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**Committee on Housing and Buildings**

Hon. Robert E. Cornegy, Jr., Chair

**December 15, 2020**

**Int. No. 2151-B:** By Council Members Dromm, Cornegy, Kallos, Gjonaj, Brannan, Chin and the Public Advocate (Mr. Williams)

**Title:** A Local Law in relation to extending the deadlines for inspection and correction of building gas piping systems in certain community districts

**Int. No. 2171-A:** By Council Member Cornegy

**Title:** A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to the date by which carbon monoxide detectors are required to be installed in commercial spaces

**Administrative Code:** Amends section 28-315.11

**Building Code:** Amends section 908.7.3.1

**Introduction**

On December 15, 2020, the Committee on Housing and Buildings, chaired by Council Member Robert Cornegy, Jr., held a hearing on Int. No. 2151-B and Int. No. 2171-A. The original bills were first heard on December 2, 2020. More information about these bills, along with the materials for that hearing, can be found at <https://on.nyc.gov/3afXdyH>.

**Int. No. 2151-B**

Pursuant to Local Law 152 of 2016 and Department of Buildings (DOB) rules, between January 1, 2020 and December 31, 2020, building gas piping systems must be inspected in community districts (CD) 1, 3 and 10 in all boroughs. DOB rules also require submission of a certification that all conditions identified in the inspection report have been corrected no later than 120 days or, if more time is needed, no later than 180 days following the inspection date.

Int. No. 2151-B would extend the December 31, 2020 inspection and certification deadline for buildings in CD 1, 3 and 10 in all boroughs to June 30, 2021. It would also require DOB to conduct targeted outreach regarding the requirements of Local Law 152 of 2016, submit a report describing the methods of targeted outreach employed by the agency, and solicit public comments related to the implementation of Local Law 152 of 2016.

This bill would take effect immediately, and the sections related to extending the compliance deadline would be retroactive to January 1, 2020.

**Int. No. 2171-A**

In 2017, 34 people were sickened, and the rest of a building evacuated, when a faulty oil burner caught fire in the basement of a Tribeca building that contained an Amish Market.[[1]](#footnote-1) In the aftermath of this incident, the Council passed Local Law 191 of 2018.[[2]](#footnote-2) Local Law 191 required the installation of carbon monoxide detectors in certain new Group M occupancies, which include department stores, drug stores, markets, and retail or wholesale stores. Local Law 191 also required the installation of carbon monoxide detectors in certain existing commercial buildings that were not previously required to have carbon monoxide detectors. Carbon monoxide detectors were required to be installed in these existing commercial buildings by January 1, 2021.

Int. No. 2171-A would extend the Local Law 191 compliance deadline by six months, until July 1, 2021.

This local law would take effect immediately, and would be deemed to have been in force and effect on and after January 1, 2021.

**Update**

On Tuesday, December 15, 2020, the Committee adopted Int. No. 2151-B by a vote of eight in the affirmative, zero in the negative, and zero abstentions, and Int. No. 2171-A by a vote of eight in the affirmative, zero in the negative, and zero abstentions.

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Int. No. 2151-B

By Council Members Dromm, Cornegy, Kallos, Gjonaj, Brannan, Chin and the Public Advocate (Mr. Williams)

..Title

A Local Law in relation to extending the deadlines for inspection and correction of building gas piping systems in certain community districts

..Body

Be it enacted by the Council as follows:

Section 1. Periodic inspection of gas piping systems in certain community districts. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Certification form. The term “certification form” means the certification required to be submitted to the department pursuant to subdivision 4 of section 28-318.3.3 of the administrative code of the city of New York and paragraphs (3) or (4) of subdivision (d) of section 103-10 of title 1 of the rules of the city of New York, stating that all conditions identified in the gas piping system periodic inspection report provided to a building owner have been corrected.

Commissioner. The term “commissioner” means the commissioner of buildings.

