



## Legislation Details (With Text)

**File #:** Int 0343-2010 **Version:** A **Name:** Amending the New York city energy conservation code.

**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Housing and Buildings

**On agenda:** 9/29/2010

**Enactment date:** 12/20/2010 **Enactment #:** 2011/001

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to amending the New York city energy conservation code.

**Sponsors:** Erik Martin Dilan, Leroy G. Comrie, Jr., Daniel R. Garodnick, Vincent J. Gentile, Albert Vann, Jumaane D. Williams, Ydanis A. Rodriguez, Rosie Mendez, Melissa Mark-Viverito, Letitia James, Elizabeth S. Crowley, James G. Van Bramer, James F. Gennaro, Jessica S. Lappin, David G. Greenfield, Robert Jackson, (by request of the Mayor)

**Indexes:**

**Attachments:** 1. Int. No. 343 - 9/29/10, 2. Committee Report 11/12/10, 3. Hearing Testimony 11/12/10, 4. Hearing Transcript 11/12/10, 5. Committee Report 12/8/10, 6. Hearing Transcript 12/8/10, 7. Committee Report - Stated Meeting 12/8/10, 8. Hearing Transcript - Stated Meeting 12-8-10, 9. Fiscal Impact Statement, 10. Mayor's Letter, 11. Local Law 1

Date	Ver.	Action By	Action	Result
9/29/2010	*	City Council	Introduced by Council	
9/29/2010	*	City Council	Referred to Comm by Council	
11/12/2010	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/12/2010	*	Committee on Housing and Buildings	Laid Over by Committee	
12/8/2010	*	Committee on Housing and Buildings	Hearing Held by Committee	
12/8/2010	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
12/8/2010	*	Committee on Housing and Buildings	Amended by Committee	
12/8/2010	A	Committee on Housing and Buildings	Approved by Committee	Pass
12/8/2010	A	City Council	Approved by Council	Pass
12/8/2010	A	City Council	Sent to Mayor by Council	
12/20/2010	A	Mayor	Hearing Held by Mayor	
12/20/2010	A	Mayor	Signed Into Law by Mayor	
12/20/2010	A	City Council	Recved from Mayor by Council	

Int. No. 343-A

By Council Members Dilan, Comrie, Garodnick, Gentile, Vann, Williams, Rodriguez, Mendez, Mark-Viverito, James, Crowley, Van Bramer, Gennaro, Lappin, Greenfield and Jackson (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to amending the New York

city energy conservation code.

Be it enacted by the Council as follows:

Section 1. Statement of findings and purpose. The Energy Conservation Construction Code of New York State (“State Energy Code”), authorized by Article 11 of the New York State Energy Law, sets standards for the energy performance of buildings throughout New York. The State Energy Law expressly permits a municipality to promulgate a local energy conservation construction code that is more stringent than the State Energy Code. In 2009, New York City established such a local energy conservation code, the New York City Energy Conservation Code, with the enactment of Local Law 85 of 2009. In April 2010, the New York State Fire Prevention and Building Code Council amended the State Energy Code in its entirety. The amendment is based on the 2009 edition of the International Energy Conservation Code, published by the International Code Council, Inc. (“2009 IECC”). Such 2010 State Energy Code is scheduled to take effect on December 28, 2010.

Section 101.3.1 of the 2010 State Energy Code provides that such code “is intended to comply with the requirements of the American Recovery and Reinvestment Act of 2009 (the ‘ARRA’), i.e., to be a building energy code for residential buildings and for commercial buildings that meets or exceeds the model codes mentioned in the ARRA, or achieves equivalent or greater energy savings.” Section 410 of Title IV of Division A of the ARRA specifies that states and localities should implement the 2009 IECC and the 2007 edition of standard ANSI/ASHRAE/IESNA 90.1, entitled “Energy Standard for Buildings Except Low-Rise Residential Buildings,” published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. (“ASHRAE 90.1-2007”).

