

Before the
New York State Public Service Commission

In the Matter of
Consolidated Edison Company of New York, Inc.

Case 19-G-0066

June 2019

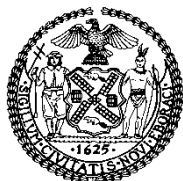
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THE COUNCIL

Committee Report of the Infrastructure Division

Matt Gewolb, Legislative Director

Jeffrey Baker, Deputy Director, Infrastructure Division

Committee on Housing and Buildings

Jumaane D. Williams, Chair

April 12, 2016

INT. NO. 0738:

By Council Members Levine, Crowley, Ferreras-Copeland, Mendez, Cohen, Constantinides, Vallone, Palma, Cornegy, Johnson, Gentile, Rosenthal, Torres, Lancman, Van Bramer, Richards, Cabrera, Espinal, Kallos, Gibson, Vacca, Dromm, King, Reynoso, Chin, Koslowitz, Rodriguez and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to a gas qualification for journeyman plumbers.

ADMINISTRATIVE CODE:

Adds new sections 28-409.5 through 28-409.12.

INT. NO. 1079:

By The Speaker (Council Member Mark-Viverito) and Council Members Williams, Palma, Richards, Rodriguez and Crowley

TITLE:

To amend the administrative code of the city of New York, in relation to final inspections of gas piping systems

ADMINISTRATIVE CODE:

Amends section 28-116.2.4.2

INT. NO. 1088:

By Council Members Espinal, Williams, Levine, Palma, Rose, Richards, Rodriguez, Crowley, Constantinides and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to periodic inspections of gas piping systems

ADMINISTRATIVE CODE:

Adds a new article 318 to chapter 3 of title 28

INT. NO. 1090:

By Council Members Gibson, Williams, Palma, Dickens, Rose, Richards, Gentile, Rodriguez and Crowley

TITLE:

To amend the administrative code of the city of New York, in relation to requiring owners to provide notice to their tenants regarding procedures that should be followed when a gas leak is suspected

ADMINISTRATIVE CODE:

Adds a new subsection f to Article 1 of subchapter 2 of chapter 2 of title 27

INT. NO. 1093:

By Council Members Mendez, Crowley, Williams, Palma, Dickens, Richards, Gentile, Rodriguez and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to requiring gas service providers and owners to notify the department of

buildings within twenty-four hours when gas service is shut-off or not restored due to safety concerns

ADMINISTRATIVE CODE:

Add new section 28-119.4 to article 119 of chapter 1 of title 28

INT. NO. 1094:

By Council Members Richards, Williams, Palma, Dickens, Gentile, Rodriguez, Crowley and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to identifying the factors indicating gas-related violations in residential and commercial buildings

ADMINISTRATIVE CODE:

Adds Administrative Code § 24-424

INT. NO. 1098:

By Council Members Rodriguez, Williams, Richards, Palma, Dickens and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to requiring annual reports on the state of the gas infrastructure in the city

ADMINISTRATIVE CODE:

Adds a new section 24-424.

INT. NO. 1100:

By Council Members Vacca, Williams, Palma, Richards, Gentile and Rodriguez

TITLE:

To amend the administrative code of the city of New York and the New York city building code, in relation to requiring natural gas alarms in dwelling units

ADMINISTRATIVE CODE:

Repeals and replaces sections 27-2045, 27-2046, 27-2046.1, and 27-2046.2 of the Administrative Code; amends article 312 of title 28 of the Administrative Code; adds a new section 28-315.2.3 to the Administrative Code; amends sections BC 202, 902.1, 908.7.1.1.2, and Chapter 35 of the New

York City Building Code; adds a new section 908.10 to the New York City Building Code

INT. NO. 1101:

By Council Member Williams, Palma, Richards, Gentile, Rodriguez and Ulrich

TITLE:

In relation to a temporary waiver of fines for improper fuel gas-piping alterations and installations

ADMINISTRATIVE CODE:

N/A

INT. NO. 1102:

By Council Members Williams, Richards, Levine, Cabrera, Palma, Gentile and Rodriguez

TITLE:

A Local Law to amend the administrative code of the city of New York, in relation to designating violations of existing law regarding gas piping systems as “immediately hazardous”

ADMINISTRATIVE CODE:

Adds a new section 28-201.2.1(17), adds a new section 28-201.2.1(18), adds a new section 28-201.2.1(19)

Introduction

On April 12, 2016, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams will hold a hearing to consider Int. No. 738, Int. No.1079, Int. No. 1088, Int. No. 1090, Int. No. 1093, Int. No. 1094, Int. No. 1098, Int. No. 1100, Int. No. 1101 and Int. No. 1102. The Committee expects to hear testimony from representatives of the Department of Buildings (DOB), the Department of Housing Preservation and Development (HPD), industry experts, property owners, and other interested members of the public.

Background

In the past two years, there have been three major gas-related explosions in New York City. In response to those explosions, the City Council has introduced a package of legislation with the goal of improving gas safety, which will be discussed individually in further detail below.

Background on Recent Gas Explosions

East Harlem Explosion

The East Harlem explosion, reported on March 12, 2014 at 9:30 AM, collapsed two buildings at 1644 and 1646 Park Avenue.¹ The smell of gas was originally reported to Con Edison at 9:06 AM, who dispatched a team at 9:15 AM. The team was in route when the explosion occurred.² Con Edison also called the Fire Department at 9:19 AM but subsequently withdrew the phone call. The Fire Department arrived four minutes after the explosion occurred, at 9:34 AM. By 1:44 PM, Con Edison and the City were able to turn off the gas flow to the block

¹ Polson, Jim, and Mark Chediak. "NTSB Finds Gas Pipe Leak Near Fatal New York Building Blast." Bloomberg, March 19, 2014: <http://www.bloomberg.com/news/articles/2014-03-18/ntsb-finds-leak-on-gas-pipe-near-new-york-city-building-blast>.

² National Transportation Safety Board. *Board Meeting: Natural Gas Explosion in the East Harlem section of New York*. June 9, 2015. http://www.nts.gov/news/events/Pages/2015_Manhattan_BMG.aspx.

where the accident occurred.³ The gas explosion resulted in 8 persons dying, more than 50 injured and more than 100 families displaced.⁴

The National Transportation Safety Board (NTSB) sent a team to investigate the scene. The NTSB is an independent federal agency that is charged by Congress to investigate every civil aviation accident in the United States and significant accidents on other forms of transportation that includes railroad, highway, marine and pipeline.⁵

The NTSB concluded that the explosion would not have happened if Con Edison's gas pipes were welded properly. The improperly welded joint between a service tee and a 9 inch diameter HDPE natural gas pipe (plastic pipe) caused the gas leak.⁶ The incomplete fusion of the pipes was due to surface contamination and resulted in a weak joint.⁷ This allowed for the leaking natural gas to flow undetected and underground into the building. The NTSB also determined that a gaping hole in the nearby sewer line may have been a contributing factor.⁸ Additional pressure was put on the joint when the soil that supported the plastic pipe washed away into the damaged sewer line.⁹ The City knew about the condition of the sewer line since 2006.¹⁰

Con Edison disputed the NTSB investigators' findings. Con Edison did acknowledge that the weld was flawed but claims that the natural gas that caused the explosion was from a

³ *Id.*

⁴ *Id.*

⁵ National Transportation Safety Board. *About the National Transportation Safety Board.* <http://www.nts.gov/about/Pages/default.aspx>.