Department. The term “department” means the department of buildings.

b. Notwithstanding the provisions of any other law or rule, building gas piping systems in community districts 1, 3 and 10 in each borough required to be periodically inspected pursuant to article 318 of chapter 3 of title 28 of the administrative code of the city of New York shall be inspected on or between January 1, 2020 and June 30, 2021, provided that the inspection requirements, including due dates for inspecting gas piping systems and submitting certification forms to the department in section 103-10 of title 1 of the rules of the city of New York shall apply after June 30, 2021.

c. Notwithstanding the provisions of any other law or rule, for building gas piping systems in community districts 1, 3 and 10 in each borough required to be periodically inspected pursuant to article 318 of chapter 3 of title 28 of the administrative code of the city of New York that are inspected on or between September 1, 2020 and December 31, 2020, such building owners may submit the certification form to the department later than 120 days following the building’s inspection date or later than 180 days following the building’s inspection date, as applicable, but in no event shall the certification form be submitted later than June 30, 2021.

d. Failure to submit the certification form required by subdivision c of this section shall be classified as a major violation subject to the provisions of chapter 2 of title 28 of the administrative code of the city of New York.

e. Nothing in this section shall affect the requirements to report and correct unsafe or hazardous conditions revealed by a gas piping system inspection as set forth in section 28-318.3.4 of the administrative code of the city of New York.

f. As soon as practicable but no later than March 31, 2021, the department shall conduct targeted outreach and education regarding the provisions of this section, which shall at a minimum include notifying building owners in community districts 1, 3 and 10 in each borough and posting information on the department’s website.

g. Notices and educational materials distributed pursuant to subdivision f of this section shall be prepared in plain language using words with common everyday meanings, and made available in all of the designated citywide languages, as defined in section 23-1101 of the administrative code of the city of New York. Such notices and educational materials shall include, but not be limited to:

1. Information regarding the requirements of article 318 of chapter 3 of title 28 of the administrative code of the city of New York, and to which buildings such article applies; and

2. Best practices related to hiring a plumber to perform a gas piping system inspection as set forth in article 318 of chapter 3 of title 28 of the administrative code of the city of New York.

h. Beginning on January 1, 2021, and again on April 1, 2021, the department shall solicit public comments for a period of time no less than 45 days on the implementation of article 318 of chapter 3 of title 28 of the administrative code of the city of New York, including comments regarding the methods of targeted outreach employed by the department for compliance with subdivision f of this section.

i. No later than August 1, 2021, the department shall submit to the speaker of the council a report describing the methods of targeted outreach employed by the department for compliance with subdivision f of this section.

§ 2. This local law takes effect immediately and subdivisions b, c, d and e of section one are retroactive to and deemed to have been in full force and effect as of January 1, 2020.

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Int. No. 2171-A

By Council Member Cornegy

..Title

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to the date by which carbon monoxide detectors are required to be installed in commercial spaces

..Body

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, as amended by local law number 191 for the year 2018, is amended to read as follows:

**§ 28-315.11 Buildings that are equipped with a fire alarm system and that contain Group A-1, A-2, A-3, Group B or Group M occupancies.** By [January] July 1, 2021, existing buildings equipped with a fire alarm system and that contain group A-1, A-2 or A-3, Group B or Group M occupancies shall comply with the retroactive requirements of section 908.7.3.1 of the New York city building code.

§ 2. Section 908.7.3.1 of the New York city building code, as amended by local law number 191 for the year 2018, is amended to read as follows:

**908.7.3.1 Retroactive provisions for existing buildings.** Notwithstanding any other provision of law, listed carbon monoxide detectors shall be installed in existing buildings that are equipped with a fire alarm system and that contain group A-1, A-2, A-3, Group B or Group M occupancies in accordance with Section 908.7.3 by [January] July 1, 2021.

§ 3. This local law takes effect immediately, and shall be deemed to have been in force and effect on and after January 1, 2021.

GZ

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LS 16721 & 16759

1. Sarah Maslin Nir, “34 People Sickened by Carbon Monoxide in Lower Manhattan,” NY Times (Jun. 13, 2017) https://www.nytimes.com/2017/06/13/nyregion/carbon-monoxide-leak-lower-manhattan.html [↑](#footnote-ref-1)
2. <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3371438&GUID=128D0201-1AD4-4158-B4E6-C2FE9C99A3C1&Options=ID|Text|&Search=carbon+monoxide> [↑](#footnote-ref-2)