



Legislation Text

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Int. No. 801

By Council Members Treyger, Rosenthal, The Public Advocate (Ms. James), Cumbo, Gentile, Koslowitz, Rose, Johnson and Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to elevator service outage accommodations

Be it enacted by the Council as follows:

Section 1. Section 28-304.10 of the administrative code of the city of New York, as added by local law number 141 for the year 2013, is amended to read as follows:

§ 28-304.10 Occupant notification. In occupancy groups [R1] R-1 and [R2] R-2, when an elevator is to be put out of service for alteration work, notice shall be given to the residential occupants no fewer than 10 business days before the start of the work, except in the case of emergency repairs. This notification requirement does not apply to minor alterations and ordinary repairs. Such notification shall include a copy of the elevator service outage accommodation plan required by section 28-304.11.1.

§ 2. Article 304 of title 28 of the administrative code of the city of New York is amended to add a new section 28-304.11 to read as follows:

§ 28-304.11 Service outage accommodation. In addition to any reasonable accommodations required by other city, state or federal laws or rules, when a passenger elevator in a building that contains space classified in occupancy group R-1 or R-2 is or will be out of service for more than twenty-four hours, the owner shall, upon request of an affected resident with a disability, as defined by rules promulgated by the department in conjunction with the department of health and mental hygiene and the mayor's office for people with disabilities, provide, for the duration of such outage, a reasonable alternative method of transportation between floors, exclusive of stairs, or a reasonable accommodation for such resident.

Exceptions:

1. An elevator that serves only one dwelling unit, provided that such unit is occupied by the owner of the building containing such unit.
2. An elevator service outage that results from a general public utility outage, as defined by department rule.

§ 28-304.11.1 Elevator service outage accommodation plan. An owner of a building that contains space

classified in occupancy group R-1 or R-2 must develop an elevator service outage accommodation plan detailing any alternative method of transportation or accommodation that will be provided in accordance with section 28-304.11 during an elevator service outage. Such plan must be made available for inspection by the department, the department of housing preservation and development or residents of the building, upon request.

§ 3. This local law shall take effect 120 days after its enactment, except that the commissioner of buildings shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

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