⁶ National Transportation Safety Board. *Safety Through Reliable Fusion Joints.* June 2015. http://www.nts.gov/safety/safety-alerts/Documents/SA_047.pdf.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

different crack that the investigators found.¹¹ Con Edison is also blaming the City for failure to maintain the sewer and water mains near their gas pipes.¹² The City claims that there was not enough evidence to place any blame on the damaged sewer main line. The sewer main sits more than a dozen feet below the gas main line and has been there longer than any of Con Edison pipes.¹³

As result of the investigation, NTSB issued six recommendations. One of the recommendations was to the New York State Public Service Commission (PSC), four were to Con Edison and one to the City of New York. NTSB recommended that the PSC revise their gas utility operator program to ensure that all elements of the regulations are included in the 5 year audit plan.¹⁴ NTSB recommended that Con Edison: 1) revise their pipe fusion welding procedure to require cleaning of the surfaces to be welded; 2) revise their plastic fusion welding procedure to specify that the solidified beads should be visually examined after completing a joint to ensure that the beads are the same shapes and sizes; 3) the Gas Emergency Response Center staff should receive additional training and have clear written guidance on when the Fire Department should be promptly notified; 4) extend its gas main isolation valve installation program to include strategic locations where long distribution mains currently cannot be isolated which gives priority to pipelines in more densely populated areas.¹⁵ The NTSB also requested that the City implement a written program or procedure to ensure the integrity of sewer lines, repair breaches

¹¹ McGeehan, Patrick. "Con Edison and New York City Are Faulted in East Harlem Explosion." *New York Times*, June 9, 2015: http://www.nytimes.com/2015/06/10/nyregion/consolidated-edison-is-largely-liable-in-deadly-east-harlem-explosion-regulators-find.html?_r=0.

¹² *Id.*

¹³ *Id.*

¹⁴ Hart, Christopher. "Safety Recommendation Letter to the New York State Public Service Commission." National transportation Safety Board. June 29, 2015. <http://www.nts.gov/safety/safety-recs/reclatters/P-15-038.pdf>

¹⁵ Hart, Christopher. "Safety Recommendation Letter to Con Edison." National transportation Safety Board. June 29, 2015. <http://www.nts.gov/safety/safety-recs/reclatters/P-15-034-037.pdf>

in a timely manner and coordinate with other agencies to identify and address potential soil disruption.¹⁶

East Village Explosion

On March 26, 2015 an explosion occurred at 121 Second Avenue around 3:17 PM. It was reported that 2 persons died and 22 persons were injured. The fire escalated to seven alarms within an hour of the explosion which resulted in 250 firefighters on the scene.¹⁷ The explosion ended up destroying 3 buildings and damaged 1 additional building.¹⁸

Before the explosion, the property owner's plumber was conducting work to upgrade the gas service for the building. Con Edison was at the site to check on a planned meter installation about an hour before the explosion. The work failed the inspection and gas could not be introduced to the residential units.¹⁹ The owner and general contractor remained in the building to work on the gas lines but left the building a few minutes before the building exploded.²⁰

The investigation of the East Village Explosion also revealed that in August 2014 Con Edison became aware of a gas leak at this same building during a routine gas meter inspection. The Con Edison worker called the utility company to inspect the gas smell. They found a hose had been attached to the gas line that served a restaurant was leaking.²¹ Con Edison deemed it as a hazardous situation and shut the gas off for 10 days until it was determined safe. One month after the inspection, Con Edison included the building in a list that had gas leaks to Department

¹⁶ Hart, Christopher. "Safety Recommendation Letter to Mayor De Blasio." *National Transportation Safety Board*. June 29, 2015. <http://www.nts.gov/safety/safety-recs/recletters/P-15-033.pdf>

¹⁷ CBS News. March 26, 2016. <http://www.cbsnews.com/news/explosion-collapses-building-in-ny/>

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Jacobs, Shayna; Brown, Stephen. General Contractor, home owners, plumber face manslaughter charges in connection to 2015's deadly East Village Explosion. *New York Daily News*. February 12, 2016

²¹ McGeehan, Patrick and Flegenheimer, Matt. East Village Explosion Reveals Problems in City's Inspection System. *New York Times*. April 3, 2015. <http://www.nytimes.com/2015/04/04/nyregion/east-village-gas-explosion-reveals-problems-in-citys-inspection-system.html>

of Buildings. However, the notice did not mention that there was unauthorized tapping to the gas line.²²

John F. Kennedy High School Explosion

On August 21, 2015, a gas explosion occurred at John F. Kennedy High School at 8:09 PM.²³ Contractors were working on the school's science labs which was part of a project by the School Construction Authority through a private contractor. One of the contractors decided to check the gas leak by lighting a match.²⁴ This set off an explosion at the high school which damaged the school's fourth, fifth and sixth floors.²⁵ DOB issued a partial vacate order at the damaged locations.²⁶ Three contractors were injured during the explosion.

Brooklyn Explosion

On October 3, 2015, another explosion occurred in Brooklyn at 4206 13th Avenue. It was initially believed that the removal of a stove may have sparked a gas explosion.²⁷ City officials investigating the scene concluded that a meter measuring the gas flow into the apartment was turned off.²⁸ Also, the video of the explosion showed a quickly moving fire that showed thick black smoke which is not common for a gas explosion.²⁹ According to a fire official, a thick black smoke is usually associated with fuel or gasoline. Housing court records showed that a judgement was reached against the tenant and a city marshal was assigned to execute the

²² *Id.*

²³ Mai, Andy; Slattery, Denis; NH, Alfred. Explosion rocks JFK High School in the Bronx, three workers hurt; New York Daily News. August 21, 2015. <http://www.nydailynews.com/new-york/bronx/explosion-rocks-jfk-high-school-bronx-3-hurt-article-1.2332695>

²⁴ *Id.*

²⁵ *Id.*

²⁶ New York City Department of Buildings. Overview for Complaint #:2215653. <http://a810-bisweb.nyc.gov/bisweb/OverviewForComplaintServlet?requestid=2&vlcompdetlkey=0001892455>

²⁷ Eisinger, Dale; Villasenor, Maria; Tracy, Thomas; Explosion at Brooklyn building that killed one woman may have been caused by tenants removing high-end stove: officials. New York Daily News. October 5, 2015

²⁸ Baker, Al; Goodman, David. Natural Gas Not the Cause of Deadly Brooklyn Explosion, New York Times. October 8, 2015

²⁹ *Id.*

warrant.³⁰ The cause of the explosion is still under investigation but city officials said that it would be unfair to label the explosion a suicide. The blast displaced dozens of residents. Two persons died and 13 persons were injured due to the explosion.³¹

Int. No. 738

Int. No. 738 would create a journeyman plumber gas qualification system. It would also bar journeyman plumbers from fabricating, assembling, installing, repairing, servicing, testing or performing maintenance on fuel gas piping systems unless they have a valid gas qualification.

Section one of Int. No. 738 would amend Article 409 of chapter 4 of title 28 of the Administrative Code of the City of New York (the Code) by adding new sections 28-409.5 through 28-409.13. Article 409 lays out the requirements for registration of an applicant as a journeyman plumber. New section 28-409.5, entitled “Gas qualification,” would allow applicants for such registration to also apply for a gas qualification.

New section 28-409.6, entitled “Experience,” would require applicants for a gas qualification to have a minimum of 200 hours of experience in the performance of gas work or to have completed a New York State-recognized training program. It would also define gas work to mean the fabrication, assembly, installation, removal, repair, modification, testing or maintenance of fuel gas piping systems.

New section 28-409.7, entitled “Examination requirements for a gas qualification,” would require applicants to pass a written examination approved by the Commissioner of Buildings (the Commissioner). New section 28-409.8, entitled “Terms of gas qualification,” would require such qualifications to expire every three years. New Section 28-409.9, entitled

³⁰ *Id.*

³¹ *Id.*

“Registration card with gas qualification,” would require the journeyman registration card to state when the gas qualification expires.

New section 28-409.10, entitled “Continuing education,” would require the Commissioner to promulgate rules requiring applicants for the renewal of a gas qualification to complete a prescribed number of hours of continuing education courses.

New section 28-409.11 is entitled “Journeyman plumber gas qualification required” and requires that in order to perform gas work individuals must be licensed master plumbers, registered journeyman plumbers with valid gas qualifications, or plumber apprentices registered in accordance with New York State Labor Law article 23.

New section 28-409.12 entitled “Penalties” would make it unlawful to perform gas work in violation of new section 28-409.11.