Section 101.3.1 of the 2010 State Energy Code further provides that the New York State Department of State has determined:

1. That a building energy code that is applicable to both residential buildings and commercial buildings and that meets or exceeds the 2009 IECC, or achieves equivalent or greater energy

savings, meets or exceeds the requirements of the ARRA;

2. That the 2010 State Energy Code meets or exceeds the 2009 IECC, or achieves equivalent or greater energy savings; and
3. Accordingly, that the 2010 State Energy Code meets or exceeds the requirements of the ARRA.

The Council finds that it is reasonable and necessary to amend certain sections of Chapter 10 of Title 28 of the Administrative Code of the City of New York in order to ensure that the New York City Energy Conservation Code remains at least as stringent as the 2010 State Energy Code, as the State Energy Law requires.

§2. Item 3 of Section 28-105.2 of the administrative code of the city of New York as added by local law number 33 for the year 2007, is amended to read as follows:

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

§3. Section 28-1001.1 of the administrative code of the city of New York, as added by local law number 85 for the year 2009, is amended to read as follows:

**§28-1001.1 Adoption of the energy code.** In accordance with section 11-109 of the New York state energy law, [that] which permits any municipality to promulgate a local energy conservation construction code, the city of New York hereby adopts the [2007] 2010 energy conservation construction code of New York state in effect and any amendments thereto that are more stringent than such code adopted by the city of New York as the minimum requirements for the design, construction and alteration of buildings for the effective use of energy in the city. Such adoption shall be subject to amendments pursuant to local law and set forth in section 1001.2 of this chapter, which shall be known and cited as the “New York city amendments to the [2007] 2010 energy conservation construction code of New York state.” Such edition of the [2007] 2010 energy conservation construction code of New York state with such New York city amendments shall together be known and cited as the “New York city energy conservation code.”

§4. Section 28-1001.2 of the administrative code of the city of New York, as added by local law number 85 for the year 2009, is REPEALED and reenacted to read as follows:

**§28-1001.2 New York city amendments to the 2010 energy conservation construction code of New York state.** The following New York city amendments to the 2010 energy conservation construction code of New York state are hereby adopted as set forth in this section:

### **Chapter 1**

Chapter 1 is deleted in its entirety and a new Chapter 1 is added to read as follows:

## **CHAPTER 1**

### **ADMINISTRATION**

#### **SECTION ECC 101**

#### **SCOPE AND GENERAL REQUIREMENTS**

**101.1 General.** These provisions shall be known and cited as the “*New York City Energy Conservation Code*,” “NYCECC” or “ECC,” and are referred to herein as “this code.” All section numbers in this code shall be deemed to be preceded by the designation “ECC.” Administration and enforcement of this code shall be in accordance with Title 28 of the *Administrative Code*.

**101.2 Scope.** This code applies to *residential buildings* and *commercial buildings* as defined in Chapter 2.

**101.2.1 References.** Where reference is made within this code to the *Building Code of New York State*, *Existing Building Code of New York State*, *Fire Code of New York State*, *Fuel Gas Code of New York State*, *Mechanical Code of New York State*, *Plumbing Code of New York State*, *Property Maintenance Code of New York State* or *Residential Code of New York State*, the reference shall be deemed to be to the analogous provision(s) of Title 28 of the *Administrative Code* (the *New York City Construction Codes*), the *1968 Building Code*, the *New York City Fire Code* or the *New York City Electrical Code*.

**101.2.2 Occupancy classifications.** For determination of occupancy classification and use within this code, a comparable occupancy classification shall be made to the *New York City Building Code*.

**101.2.3 Reconciliation with Energy Conservation Construction Code of New York State.** Whenever any provision of the *Energy Conservation Construction Code of New York State* provides for a more stringent requirement than imposed by this code, the more stringent requirement shall govern.

**101.2.4 Other laws.** The provisions of this code shall not be deemed to nullify any federal, state or local law, rule or regulation relating to any matter as to which this code does not provide.

