivision three of this section, this local law takes effect 18 months after it becomes law and shall apply to work relating to construction documents filed on and after such date.

2. Section 152 of this local law takes effect on January 1, 2027.

3. Section 28-116.2.6.4, as added by section 22 of this local law, and sections 150 and 151 of this local law take effect immediately.

APM/WAE
12/17/2025 12:45 pm