New section 28-409.13, entitled “Gas utility corporations,” would clarify that this section would not apply to gas work performed, serviced and maintained by utility corporations and subject to the jurisdiction of the New York State Public Service Commission.

Section two of Int. No. 738 contains the enactment clause and provides that the law takes effect 180 days after it becomes law.

Int. No. 1079

Int. No. 1079 would prohibit an individual from being able to “self-certify” work if it was determined by DOB that such individual had, within the previous 5 years, worked on a gas piping system without a permit. DOB would also be required to make a list of such persons publicly available on its website.

Section one of Int. No. 1079 would add an exception to section 28-116.2.4.2 of the Code. Section 28-116.2.4.2 allows final inspections for permitted work which does not require the

issuance of a certificate of occupancy to be performed by an approved agency. The new exception would bar such final inspections from being performed by a person found by the department to have performed work on gas piping systems without a permit within the previous five years. It would also require DOB to make a list of such persons publicly available on its website.

Section two of Int. No. 1079 contains the enactment clause and provides that the law takes effect 120 days after it becomes law.

Int. No. 1088

Int. No. 1088 would require owners of buildings with gas piping systems to have such systems periodically inspected by licensed master plumbers.

Section one of Int. No. 1088 would add a new Article 318, entitled “Periodic Inspection of Gas Piping Systems” to chapter 3 of title 28 of the code. New section 28-318.1, entitled “General,” would require building gas piping systems, other than gas piping systems in one and two family homes, to be periodically inspected.

New section 28-318.2, entitled “Frequency of inspection,” would require such inspections to be conducted at least once every four years. It would also require the initial inspection for a new building to be conducted in the tenth year following the issuance date of a temporary or final certificate of occupancy.

New section 28-318.3, entitled “Inspection process,” would require such inspections to be done in accordance with new sections 28-318.3.1 through 28-318.3.5. New section 28-318.3.1, entitled “Inspection entities,” would require such inspections to be conducted by or under the direct supervision of a licensed master plumber. New section 28-318.3.2, entitled “Scope,” would require such inspections to include an examination of all exposed gas lines from point of

entry into a building up to individual tenant spaces for evidence of excessive atmospheric corrosion or piping deterioration, illegal connections and non-code compliant installations. It would also require testing of public spaces, hallways, corridors and mechanical and boiler rooms with a portable combustible gas detector.

New section 28-318.3.3 entitled “Report on inspection” would require inspection reports to be submitted to DOB within 60 days of such inspections. It would require such inspection reports to include a listing of potential violations, instances where parts of a gas piping system have worn to such an extent that the safe and reliable operation of such system may be affected, and gas leaks. It would also require copies of such reports to be kept on file for at least eight years after the date of inspection.

New section 28-318.3.4 entitled “Reporting an unsafe or hazardous condition” would require individuals conducting such inspections to notify the owner, the utility and DOB immediately if the inspection reveals a gas leak, evidence of illegal connections or non-code compliant installations or any other condition that is unsafe or hazardous to life and safety.

New section 28-318.3.5 entitled “Repair of defects” would require the building owner to correct all defects and violations identified in the inspection report.

Section two of Int. No. 1088 contains the enactment clause and provides that the law takes effect 120 days after it becomes law.

Int. No. 1090

Int. No. 1090 would require owners to instruct their tenants to call 911 and their gas service providers, prior to informing such owners, when a gas leak is suspected.

Section one of Int. No. 1090 would amend section 27-2005 of the code, which contains certain duties and obligations that owners have, by adding a new subsection f which would

require an owner to deliver or cause to be delivered to each tenant and prospective tenant, along with the lease or lease renewal form for such tenant or prospective tenant, and to post and maintain in a common area of the building containing such dwelling, a notice regarding the procedures that should be followed when a gas leak is suspected. Such notice shall instruct the tenants to first call 911 and then call the relevant gas service provider before contacting such owner or an agent thereof when a gas leak is suspected.

Section two of Int. No. 1090 contains the enactment clause and provides that the law takes effect 90 days after it becomes law.

Int. No. 1093

Int. No. 1093 would require gas service operators and owners to notify DOB within twenty-four hours when gas service is shut-off or not restored due to safety concerns.

Section one of Int. No. 1093 would amend Article 119 of chapter 1 of title 28 of the code, which contains provisions that relate to service utilities, by adding a new section 28-119.4, entitled “Notification of gas shut-off or non-restoration after inspection”. This new section would require gas service providers and owners to notify DOB within twenty-four hours when gas service is shut-off or not restored due to safety concerns.

Section two of Int. No. 1093 contains the enactment clause and provides that the law takes effect 90 days after it becomes law.

Int. No. 1094

Int. No. 1094 would require an agency or office designated by the mayor to identify a set of factors which indicate the presence of gas-related violations that pose risks to health, safety or property. The bill would also require such designated agency to submit a report to the council on using such factors to target enforcement.

Section one of Int. No. 1094 would amend chapter 4 of title 24 of the Code, which contains provisions relating to gas and electric lines, by adding a new section 24-424 entitled “Identification of gas safety risk factors.” Subdivision a of new section 24-424 which would require an agency or office designated by the mayor to identify risk factors that correlate to or otherwise indicate a violation of any law or rule that (i) relates to the delivery by pipe, or usage of, gas in residential or commercial buildings and (ii) poses a hazard to health and safety or a risk of damage to property. Such risk factors may include, but are not limited to, unusual gas usage for a building based on its historic usage or usage for buildings of similar size, type or occupancy.

Subdivision b of new section 24-424 would require such designated agency or office, in developing such risk factors, to seek the cooperation of each gas corporation that owns, operates or manages a gas plant located in whole or in part in the city.

Subdivision c of new section 24-424 would require that by July first in each year, beginning in 2017, such designated office or agency submit to the mayor and the speaker of the council, and make publicly available online, a report on how the city has made use of such risk factors in targeting enforcement of laws and rules relating to the delivery by pipe or usage of gas in residential and commercial buildings and the efficacy of such targeted enforcement.

Section two of Int. No. 1094 contains the enactment clause and provides that the law takes effect immediately.

Int. No. 1098

Int. No. 1098 would require that gas utilities provide annual reports on the location, age, condition, and material of the various parts of the gas infrastructure in the city. The bill would also require that such utilities report on work done and planned work on such infrastructure.

Section one of Int. No. 1098 would amend chapter 4 of title 24 of the Code, which contains provisions relating to gas and electric lines, by adding a new section 24-424 entitled “Annual report concerning gas infrastructure.” New section 24-424 would require that each gas corporation that owns, operates, or manages a gas plant in New York City submit a yearly report to the Commissioner of transportation by July 1 of each year starting in 2017. Such report would be required to contain a map of the portion of the gas plant that is located in the city, and each pipe that is located in the city and controlled by the corporation. Such report would also have to include for each component of such plant and each such pipe the location of such component or pipe, the age and the manufacturer’s useful life of such component or pipe, the material such pipe is made of, the condition of such pipe, a description of any work performed on such component or pipe during the reporting year, and a description of any planned work and the anticipated timeline for such work. Such report would also have to include any additional information the Commissioner of transportation may require by rule.

Section two of Int. No. 1098 contains the enactment clause and provides that this local law take effect immediately.

Int. No. 1100

Int. No. 1100 would require natural gas alarms to be installed, maintained, and periodically replaced in dwelling units.

Section one of Int. No. 1100 would amend Article 11 of title 27 of the Code which outlines the requirements for protective devices and fire protection devices in residential buildings. The amendments to Article 11 would require owners of residential dwellings to provide and install natural gas detectors in the same manner as smoke detectors and carbon monoxide detectors.

Section two of this legislation would amend Article 312 of title 28 of the Code which outlines requirements for the replacement of carbon monoxide and smoke alarms. The amendments to Article 312 would extend the replacement requirements for smoke alarms and carbon monoxide alarms to natural gas alarms.