**101.3 Intent.** This code shall regulate the design and construction of *buildings* for the effective use of energy. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve the effective use of energy. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances. To the fullest extent feasible, use of modern technical methods, devices and improvements that tend to minimize consumption of energy and utilize to the greatest extent practical solar and other *renewable energy sources* without abridging reasonable requirements for the safety, health and security of the occupants or users of *buildings* shall be permitted. As far as may be practicable, the improvement of energy conservation construction practices, methods, equipment, materials and techniques shall be encouraged.

**101.4 Applicability.** The provisions of this code shall apply to the construction of *buildings*. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

**101.4.1 Existing buildings.** Except as specified in this chapter, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing *building* or *building system* lawfully in existence at the time of adoption of this code.

**101.4.2 Historic buildings.** An *alteration* or renovation to an existing *building* or structure that (1) is listed in the New York State Register of Historic Places, either individually or as a contributing *building* to a historic district, (2) is listed in the National Register of Historic Places, either individually or as a

contributing *building* to a historic district, (3) has been determined to be eligible for listing in either the New York State or National Register of Historic Places, either individually or as a contributing *building* to a historic district, by the New York State Commissioner of Parks, Recreation and Historic Preservation, or (4) has been determined to be eligible for listing in the National Register of Historic Places, either individually or as a contributing *building* to a historic district, by the United States Secretary of the Interior, need not comply with this code.

**101.4.3 Additions, alterations, renovations or repairs.** *Additions, alterations, renovations or repairs to an existing building, building system, equipment or portion thereof, other than repairs of equipment, shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building, building system or equipment to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.*

**Exception:** The following need not comply with the provisions of this code provided that the energy use of the *building* is not increased:

1. Storm windows installed over existing *fenestration*.
2. Glass-only replacements in an existing sash and frame, provided that the *U-factor* and the *solar heat gain coefficient (SHGC)* shall be equal to or lower than before the glass replacement.
3. *Alterations, renovations or repairs to roof/ceiling, wall or floor cavities, including spaces between furring strips, provided that such cavities are insulated to the full existing cavity depth with insulation having a minimum nominal value of R-3.0/inch (R-2.0/cm).*
4. *Alterations, renovations or repairs to walls and floors in cases where the existing structure is without framing cavities and no new framing cavities are created.*
5. *Reroofing where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated*

either above or below the sheathing.

6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.
7. An *alteration* that replaces less than 50 percent of the luminaires in a space, provided that such *alteration* does not increase the installed interior lighting power.
8. An *alteration* that replaces only the bulb and ballast within the existing luminaires in a space, provided that such *alteration* does not increase the installed interior lighting power.

**101.4.4 Change in occupancy or use.** Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. Where the use of a space changes from one use in Table 505.5.2 to another use in Table 505.5.2, the installed lighting wattage shall comply with Section 505.5.

**101.4.5 Change in space conditioning.** Any non-conditioned space that is altered to become *conditioned space* shall comply with this code.

**101.4.6 Mixed occupancy.** Where a *building* includes both residential and commercial occupancies, each occupancy shall be separately considered and shall meet the applicable provisions of Chapter 4 for residential and Chapter 5 for commercial.

**101.5 Compliance.** *Residential buildings* shall meet the provisions of Chapter 4. *Commercial buildings* shall meet the provisions of Chapter 5.

**101.5.1 Compliance software.** Compliance may be determined through the use of computer software developed by the United States Department of Energy, including REScheck, COMcheck or DOE2; of REM/Rate home energy rating and REM/Design home energy analysis software specifically developed for the 2010 *Energy Conservation Construction Code of New York State*; or of other *building energy modeling* or home energy rating software (“HERS”) approved by the New York State Secretary of State. In the case

of energy modeling, the commissioner may accept an energy cost budget worksheet based on ASHRAE 90.1 or Section 506 and any information and/or reports showing acceptable results of the energy modeling. Software programs used to show compliance must indicate compliance with the 2010 *Energy Conservation Construction Code of New York State* to reflect the actual requirements of this code. REScheck or COMcheck printout forms must show “*Energy Conservation Construction Code of New York State*” in the title of the printout. Other software programs (for example, REM Rate/REM Design) shall clearly indicate compliance with 2010 *Energy Conservation Construction Code of New York State* parameters. Compliance with the mandatory code provisions of Chapters 4 and 5 is required when using the software approach to show compliance.

