



Legislation Details (With Text)

**File #:** Int 0029-2022 **Version:** \* **Name:** Outdoor gas fueled heating devices.  
**Type:** Introduction **Status:** Filed (End of Session)  
**In control:** Committee on Fire and Emergency Management

**On agenda:** 2/10/2022

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**Title:** A Local Law to amend the New York city fire code, in relation to outdoor gas fueled heating devices

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**Indexes:**

**Attachments:** 1. Summary of Int. No. 29, 2. Int. No. 29, 3. February 10, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 2-10-22, 5. Minutes of the Stated Meeting - February 10, 2022, 6. Committee Report 3/28/22, 7. Hearing Testimony 3/28/22, 8. Hearing Transcript 3/28/22

Date	Ver.	Action By	Action	Result
2/10/2022	*	City Council	Introduced by Council	
2/10/2022	*	City Council	Referred to Comm by Council	
3/28/2022	*	Committee on Fire and Emergency Management	Hearing Held by Committee	
3/28/2022	*	Committee on Fire and Emergency Management	Laid Over by Committee	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 29

By Council Members Powers, Velázquez, Menin and Louis

A Local Law to amend the New York city fire code, in relation to outdoor gas fueled heating devices

Be it enacted by the Council as follows:

Section 1. Section 313.5.2.1 of the New York City fire code is amended to read as follows:

**313.5.2.1 Portable [natural] gas heaters.** Portable space heaters fueled by piped natural, or liquefied petroleum, gas may be stored, handled and used for outdoor use when designed, installed, operated and maintained in accordance with this code, including FC 313.6, the rules and the construction codes, including the Building Code.

§ 2. Section 313.6 of the New York City fire code is amended to read as follows:

**313.6 Portable [natural] gas heaters.** Portable space heaters fueled by piped natural, or liquefied

petroleum, gas shall be designed, operated and maintained in accordance with FC 313.6.1 through [313.6.5] 313.6.7.

**313.6.1 Clearance to buildings.** Heaters shall be located outdoors and at least 5 feet (1524 mm) from any building or structure.

**313.6.2 Clearance to combustible materials.** Heaters shall not be located beneath, or closer than 5 feet (1524 mm) to combustible decorations and combustible overhangs, awnings, sun control devices or similar combustible attachments to buildings or structures.

**313.6.3 Proximity to exits.** Heaters shall not be located within 5 feet (1524 mm) of exits or exit discharges.

**313.6.4 Tip-over switch.** Heaters shall be equipped with a tilt or tip-over switch that automatically shuts off the flow of gas if the appliance is tilted more than 15 degrees (0.26 rad) from the vertical.

**313.6.5 Guard against contact.** The heating element or combustion chamber of heaters shall be permanently protected so as to prevent accidental contact by persons or material.

**313.6.6 Installation and maintenance.** Liquefied petroleum-fueled heaters shall be installed and maintained in accordance with the manufacturer's instructions.

**313.6.7 Gas containers.** Fuel gas containers for portable outdoor gas-fired heaters shall comply with FC 313.6.7.1 through 313.6.7.

**313.6.7.1 Approved containers.** Only approved DOTn or ASME gas containers shall be used.

**313.6.7.2 Container replacement.** Replacement of fuel gas containers in portable outdoor gas-fired heaters shall not be conducted while the public is present.

**313.6.7.3 Container capacity.** The maximum individual capacity of gas containers used in connection with portable outdoor gas-fired heating appliances shall not exceed 20 pounds (9 kg).

**313.6.7.4 Indoor storage prohibited.** Gas containers shall not be stored inside of buildings.

§ 3. Item 12 of section 3805.3 of the New York city fire code is amended to read as follows:

12. store, handle or use LPG for [space heating or] water heating, except as authorized by the commissioner.

§ 4. This local law takes effect immediately.

Session 12

CP

LS #6363

2/3/22 3:22 PM

Session 11

JDK

LS #18233

Int. #2464-2021