Section three of Int. No. 1100 would add a new section 28-315.2.3 to Article 315 of title 28 of the Code. Article 315 contains a list of the retroactive requirements for the New York City Building Code (the Building Code) and other Construction Codes. New section 28-315.2.3 would require natural gas alarms to be provided and installed in all dwelling units by May 1, 2017. It would, however, provide an exception for existing buildings to the power source and interconnection requirements.

Section four of this legislation would amend section 202 of the Building Code, which contains definitions, by defining natural gas alarms.

Section five of Int. No. 1100 would amend section 902.1 of the Building Code, which contains definitions, by defining natural gas alarms as single- or multiple-station alarms responsive to natural gas.

Section six of Int. No. 1100 would make technical amendments to section 908.7.1.1.2 of the Building Code which covers installation requirements for carbon monoxide alarms.

Section seven of this legislation would amend section 908 of the Building Code by adding a new section 908.10. Section 908 contains the technical requirements for emergency alarm systems. New section 908.10 would require natural gas alarms to be provided and installed in accordance with new section 908.10.1 and 908.10.2. New section 908.10.1 would require that natural gas alarms listed in accordance with UL 1484 be provided and installed in all

dwelling units. New section 908.10.2 would mandate that natural gas alarms comply with power source, interconnection and acceptance testing requirements.

Section eight of this legislation would amend chapter 35 of the Building Code by adding a new standard reference number, UL 1484 of Underwriters Laboratories (UL).

Section nine of Int. No. 1100 contains the enactment clause and provides that this local law shall take effect on January 1, 2017, except that it shall not apply to work related to applications for construction document approval filed prior to such effective date.

Int. No. 1101

Int. No. 1101 would allow for a temporary waiver of fines for improper fuel gas-piping alterations and installations.

Subdivision a of section one of Int. No. 1101 would require the Commissioner to establish a temporary fuel gas violation resolution program. This program would allow owners of buildings with fuel gas piping installations that are in violation of the construction codes or rules promulgated pursuant thereto, to bring these systems or appliances into compliance with the codes without imposing any penalties.

Subdivision b of Int. No. 1101 would restrict eligibility for the program to building owners who own one or more buildings where the fuel gas piping systems have been installed in violation of the construction codes or applicable rules, and who begin work to bring these piping systems into compliance before the end of six months following the effective date of the law.

Subdivision c of this legislation would provide that no penalties will be imposed for violations relating to the fuel gas piping systems construction codes or the rules promulgated pursuant thereto following the effective date of the local law in buildings under the control of a building owner who is participating in this program.

Subdivision d would require the Commissioner to conduct outreach to building owners for participation in this program and post information regarding the program on DOB’s website.

Section two contains the enactment clause, and provides that this local law takes effect 120 days after it becomes law.

Int. No. 1102

Int. No. 1102 would designate violations of existing law regarding gas piping systems as “immediately hazardous”.

Section one would add new items 17, 18, and 19 to section 28-201.2.1 of the Code, which specifies immediately hazardous violations. These items would make violations issued for supplying or installing gas without a permit, operating an altered or newly-installed gas piping system without first notifying the utility company, and operating an altered or newly-installed gas piping system without first completing a compliance inspection immediately hazardous

Section two contains the enactment clause, which provides that this local law takes effect 120 days after it becomes law.

Int. No. 738

By Council Members Levine, Crowley, Ferreras-Copeland, Mendez, Cohen, Constantinides, Vallone, Palma, Cornegy, Johnson, Gentile, Rosenthal, Torres, Lancman, Van Bramer, Richards, Cabrera, Espinal, Kallos, Gibson, Vacca, Dromm, King, Reynoso, Chin, Koslowitz, Rodriguez and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to a gas qualification for journeyman plumbers.

Be it enacted by the Council as follows:

Section 1. Article 409 of chapter 4 of title 28 is amended by adding new sections 28-409.5 through 28-409.13 to read as follows:

§28-409.5 Gas qualification. The applicant for a journeyman plumber registration or the holder of a journeyman plumber registration may apply for a gas qualification to be added to the journeyman plumber registration. A gas qualification shall be added to the journeyman plumber registration by the commissioner when an applicant satisfactorily complies with the experience and examination requirements of this article and provides proof of same in a form acceptable to the department.

§28-409.6 Experience. An applicant for a gas qualification shall have a minimum of 200 hours of experience in the performance of gas work in the direct employ of and under the direct and continuing supervision of a master plumber licensed in accordance with the provisions of 28-408; or in the case of a city agency, a supervising licensed master plumber; or shall have satisfactorily completed a New York State-recognized training program. For the purposes of this section, “gas work” shall mean the fabrication, assembly, installation, removal, repair, modification, testing or maintenance of fuel gas piping systems to be utilized within buildings at any pressure.

§28-409.7 Examination requirements for a gas qualification. The applicant for a journeyman plumber registration or the holder of a journeyman plumber registration applying for a gas qualification shall pass a written examination approved by the commissioner.

§28-409.8 Terms of gas qualification. A journeyman plumber gas qualification issued by the commissioner for which an examination is required under the provisions of this section shall expire three years from the date of issuance thereof, and may be renewed every three years thereafter without examination.

§28-409.9 Registration card with gas qualification. The journeyman registration card, when a gas qualification is added, shall clearly state: “Gas Qualification - Expires on MM/DD/YYYY.”

§28-409.10 Continuing education. The commissioner shall promulgate rules to require applicants for the renewal of the journeyman plumber gas qualification to complete a prescribed number of hours of continuing education courses approved by the department within the term preceding the application for renewal and to provide proof of same in a form acceptable to the department. Such proof, when required, shall be submitted with the application for renewal.

§28-409.11 Journeyman plumber gas qualification required. It shall be unlawful for an individual to fabricate, assemble, install, repair, service, test or maintain fuel gas piping systems to be utilized within buildings at any pressure unless such individual is:

1. a licensed master plumber in accordance with the provisions of 28-408;
2. a registered journeyman plumber with a valid gas qualification under the provisions of 28-409 and such individual is working in the direct employ of and under the direct and continuing supervision of a licensed master plumber; or in the case of a city agency, a supervising licensed master plumber; or

3. a plumber apprentice registered in accordance with New York state labor law article 23 working in conjunction with a registered journeyman plumber with a gas qualification and working in the direct employ of and under the direct and continuing supervision of a licensed master plumber.

§28-409.12 Penalties. It shall be unlawful for any person to knowingly permit or cause an individual who has not been registered as qualified under this section to fabricate, assemble, install, remove, repair, modify, test, or maintain fuel gas piping systems to be utilized within buildings at any pressure. In the case of continuing violations each day of continuance shall be a separate and distinct offense.

§28-409.13 Gas utility corporations. The provisions of this section shall not apply to the installation or alteration of gas service piping and gas meter piping, including meters, valves, regulators or related equipment, when such work is to be performed, serviced and maintained by utility corporations and subject to the jurisdiction of the New York State Public Service Commission.

§2. This local law shall take effect one hundred and eighty days after its enactment, except that the commissioner shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Int. No. 1079

By The Speaker (Council Member Mark-Viverito) and Council Members Williams, Palma, Richards, Rodriguez, Crowley, Rosenthal and Mendez

A Local Law to amend the administrative code of the city of New York, in relation to final inspections of gas piping systems

Be it enacted by the Council as follows:

Section 1. Section 28-116.2.4.2 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding an exception to read as follows:

Exception: Such final inspection shall not be performed by a person found by the department to have performed work on gas piping systems without a permit within the previous five years. The department shall make a list of such persons publicly available on its website.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings shall take such steps as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

LS# 4663
JCH
2/19/16

Int. No. 1088

By Council Members Espinal, Williams, Levine, Palma, Rose, Richards, Rodriguez, Crowley, Constantinides, Rosenthal, Mendez, Ulrich and Borelli

A Local Law to amend the administrative code of the city of New York, in relation to periodic inspections of gas piping systems

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 318 to read as follows:

ARTICLE 318
PERIODIC INSPECTION OF GAS PIPING SYSTEMS

§ 28-318.1 General. Building gas piping systems, other than gas piping systems of buildings classified in occupancy group R-3, shall be periodically inspected in accordance with this article.