**101.5.2 Low-energy buildings.** The following *buildings*, or portions thereof separated from the remainder of the *building* by *building thermal envelope* assemblies complying with this code, shall be exempt from the *building thermal envelope* provisions of this code:

1. Those with a peak design rate of energy use less than 3.4 Btu/h per square foot (10.7 W/m<sup>2</sup>) or 1.0 watt per square foot (10.7 W/m<sup>2</sup>) of floor area for space conditioning purposes.
2. Those that do not contain *conditioned space*.

**101.5.3 Demonstration of compliance.** For a *building project* application or applications required to be submitted to the department, the following documentation, as further described in the rules of the department, shall be required in order to demonstrate compliance with this code:

**101.5.3.1 Professional statement.** Any *registered design professional* or *lead energy professional* filing an application or applications for a new *building* or *alteration project* shall provide on a signed and sealed drawing a statement of compliance or exemption in accordance with the rules of the department.

**101.5.3.2 Energy analysis.** For any application that is not exempt from this code and for which a work permit is required in accordance with Section 28-105 of the *Administrative Code*, an *energy analysis*



shall be provided on a sheet or sheets within the construction drawing set. The *energy analysis* shall identify the compliance path followed, demonstrate how the design complies with this code and be in a format as prescribed in the rules of the department. The *energy analysis* shall meet the requirements of this code for the entire *project*. *Projects* that utilize trade-offs among disciplines shall use DOE2-based energy modeling programs or other energy-modeling programs as prescribed in the rules of the department and shall be signed and sealed by a *lead energy professional*.

**101.5.3.3 Supporting documentation.** For any application that is not exempt from this code and for which a work permit is required in accordance with Section 28-105 of the *Administrative Code*, supporting documentation shall be required in the *approved* construction drawings. See Section 103 for further requirements.

**101.6 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

## **SECTION ECC 102**

### **ALTERNATE MATERIALS, METHOD OF CONSTRUCTION, DESIGN OR INSULATING SYSTEMS**

**102.1 General.** This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such material, method of construction, design or insulating system has been *approved* by the commissioner as (1) meeting the intent of this code, (2) achieving energy savings that are equivalent to or greater than would be achieved using prescribed materials, methods of construction, designs or insulating systems, and (3) meeting the requirements of Article 113 of Chapter 1 of Title 28 of the *Administrative Code* and the remaining *New York City Construction Codes*.

**102.1.1 Above-code programs.** The commissioner shall be permitted to find that a national, state or local energy efficiency program exceeds the energy efficiency required by this code. *Buildings approved* in writing by such an energy efficiency program shall be considered in compliance with this code.

Notwithstanding approval by such an energy efficiency program, the requirements identified as “mandatory” in Chapters 4 and 5 of this code shall still apply.

## **SECTION ECC 103**

### **CONSTRUCTION DOCUMENTS**

**103.1 General.** Construction documents shall be prepared in accordance with the provisions of Chapter 1 of Title 28 of the *Administrative Code*, the *New York City Construction Codes*, including this code, and the rules of the department.

**103.2 Supporting documentation on construction documents.** Supporting documentation shall include those construction documents that demonstrate compliance with this code.

**103.2.1 Intent.** Supporting documentation shall accomplish the following:

1. Demonstrate conformance of *approved* drawings to the *energy analysis* for every element and value of the *energy analysis*;
2. Demonstrate conformance of *approved* drawings to other mandatory requirements of this code, including, but not limited, to, sealing against air leakage from the *building* envelope and from ductwork as applicable, insulation of *ducts* and piping as applicable, mechanical and lighting controls with devices shown and operational narratives for each, and additional requirements as set forth in this section;
3. Identify required progress inspections in accordance with the scope of work, this code, the *Administrative Code*, the *New York City Building Code* and the rules of the department; and
4. Comply with other requirements as may be set forth in the rules of the department.

