



## Legislation Text

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Int. No. 1939

By Council Members Maisel, Kallos, Chin, Yeger, Powers, Rosenthal, Rivera and Cumbo

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to requiring standby power for nursing homes, adult homes, enriched housing and certain assisted living facilities

Be it enacted by the Council as follows:

Section 1. Article 315 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.12 to read as follows:

**28-315.12 Standby power for nursing homes, adult homes, enriched housing and assisted living facilities.**  
By January 1, 2024, I-1, I-2 and R-2 occupancies that are nursing homes, adult homes, enriched housing and assisted living facilities, other than those excluded by exception pursuant to section 426.1 of the New York city building code, shall comply with the retroactive requirements of section 426.2.2 of the New York city building code.

§ 2. Chapter 4 of the New York city building code is amended by adding a new section BC 426 to read as follows:

**SECTION BC 426**  
**NURSING HOMES, ADULT HOMES, ENRICHED HOUSING**  
**AND ASSISTED LIVING FACILITIES**

**426.1 General.** The provisions of Section 426.2 apply to I-1, I-2 and R-2 occupancies that are nursing homes, adult homes, enriched housing and assisted living facilities.

**Exception:** This section does not apply to alcohol and drug abuse rehabilitation centers, halfway houses, congregate care facilities and social rehabilitation facilities.

**426.2 Standby power.** Nursing homes, adult homes, enriched housing and assisted living facilities shall be provided with standby power systems capable of providing power for at least 72 hours for the standby power loads specified in Section 426.2.1.

**426.2.1 Standby power loads.** The following loads are classified as standby power loads:

1. In buildings having more than one occupied floor, at least one elevator serving all

floors, or one elevator per bank where different banks serve different portions of the building;

2. Air conditioning, cooling, and heating systems sufficient to maintain temperature and humidity in accordance with Section 1204 in at least one common space which can accommodate all occupants of such facility or in all spaces used by occupants of such facility for sleeping purposes;

3. Refrigerators and freezers located in the facility; and

4. Lighting in all hallways.

**426.2.2 Retroactive provision.** Section 426.2 shall be retroactive and shall apply to all buildings in existence on the effective date of this provision and such buildings shall achieve compliance no later than January 1, 2024.

§ 3. Section 2702.2 of the New York city building code is amended by adding a new section 2702.2.21

to read as follows:

**2702.2.21 Nursing homes, adult homes, enriched housing and assisted living facilities.** Standby power shall be provided in I-1, I-2 or R-2 occupancies that are nursing homes, adult homes, enriched housing and assisted living facilities, other than those excluded by exception pursuant to Section 426.1, in accordance with Section 426.2.

§ 4. This local law takes effect immediately.

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