§ 28-318.2 Frequency of inspection. An inspection of a building's gas piping system shall be conducted at periodic intervals as set forth by rule of the commissioner, but such inspection shall be conducted at least once every four years. The initial inspection for a new building shall be conducted in the tenth year following the issuance date of a temporary or final certificate of occupancy or as otherwise prescribed by rule.

§ 28-318.3 Inspection process. Gas piping systems shall be inspected and tested in accordance with sections 28-318.3.1 through 28-318.3.5.

§ 28-318.3.1 Inspection entities. Inspections of gas piping systems shall be conducted on behalf of the building owner by or under the direct supervision of a licensed master plumber with appropriate qualifications as prescribed by the department.

§ 28-318.3.2 Scope. At each inspection, in addition to the requirements prescribed by this article or by the department, all exposed gas lines from point of entry of gas piping into a building, including building service meters, up to individual tenant spaces shall be inspected for evidence of excessive atmospheric corrosion or piping deterioration, illegal connections, and non-code compliant installations. The inspection entity shall also test public spaces, hallways, corridors, and mechanical and boiler rooms with a portable combustible gas detector to determine if there is any gas leakage in excess of industry standards.

§ 28-318.3.3 Report on inspection. Inspection reports, signed by the inspector performing the inspection and the building owner, shall be submitted to the department on such forms and in such manner as required by the department within 60 days of the inspection. Each

inspection report shall include, for each gas piping system inspected, a listing of potential violations, instances where parts of such system have worn to such an extent that the safe and reliable operation of such system may be affected, gas leaks and any additional information required by the department. A copy of the report shall be delivered to the building owner within 30 days of the inspection. All reports shall be kept on file by the inspection entity and the building owner for at least eight years after the date of inspection.

§ 28-318.3.4 Reporting an unsafe or hazardous condition. If an inspection reveals any of the following conditions, the inspection entity shall notify the owner, the utility and the department immediately:

1. A gas leak;
2. Evidence of illegal connections or non-code compliant installations; or
3. Any other condition that is unsafe or hazardous to life and safety.

§ 28-318.3.5 Repair of defects. The building owner shall correct all defects and violations identified in the inspection report.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

JW
LS 4678
2/16/16 203PM

Int. No. 1090

By Council Members Gibson, Williams, Palma, Dickens, Rose and Richards

A Local Law to amend the administrative code of the city of New York, in relation to requiring owners to provide notice to their tenants regarding procedures that should be followed when a gas leak is suspected

Section 1. Section 27-2005 of the administrative code of the city of New York is amended by adding a new subsection f to read as follows:

f. The owner of a dwelling shall deliver or cause to be delivered to each tenant and prospective tenant of such dwelling, along with the lease or lease renewal form for such tenant or prospective tenant, and shall post and maintain in a common area of the building containing such dwelling, a notice, in a form developed or approved by the department, regarding the procedures that should be followed when a gas leak is suspected. Such notice shall instruct the tenants to first call 911 and then call the relevant gas service provider, whose name and emergency phone number shall be set forth on such notice, before contacting such owner or an agent thereof when a gas leak is suspected.

§ 2. This local law takes effect 90 days after it becomes law.

EAA/GP
LS 4711
11/10/15 2:55PM

Int. No. 1093

By Council Members Mendez, Crowley, Williams, Palma, Dickens and Richards

A Local Law to amend the administrative code of the city of New York, in relation to requiring gas service providers and owners to notify the department of buildings within twenty-four hours when gas service is shut-off or not restored due to safety concerns

Be it enacted by the Council as follows:

Section 1. Article 119 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-119.4:

§ 28-119.4 Notification of gas shut-off or non-restoration after inspection. Within 24 hours after gas service to a building is shut off by a utility company or utility corporation because of a class A or class B condition, as described in part 261 of title 16 of the New York codes, rules and regulations, and within 24 hours after gas service is, after an inspection by such a company or corporation, not restored because of such a condition, such company or corporation and the owner of such building shall each provide notice to the department in a form and manner prescribed by the department.

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

EAA/GP
LS 4782
2/18/16 11:12 AM

Int. No. 1094

By Council Members Richards, Williams, Palma and Dickens

A Local Law to amend the administrative code of the city of New York, in relation to identifying the factors indicating gas-related violations in residential and commercial buildings

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-424 to read as follows:

§ 24-424 Identification of gas safety risk factors. a. An agency or office designated by the mayor shall identify risk factors that correlate to or otherwise indicate a violation of any law or rule that (i) relates to the delivery by pipe, or usage of, gas in residential or commercial buildings and (ii) poses a hazard to health and safety or a risk of damage to property. Such risk factors may include, but are not limited to, unusual gas usage for a building based on its historic usage or usage for buildings of similar size, type or occupancy.

b. In developing such risk factors, such designated agency or office shall seek the cooperation of each gas corporation, as such term is defined in section 2 of the public service law, that owns, operates or manages a gas plant, as such term is defined in such section, located in whole or in part in the city.

c. By July first in each year, beginning in 2017, such designated office or agency shall submit to the mayor and the speaker of the council, and make publicly available online, a report on how the city has made use of such risk factors in targeting enforcement of laws and rules relating to the delivery by pipe or usage of gas in residential and commercial buildings and the efficacy of such targeted enforcement.

§ 2. This local law takes effect immediately.

Int. No. 1098

By Council Members Rodriguez, Williams, Richards, Palma, Dickens and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring annual reports on the state of gas infrastructure in the city

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-424 to read as follows:

§ 24-424 Annual report concerning gas infrastructure. Each gas corporation, as such term is defined in section 2 of the public service law, that owns, operates or manages a gas plant, as such term is defined in such section, located in whole or in part in the city shall by July first in each year, beginning in 2017, submit to the commissioner of transportation a report that includes, at a minimum, the following information:

a. A map of the portion of such plant that is located in the city, including each pipe, as such term is defined in section 255.3 of title 16 of the New York codes, rules and regulations, that is located in the city and under the control of such corporation;

b. For each component of such plant and each such pipe:

1. The location of such component or pipe;

2. The age of such component or pipe, the manufacturer's useful life of such component or pipe;

3. The material such pipe is made of;

4. The condition of such component or pipe;

5. A description of any work performed on such component or pipe during the reporting year;

6. A description of any planned work to repair, improve or replace such component and the anticipated timeline for such work; and

7. Such other information as such commissioner may require by rule.

§ 2. This local law takes effect immediately.

LS # 2726
2/5/16 6:08PM

Int. No. 1100

By Council Members Vacca, Williams, Palma, Richards, Gentile and Rodriguez

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 natural gas alarms in dwelling units.

Be it enacted by the Council as follows:

Section 1. Sections 27-2045, 27-2046, 27-2046.1 and 27-2046.2 of the administrative code of the city of New York are REPEALED and a new section 27-2045 is added to read as follows:

§ 27-2045 Duties of owner and occupant with respect to installation and maintenance of smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices.

a. As used in this section, the following terms shall have the following meanings:

CLASS A MULTIPLE DWELLING. A “class A multiple dwelling” as defined in paragraph eight of subdivision a of section 27-2004 of this code except that such term shall include garden-type maisonette dwellings constructed before April eighteenth, nineteen hundred fifty-four.

GARDEN-TYPE MAISONETTE DWELLING. A dwelling project consisting of a series of dwelling units which together and in their aggregate are arranged or designed to provide three or more apartments, and are provided as a group collectively with all essential services such as, but not limited to, house sewers and heat, and which are operated as a unit under single ownership, notwithstanding that certificates of occupancy were issued for portions thereof as private dwellings, as such term is defined by paragraph six of subdivision a of section 27-2004 of this code.