**103.2.2 Detailed requirements.** Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted in accordance with department procedures. Construction documents for a *project* shall be fully coordinated and of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of

the building, building systems and equipment as herein governed. Details shall include, but are not limited to, as applicable, insulation materials and their *R-values*; fenestration *U-factors* and *SHGCs*; area-weighted *U-factor* and *SHGC* calculations; mechanical system design criteria; mechanical and service water heating system and equipment, types, sizes and efficiencies; economizer description; equipment and systems controls; fan motor horsepower and controls; duct sealing, duct and pipe insulation and location; lighting fixture schedule with wattages and control narrative; and air sealing details.

**103.3 Examination of documents.** In accordance with Article 104 of Chapter 1 of Title 28 of the Administrative Code, the department shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws, rules and regulations.

**103.4 Changes during construction.** Changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

## **SECTION ECC 104**

### **INSPECTIONS**

**104.1 General.** Except as otherwise specifically provided, inspections required by this code or by the department during the progress of work may be performed on behalf of the owner by an approved agency. All inspections shall be performed at the sole cost and expense of the owner. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code for additional provisions relating to inspections. In addition to any inspections otherwise required by this code or the rules of the department, the following inspections shall be required:

1. Progress inspections. Progress inspections shall be performed in accordance with the rules of the department.
2. Final inspection. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code and the rules

of the department.

3. Issuance of Certificate of Compliance. Refer to Section 28-116.4.1 of the *Administrative Code*.

The requirements of Section 104.1 shall not be read to prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure provided that a request for inspection of such heating equipment or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure.

**104.1.1 Approved agencies.** Refer to Article 114 of Chapter 1 of Title 28 of the *Administrative Code* and the rules of the department.

**104.1.2 Inspection of prefabricated construction assemblies.** Prior to the issuance of a work permit for a prefabricated construction assembly having concealed mechanical work, the department shall require the submittal of an evaluation report by the manufacturer or *approved agency* on each prefabricated construction assembly, indicating the complete details of the mechanical system, including a description of the system and its components, the basis upon which the system is being evaluated for energy use, test results and similar information, and other data as necessary for the commissioner to determine conformance to this code.

**104.1.2.1 Test and inspection records.** Required test and inspection records shall be made available to the commissioner at all times during the fabrication of the mechanical system and the erection of the *building*; or such records as the commissioner designates shall be filed.

**104.2 Testing.** Envelope, heating, ventilating, air conditioning, *service water heating*, lighting and electrical systems shall be tested as required in this code and in accordance with Sections 104.2.1 through 104.2.3. Except as otherwise required in this code or in the rules of the department, tests shall be made by the permit holder and witnessed by an *approved agency*.

**104.2.1 New, altered, extended, renovated or repaired systems.** New envelope, heating, ventilating,

air conditioning, service water heating, lighting and electrical installations or systems, and parts of existing systems that have been altered, extended, renovated or repaired, shall be tested as prescribed herein or in the rules of the department to disclose leaks and defects.

**104.2.2 Apparatus, instruments, material and labor for tests.** Apparatus, instruments, material and labor required for testing an envelope, heating, ventilating, air conditioning, service water heating, lighting and/or electrical installation or system or part thereof shall be furnished by the permit holder.

**104.2.3 Reinspection and testing.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with the *New York City Construction Codes*, including this code. The work or installation shall then be reinspected or retested by the *approved agency*.

**104.3 Sign-off of completed work.** In addition to the requirements of Article 116 of Chapter 1 of Title 28 of the *Administrative Code*, Section 103.4 of this code and other requirements for sign-off, the *project* team shall either certify that construction does not differ from the last approved *energy analysis* or provide a whole-*project* as-built *energy analysis* and supporting documents, signed and sealed, for approval prior to sign-off. The as-built *energy analysis* and supporting documents shall reflect the materials, equipment and values actually used in the construction of the *project*, and shall demonstrate compliance of the constructed *project* with this code. Such signed and sealed documents may be accepted with less than full examination by the department based on the professional certification of the *registered design professional*.

