



Legislation Text

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Int. No. 106-A

By Council Member Hanif, the Public Advocate (Mr. Williams), and Council Members Sanchez, Powers, Feliz, Riley, Yeger, Krishnan, Brannan, Williams, Won, Holden, Farías, Avilés, Ung, Abreu, Richardson Jordan, Gutiérrez, Hanks, De La Rosa, Schulman, Narcisse, Barron, Dinowitz, Nurse, Bottcher, Rivera, Joseph, Brewer, Velázquez, Ossé, Ayala, Cabán, Gennaro, Brooks-Powers, Menin and Ariola

A Local Law to amend the administrative code of the city of New York, in relation to the sale of electric space heaters

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 14 to read as follows:

SUBCHAPTER 14

SPACE HEATERS

§ 20-699.10 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Electric space heater. The term “electric space heater” means any electric portable device designed for space heating.

Stock keeping unit. The term “stock keeping unit” means each group of items offered for sale of the same brand name, quantity of contents, retail price and variety.

§ 20-699.11 Sale of electric space heaters. a. No person shall distribute, sell or offer for sale an electric space heater unless such electric space heater:

1. Is equipped with a thermostat and such thermostat is disclosed on packaging for such space heater;
2. Is equipped with an automatic function that disables such space heater upon overheating or tipping

over and such automatic function is disclosed on packaging for such space heater;

3. Has been listed and labeled by a nationally recognized testing laboratory or other approved organization, as required by section 605.10.1 of the New York city fire code and such labeling is disclosed on packaging for such space heater.

b. Penalty. A person who violates subdivision a of this section or any rule promulgated thereunder is liable for a civil penalty as follows:

1. For the first violation, a civil penalty of zero dollars; and

2. For any subsequent violations issued for the same offense within a period of two years of the date of a first violation, a civil penalty of not more than one thousand dollars.

c. Each failure to comply with subdivision a of this section with respect to any one stock keeping unit constitutes a separate violation.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of consumer and worker protection may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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