PRIVATE DWELLING. A dwelling unit in a one-family or two-family home which is occupied by a person or persons other than the owner of such unit or the owner’s family.

b. The owner of a class A multiple dwelling or private dwelling shall:

(1) provide and install one or more approved and operational (i) smoke detecting devices as required by section 907.2 of the New York city building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code, as applicable; (ii) carbon monoxide detecting devices, as required by section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code, as applicable; and (iii) natural gas detecting devices, as required by section 908.10 of the New York city building code or section 28-315.2.3 of the administrative code of the city of New York, as applicable;

(2) replace such devices in accordance with article 312 of title 28 of the administrative code of the city of New York;

(3) replace any such device that has been stolen, removed, found missing or rendered inoperable except where the occupant is required to replace such device in accordance with subdivision c of this section;

(4) where any such device becomes inoperable within one year after installation due to a defect in the manufacture of such device and through no fault of the occupant of the dwelling unit in which such device is installed, the owner shall replace such device within thirty calendar days after receiving written notice that such device is inoperable;

(5) post in a common area or, for private dwellings, provide to the occupants thereof a notice indicating that (i) the owner is required by law to install one or more approved and operational smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices in each dwelling unit and to periodically replace such devices upon the expiration of their useful life; and (ii) each occupant is responsible for the maintenance and repair of such devices that are battery-operated and within his or her dwelling unit and for

replacing, in accordance with article 312 of title 28 of the administrative code of the city of New York, any or all such devices which are stolen, removed, missing or rendered inoperable during his or her occupancy of such dwelling unit;

(6) provide to at least one adult occupant of each dwelling unit in such dwelling information relating to (i) the risks posed by carbon monoxide poisoning and natural gas leaks; (ii) the testing and maintenance of smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices; (iii) what to do if such devices alert; (iv) the useful life of such devices; (v) the owner's duty to replace such devices pursuant to article 312 of title 28 of the administrative code of the city of New York; and (vi) the occupant's duty to maintain and repair such devices that are battery-operated and within his or her dwelling unit and replace any or all such devices within his or her dwelling unit that are stolen, removed, missing or rendered inoperable during his or her occupancy of the dwelling unit; provided further that the information provided in accordance with this paragraph may include material that is distributed by the manufacturer or material prepared or approved by the department of buildings; and

(7) keep such records as the commissioner shall prescribe relating to the installation and maintenance of smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices in the dwelling, including the manufacturer's suggested useful life of such devices, and make such records available to the commissioner upon request.

c. Notwithstanding the provisions of subdivision a of section 27-2005 and subdivision c of section 27-2006 of this chapter, the occupant of each dwelling unit in a class A multiple dwelling or private dwelling in which a battery-operated smoke detecting device, carbon monoxide detecting device or natural gas detecting device has been provided and installed shall:

(1) keep and maintain such device in good repair; and

(2) replace such device if it is stolen, removed, missing or rendered inoperable during the occupant's occupancy of such dwelling unit.

d. The owner of a class B multiple dwelling shall:

(1) provide and install (i) one or more approved and operational smoke detecting devices as required by section 907.2 of the New York city building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code, as applicable, or, in the alternative, a line-operated zoned smoke detecting system with central annunciation and central office tie-in for all public corridors and public spaces, in accordance with rules and regulations promulgated by the commissioner of buildings; (ii) one or more approved and operational carbon monoxide detecting devices, as required by section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code, as applicable, or, in the alternative, a line-operated zoned carbon monoxide detecting system with central annunciation and central office tie-in for all public corridors and public spaces, pursuant to rules promulgated by the commissioner in consultation with the department of buildings and the fire department; and (iii) one or more approved and operational natural gas detecting devices, as required by section 908.10 of the New York city building code or section 28-315.2.3 of the administrative code of the city of New York, as applicable;

(2) keep and maintain such devices in good repair and replace such devices in accordance with article 312 of title 28 of the administrative code;

(3) replace any such device that has been stolen, removed, found missing or rendered inoperable;

(4) keep such records as the commissioner shall prescribe relating to the installation and maintenance of such devices in the dwelling, including the manufacturer's suggested useful life of such devices, and make such records available to the commissioner upon request.

e. It shall be unlawful for any person to tamper with or render inoperable a required smoke detecting device, carbon monoxide detecting device or natural gas detecting device except to replace the batteries of such device or for other maintenance purposes.

f. The occupant of a dwelling unit within a class A multiple dwelling or private dwelling in which a battery-operated smoke detecting device, carbon monoxide detecting device or natural gas detecting device is newly installed or installed to replace a device that has exceeded the manufacturer's useful life or as a result of such occupant's failure to maintain such device or where such device has been lost or damaged by such occupant, shall reimburse the owner for the cost of such work up to a maximum of (i) twenty-five dollars for each smoke detecting device, carbon monoxide detecting device or natural gas detecting device; (ii) fifty dollars for each combined smoke and carbon monoxide detecting device, combined smoke and natural gas detecting device and combined carbon monoxide and natural gas detecting device and (iii) seventy-five dollars for each combined smoke, carbon monoxide and natural gas detecting device.

g. The provisions of this section may be enforced by the department, the department of buildings, the fire department and the department of health and mental hygiene.

§2. Article 312 of title 28 of the administrative code of the city of New York, as amended by local law number 112 for the year 2013, is amended to read as follows:

ARTICLE 312
CARBON MONOXIDE, [AND] SMOKE AND NATURAL GAS ALARMS

§ 28-312.1 **General.** Required carbon monoxide, [and] smoke and natural gas alarms shall comply with the provisions of this article.

§ 28-312.2[.] **Periodic replacement of carbon monoxide alarms.** Carbon monoxide alarms required pursuant to section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer's suggested useful life of the alarm.

Exception: A carbon monoxide alarm installed prior to the effective date of this article shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer's suggested useful life of the alarm or within 6 months after the effective date of this article, whichever is later.

§ 28-312.3[.] **Audible notification of expiration of useful life of carbon monoxide alarms.** All carbon monoxide alarms installed after the effective date of this article shall comply with UL 2034 and be of a type that emits an audible notification at the expiration of the useful life of such alarm.

§ 28-312.4 **Periodic replacement of smoke alarms.** Smoke alarms required pursuant to section 907.2 of the New York [City] city building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer's suggested useful life of the alarm.

Exception: A smoke alarm installed prior to the effective date of this section and whose end of useful life is not known shall be replaced with an alarm that complies with section 28-312.5 within 7 years after the effective date of this section.

§ 28-312.5 **Audible notification of expiration of useful life of smoke alarms.** All smoke alarms installed after the effective date of this section shall comply with UL 217, shall employ a non-removable, non-replaceable battery that powers the alarm for a minimum of 10 years, and shall be of the type that emits an audible notification at the expiration of the useful life of the alarm.

§ 28-312.6 Periodic replacement of natural gas alarms. Natural gas alarms required pursuant to section 908.10 of the New York city building code shall be replaced when the time elapsed since the installation of such detector exceeds the manufacturer's suggested useful life of the alarm.

§ 28-312.7 Audible notification of expiration of useful life of natural gas alarms. All natural gas alarms installed after the effective date of this section shall comply with UL 1484 and shall be of the type that emits an audible notification at the expiration of the useful life of the alarm.

§3. Section 28-315.2 of the administrative code of the city of New York, as added by local law number 141 for the year 2013, is amended by adding a new section 28-315.2.3 to read as follows:

§ 28-315.2.3 Natural gas alarms. Natural gas alarms shall be provided and installed in all dwelling units in accordance with section 908.10 of the New York city building code by May 1, 2017.

Exception: In existing buildings, natural gas alarms shall not be required to comply with the power source and interconnection requirements as required for smoke alarms in accordance with Sections 907.2.11.2 through 907.2.11.3.

§4. Section 202 of the New York city building code, as amended by local law number 141 for the year 2013, is amended by adding a new definition for “NATURAL GAS ALARM,” in appropriate alphabetical order, to read as follows:

NATURAL GAS ALARM. See Section 902.1.

§5. Section 902.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended by adding a new definition for “NATURAL GAS ALARM,” in appropriate alphabetical order, to read as follows:

NATURAL GAS ALARM. A single- or multiple- station alarm responsive to natural gas.