**104.4 Temporary connection.** The commissioner shall have the authority to allow the temporary connection of an installation to the sources of energy for the purpose of testing the installation or for use under a temporary certificate of occupancy.

## **SECTION ECC 105**

### **REFERENCED STANDARDS**

**105.1 Referenced standards.** The standards referenced in this code shall be those that are listed in Chapter 6

and in the rules of the department and such standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Refer to Article 103 of Chapter 1 of Title 28 of the *Administrative Code* for additional provisions relating to referenced standards.

## **Chapter 2**

### **Section 202**

Revise the definition of “Addition” after the definition of “Accessible,” to read as follows:

**ADDITION.** An extension or increase in the *conditioned space* floor area or height of a *building* or structure.

Revise the definition of “Approved” after the definition of “Alteration,” to read as follows:

**APPROVED.** See Section 28-101.5 of the *Administrative Code*.

Add a new definition of “Approved agency” after the definition of “Approved,” to read as follows:

**APPROVED AGENCY.** See Section 28-101.5 of the *Administrative Code*.

Add a new definition of “Authority having jurisdiction” after the definition of “Area weighted average,” to read as follows:

**AUTHORITY HAVING JURISDICTION.** The commissioner or the commissioner’s designee.

Revise the definition of “Building” after the definition of “Basement wall,” to read as follows:

**BUILDING.** See Section 28-101.5 of the *Administrative Code*.

Revise the term “Code enforcement official” after “C-factor (thermal conductance),” to read as follows:

**CODE ENFORCEMENT OFFICIAL.** The commissioner or the commissioner’s designee.

Add a new definition of “Lead energy professional” after the definition of “Labeled,” to read as follows:

**LEAD ENERGY PROFESSIONAL.** The *registered design professional* who signs and seals the energy analysis for an entire project. Such individual may be the same *registered design professional*

who signs and seals the design drawings for the same project.

Add a new definition of “Professional certification” after the definition of “Nameplate horsepower,” to read as follows:

**PROFESSIONAL CERTIFICATION.** See Section 28-101.5 of the *Administrative Code*.

Add a new definition of “Project” after the definition of “Professional certification,” to read as follows:

**PROJECT.** A design and construction undertaking comprised of work related to one or more *buildings* and the site improvements. A *project* is represented by one or more plan/work applications, including construction documents compiled in accordance with Section 106 of the *New York City Building Code*, that relate either to the construction of a new *building* or *buildings* or to the demolition or *alteration* of an existing *building* or *buildings*. Applications for a *project* may have different *registered design professionals* and different job numbers, and may result in the issuance of one or more permits.

Delete the definition for “Vapor retarder class” after “U-factor (thermal transmittance).”

## **Chapter 6**

### **Section 601**

Revise the referenced standard “ICC” after “DOE,” to read as follows:

<b><u>ICC</u></b>	International Code Council, Inc. 500 New Jersey Avenue, NW 6th Floor Washi	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
BCNYS-10	<u>Building Code of New York State</u>	<u>101.2.1, 201.3, 303.1.5, 303.2, T402.1.1, 502.2.8, 502.2.8.1, 502.2.8.2, Table 502.2.8.2, 502.5.3</u>
EBNYS-10	<u>Existing Building Code of New York State</u>	<u>101.2.1</u>
ECCCNYS-10	<u>Energy Conservation Construction Code of New York State</u>	<u>101.2.3, 101.5.1</u>
FCNYS-10	<u>Fire Code of New York State</u>	<u>101.2.1, 201.3</u>
FGNYS-10	<u>Fuel Gas Code of New York State</u>	<u>101.2.1, 201.3</u>
MCNYS-10	<u>Mechanical Code of New York State</u>	<u>101.2.1, 201.3, 503.2.5, 503.2.5.1, 503.2.6, 503.2.7, 503.2.7.1, 503.2.7.1.1, 503.2.7.1.2, 503.2.9.1, 503.3.1, 503.4.5</u>
NYCECC-10	<u>New York City Energy Conservation Code</u>	<u>101.1, 101.5.3.2, 101.5.3.3, 104.3,</u>
PCNYS-10	<u>Plumbing Code of New York State</u>	<u>101.2.1, 201.3</u>
PMNYS-10	<u>Property Maintenance Code of New York State</u>	<u>101.2.1</u>
RCNYS-10	<u>Residential Code of New York State</u>	<u>101.2.1, 201.3, 202, 303.1.5, T402.1.1, 402.1.5.1, 402.1.5.2, 402.2.1.1, 402.4.1 (12), 403.2.2, T405.5.2(1)</u>