§6. Section 908.7.1.1.2 of the New York city building, as amended by local law number 141 for the year 2013, is amended to read as follows:

908.7.1.1.2 Installation requirements. Carbon monoxide alarms or detectors shall comply with the power source, interconnection[,] and acceptance testing requirements as required for smoke alarms in accordance with Sections 907.2.11.2 through 907.2.11.3 and Section 907.7.1.

§7. Section 908 of the New York city building code is amended by adding a new section 908.10 to read as follows:

908.10 Natural gas alarms. Natural gas alarms shall be provided and installed in accordance with Sections 908.10.1 and 908.10.2.

908.10.1 Dwelling units. Natural gas alarms listed in accordance with UL 1484 shall be provided and installed in all dwelling units. The department shall adopt rules and/or reference standards governing the installation and location of required natural gas alarms.

908.10.2 Additional installation requirements. Natural gas alarms shall comply with the power source, interconnection and acceptance testing requirements as required for natural gas alarms in accordance with Sections 907.2.11.2 through 907.2.11.3 and Section 907.7.1.

§8. Chapter 35 of the New York city building, as amended by local law number 141 for the year 2013, is amended by adding a new standard reference number UL 1484 of Underwriters Laboratories (UL), in appropriate order, to read as follows:

UL Underwriters Laboratories 333 Pfingsten Road
Northbrook, IL 60062-2096

Standard Reference Number	Title	Referenced in code section number
<u>1484-2000</u> <u>908.10</u>	<u>Standard for Residential Gas Detectors</u>	

§9. This local law shall take effect on January 1, 2017, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

EAA
LS # 1092-2014
2/18/16 - 1120a

Int. No. 1101

By Council Members Williams, Palma, Richards, Gentile, Rodriguez and Ulrich

A Local Law in relation to a temporary waiver of penalties for violations relating to fuel gas piping systems and appliances that are promptly repaired

Be it enacted by the Council as follows:

Section 1. a. The commissioner of buildings shall establish a temporary fuel gas violation resolution program. Such program shall allow owners of buildings with fuel gas piping systems or appliances that were designed, installed, modified or maintained in violation of any provision of the New York city construction codes, or rules promulgated pursuant thereto, to bring such systems or appliances into compliance with such codes and rules without the imposition of civil or criminal penalties.

b. Eligibility to participate in such program shall be restricted to building owners who (i) own one or more buildings in the city in which fuel gas piping systems or appliances have been, on or before the effective date of this local law, designed, installed, modified or maintained in violation of the New York city construction codes, or rules promulgated thereto, and (ii) before the end of the sixth month that commences after the effective date of this local law, commence work to bring all fuel gas piping systems and appliances under the control of such owner into compliance with the New York city construction codes and rules promulgated pursuant thereto; provided that such work is diligently carried out and completed to the satisfaction of such commissioner.

c. Notwithstanding any other local law or rule, no civil or criminal penalty shall be imposed for a violation of the New York city construction codes, or rules promulgated pursuant thereto, issued on or after the effective date of this local law and relating to fuel gas piping

systems or appliances for a building under the control of a building owner participating in such program.

d. The commissioner of buildings shall conduct outreach to building owners concerning such program and shall post information regarding such program on the website of the department of buildings.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may promulgate rules or take other actions for the implementation of this local law prior to such effective date.

KS
LS 5317
2/2/16 5:05PM

Int. No. 1102

By Council Members Williams, Richards, Levine, Cabrera, Palma, Gentile and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to designating violations of existing law regarding gas piping systems as “immediately hazardous”

Be it enacted by the Council as follows:

Section 1. Section 28-201.2.1 of chapter 2 of title 28 of the administrative code of the city of New York is amended by adding new items 17, 18, and 19 to read as follows:

17. A violation of sections 28-119.1 or 28-119.1.1.

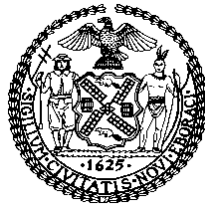
18. A violation of section 105.2 of the New York city fuel gas code relating to work on a gas piping system.

19. A violation of sections 406.6.2, 406.6.2.1, 406.6.2.2 or 406.6.3 of the New York city fuel gas code.

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

ARP
LS # 4687-4698-4727-5368
11/10/15 2:33PM

Staff: Jennifer Wilcox, Assistant Deputy Director
Meagan Chen, Counsel
Guillermo Patino, Senior Legislative Policy Analyst
Jose Conde, Legislative Policy Analyst
Sarah Gastelum, Legislative Financial Analyst



THE COUNCIL

Committee Report of the Infrastructure Division

Matt Gewolb, Legislative Director

Edward Atkin, Deputy Director, Infrastructure Division

Committee on Housing and Buildings

Jumaane D. Williams, Chair

November 15, 2016

PROPOSED INT. NO. 738-A:

By Council Members Levine, Crowley, Ferreras-Copeland, Mendez, Cohen, Constantinides, Vallone, Palma, Cornegy, Johnson, Gentile, Rosenthal, Torres, Lancman, Van Bramer, Richards, Cabrera, Espinal, Kallos, Gibson, Vacca, Dromm, King, Reynoso, Chin, Koslowitz, Rodriguez, Rose, Menchaca, Lander, Levin and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to a qualification for gas work

ADMINISTRATIVE CODE:

Adds a new article 423 to chapter 4 of title 28

PROPOSED INT. NO. 1079-A:

By The Speaker (Council Member Mark-Viverito) and Council Members Williams, Palma, Richards, Rodriguez, Crowley, Rosenthal and Mendez

TITLE:

To amend the administrative code of the city of New York, in relation to final inspections of gas piping systems

ADMINISTRATIVE CODE:

Amends section 28-116.2.4 and adds a new section 28-116.2.4.4

PROPOSED INT. NO. 1088-A:

By Council Members Espinal, Williams, Levine, Palma, Rose, Richards, Rodriguez, Crowley, Constantinides, Rosenthal, Mendez, Torres, Salamanca, Menchaca, Lander, Cohen, Van Bramer, Levin, Ulrich and Borelli

TITLE:

To amend the administrative code of the city of New York, in relation to periodic inspections of gas piping systems

ADMINISTRATIVE CODE:

Adds a new article 318 to chapter 3 of title 28

PROPOSED INT. NO. 1090-A:

By Council Members Gibson, Williams, Palma, Dickens, Rose, Richards, Gentile, Rodriguez, Crowley, Rosenthal and Torres

TITLE:

To amend the administrative code of the city of New York, in relation to requiring owners to provide notice

to their tenants regarding procedures that should be followed when a gas leak is suspected

ADMINISTRATIVE CODE:

Adds a new subsection f to Article 1 of subchapter 2 of chapter 2 of title 27

PROPOSED INT. NO. 1093-A:

By Council Members Mendez, Crowley, Williams, Palma, Dickens, Richards, Gentile, Rodriguez, Rosenthal and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to requiring gas service providers and owners to notify the department of buildings within twenty-four hours when gas service is shut-off or not restored due to safety concerns

ADMINISTRATIVE CODE:

Add new section 28-119.4 to article 119 of chapter 1 of title 28

PROPOSED INT. NO. 1094-A:

By Council Members Richards, Williams, Palma, Dickens, Gentile, Rodriguez, Crowley, Rosenthal, Mendez and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to identifying the factors indicating gas-related violations in residential and commercial buildings

ADMINISTRATIVE CODE:

Adds a new section 24-425 to chapter 4 of title 24

PROPOSED INT. NO. 1098-A:

By Council Members Rodriguez, Williams, Richards, Palma, Dickens, Crowley, Rosenthal and Ulrich

TITLE:

To amend the administrative code of the city of New York, in relation to requiring annual reports on the state of the gas infrastructure in the city

ADMINISTRATIVE CODE:

Adds a new section 24-424 to chapter 4 of title 24

PROPOSED INT. NO. 1100-A:

By Council Members Vacca, Williams, Palma, Richards, Gentile, Rodriguez, Crowley and Rosenthal