<u>NYCAC-08</u>	<u>New York City Administrative Code</u>	<u>101.1, 101.2.1, 101.5.3.2, 101.5.3.3, 102.1, 103.1, 103.2.1, 103.3, 104.1, 104.1.1, 104.3, 105.1</u>
<u>NYCBC-08</u>	<u>New York City Building Code</u>	<u>101.2.1, 101.2.2, 102.1, 103.1, 103.2.1, 201.3, 303.1.5, 303.2</u>
<u>NYCEC-08</u>	<u>New York City Electrical Code</u>	<u>101.2.1, 201.3</u>
<u>NYCFC-08</u>	<u>New York City Fire Code</u>	<u>101.2.1, 201.3</u>
<u>NYCFG-08</u>	<u>New York City Fuel Gas Code</u>	<u>102.1, 201.3</u>
<u>NYCMC-08</u>	<u>New York City Mechanical Code</u>	<u>102.1, 201.3, 403.2.2, 503.2.5, 503.2.5.1, 503.2.6, 503.2.7, 503.2.7.1, 503.2.7.1.1, 503.2.7.1.2, 503.2.9.1, 503.3.1, 503.4.5</u>
<u>NYCPC-08</u>	<u>New York City Plumbing Code</u>	<u>102.1, 201.3</u>

Revise the referenced standard “IESNA” after “ICC,” to read as follows:

## IESNA

Illuminating Engineering Society of North America 120 Wall Street, 17th Floor

<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>*90.1-07</u>	<u>Energy Standard for Buildings Except Low-Rise Residential Buildings</u>	<u>101.5.1, 501.1, 501.2, 502.1.1, Table 502.2(2)</u>

Add a new referenced standard “NYC” after “NFRC,” to read as follows:

## NYC

New York City Department of Buildings 280 Broadway New York, NY 10007

<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>NYCBC-68</u>	<u>1968 Building Code of the City of New York</u>	<u>101.2.1</u>

§5. Section 106.2.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**106.2.1 Composite plans.** Composite plans showing architectural, structural, and mechanical parts and related energy use systems of a building may be submitted provided that a clear understanding of each part and system is not impaired.

§6. Section 106.7.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**106.7.1 Foundation plans.** Foundation plans shall show compliance with the requirements of Chapter 18 of this code regarding foundation design and shall show the plan locations, design elevations of the bottoms, and details as to sizes, reinforcements, and construction of all footings, piers, foundation walls, pile groups, and pile



caps. The levels of footings of adjacent structures shall be indicated or, if the adjacent structures are pile supported, this shall be stated. Where applicable, the plans shall include underpinning details. In addition, there shall be a statement indicating the character and minimum class of the soil strata required for the support of the foundation; the allowable soil pressure used for the design of footings; and the character, class, and presumptive bearing capacity of the bearing stratum to which piling is required to penetrate. The types and design capacities of piling and the records of required borings or test pits shall also be shown. In addition, foundation plans shall include insulation details as required by the *New York City Energy Conservation Code*.

§7. Item 5 of Section 1704.15.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

5. Ventilation balancing report is complete and in accordance with design documents and, in the professional opinion of the special inspector, the system is operating as designed.

§8. This local law shall take effect on December 28, 2010 and shall apply to work for which applications for construction document approval are submitted to the department of buildings on or after such date; provided that the commissioner of buildings may take all actions necessary to implement this local law, including the promulgation of rules, on or before such effective date.

11/30/2010 9:59 PM