TITLE: To amend the New York city housing maintenance code and the New York city building code, in relation to requiring the installation of natural gas detecting devices, and to repeal sections 27-2045, 27-2046, 27-2046.1 and 27-2046.2 of the administrative code of the city of New York, relating to smoke detecting devices and carbon monoxide detecting devices

ADMINISTRATIVE CODE: Repeals and replaces sections 27-2045, 27-2046, 27-2046.1, and 27-2046.2 of the Administrative Code; amends article 312 of title 28 of the Administrative Code; adds a new section 28-315.2.4 to the Administrative Code; amends sections BC 202, 902.1, 908.7.1.1.2, and adds a new section 908.10 to the New York City Building Code

INT. NO. 1101: By Council Member Williams, Palma, Richards

TITLE: In relation to a temporary waiver of fines for improper fuel gas-piping alterations and installations

ADMINISTRATIVE CODE: N/A

INT. NO. 1102: By Council Members Williams, Richards, Levine, Cabrera and Palma

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to designating violations of existing law regarding gas piping systems as “immediately hazardous”

ADMINISTRATIVE CODE: Adds a new section 28-201.2.1(17), adds a new section 28-201.2.1(18), adds a new section 28-201.2.1(19)

Introduction

On November 15, 2016, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams will hold a hearing for the purposes of conducting a vote on Proposed Int. No. 738-A, Proposed Int. No.1079-A, Proposed Int. No. 1088-A, Proposed Int. No. 1090-A, Proposed Int. No. 1093-A, Proposed Int. No. 1094-A, Proposed Int. No. 1098-A, Proposed Int. No. 1100-A, Int. No. 1101 and Int. No. 1102. The Committee previously held a hearing on these bills on April 12, 2016 and heard testimony from representatives of the Department of Buildings, the Department of Housing Preservation and Development, gas corporations, including Con Edison and National Grid, industry experts, property owners and other interested members of the public.

Background

In the past two years, there have been several major gas-related explosions in New York City. In response to those explosions, the City Council introduced a package of legislation with the goal of improving gas safety, which will be discussed individually in further detail below.

Background on Recent Gas Explosions

East Harlem Explosion

The East Harlem explosion, reported on March 12, 2014 at 9:30 AM, collapsed two buildings at 1644 and 1646 Park Avenue.¹ The smell of gas was originally reported to Con Edison at 9:06 AM, who dispatched a team at 9:15 AM. The team was in route when the explosion occurred.² Con Edison also called the Fire Department at 9:19 AM but subsequently withdrew the phone call. The Fire Department arrived four minutes after the explosion occurred,

¹ Polson, Jim, and Mark Chediak. "NTSB Finds Gas Pipe Leak Near Fatal New York Building Blast." Bloomberg, March 19, 2014: <http://www.bloomberg.com/news/articles/2014-03-18/ntsb-finds-leak-on-gas-pipe-near-new-york-city-building-blast>.

² National Transportation Safety Board. *Board Meeting: Natural Gas Explosion in the East Harlem section of New York*. June 9, 2015. http://www.nts.gov/news/events/Pages/2015_Manhattan_BMG.aspx.

at 9:34 AM. By 1:44 PM, Con Edison and the City were able to turn off the gas flow to the block where the accident occurred.³ The gas explosion resulted in 8 persons dying, more than 50 injured and more than 100 families displaced.⁴

The National Transportation Safety Board (NTSB) sent a team to investigate the scene. The NTSB is an independent federal agency that is charged by Congress to investigate every civil aviation accident in the United States and significant accidents on other forms of transportation that includes railroad, highway, marine and pipeline.⁵

The NTSB concluded that the explosion would not have happened if Con Edison's gas pipes were welded properly. The improperly welded joint between a service tee and a 9 inch diameter HDPE natural gas pipe (plastic pipe) caused the gas leak.⁶ The incomplete fusion of the pipes was due to surface contamination and resulted in a weak joint.⁷ This allowed for the leaking natural gas to flow undetected and underground into the building. The NTSB also determined that a gaping hole in the nearby sewer line may have been a contributing factor.⁸ Additional pressure was put on the joint when the soil that supported the plastic pipe washed away into the damaged sewer line.⁹ The City knew about the condition of the sewer line since 2006.¹⁰

Con Edison disputed the NTSB investigators' findings. Con Edison did acknowledge that the weld was flawed but claims that the natural gas that caused the explosion was from a

³ *Id.*

⁴ *Id.*

⁵ National Transportation Safety Board. *About the National Transportation Safety Board.* <http://www.nts.gov/about/Pages/default.aspx>.

⁶ National Transportation Safety Board. *Safety Through Reliable Fusion Joints.* June 2015. http://www.nts.gov/safety/safety-alerts/Documents/SA_047.pdf.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

different crack that the investigators found.¹¹ Con Edison is also blaming the City for failure to maintain the sewer and water mains near their gas pipes.¹² The City claims that there was not enough evidence to place any blame on the damaged sewer main line. The sewer main sits more than a dozen feet below the gas main line and has been there longer than any of Con Edison pipes.¹³

As result of the investigation, NTSB issued six recommendations. One of the recommendations was to the New York State Public Service Commission (PSC), four were to Con Edison and one to the City of New York. NTSB recommended that the PSC revise their gas utility operator program to ensure that all elements of the regulations are included in the 5 year audit plan.¹⁴ NTSB recommended that Con Edison: 1) revise their pipe fusion welding procedure to require cleaning of the surfaces to be welded; 2) revise their plastic fusion welding procedure to specify that the solidified beads should be visually examined after completing a joint to ensure that the beads are the same shapes and sizes; 3) the Gas Emergency Response Center staff should receive additional training and have clear written guidance on when the Fire Department should be promptly notified; 4) extend its gas main isolation valve installation program to include strategic locations where long distribution mains currently cannot be isolated which gives priority to pipelines in more densely populated areas.¹⁵ The NTSB also requested that the City implement a written program or procedure to ensure the integrity of sewer lines, repair breaches

¹¹ McGeehan, Patrick. "Con Edison and New York City Are Faulted in East Harlem Explosion." *New York Times*, June 9, 2015: http://www.nytimes.com/2015/06/10/nyregion/consolidated-edison-is-largely-liable-in-deadly-east-harlem-explosion-regulators-find.html?_r=0.

¹² *Id.*

¹³ *Id.*

¹⁴ Hart, Christopher. "Safety Recommendation Letter to the New York State Public Service Commission." National transportation Safety Board. June 29, 2015. <http://www.nts.gov/safety/safety-recs/reclatters/P-15-038.pdf>

¹⁵ Hart, Christopher. "Safety Recommendation Letter to Con Edison." National transportation Safety Board. June 29, 2015. <http://www.nts.gov/safety/safety-recs/reclatters/P-15-034-037.pdf>

in a timely manner and coordinate with other agencies to identify and address potential soil disruption.¹⁶

East Village Explosion

On March 26, 2015 an explosion occurred at 121 Second Avenue around 3:17 PM. It was reported that 2 persons died and 22 persons were injured. The fire escalated to seven alarms within an hour of the explosion which resulted in 250 firefighters on the scene.¹⁷ The explosion ended up destroying 3 buildings and damaged 1 additional building.¹⁸

Before the explosion, the property owner's plumber was conducting work to upgrade the gas service for the building. Con Edison was at the site to check on a planned meter installation about an hour before the explosion. The work failed the inspection and gas could not be introduced to the residential units.¹⁹ The owner and general contractor remained in the building to work on the gas lines but left the building a few minutes before the building exploded.²⁰

The investigation of the East Village Explosion also revealed that in August 2014 Con Edison became aware of a gas leak at this same building during a routine gas meter inspection. The Con Edison worker called the utility company to inspect the gas smell. They found a hose had been attached to the gas line that served a restaurant was leaking.²¹ Con Edison deemed it as a hazardous situation and shut the gas off for 10 days until it was determined safe. One month after the inspection, Con Edison included the building in a list that had gas leaks to Department

¹⁶ Hart, Christopher. "Safety Recommendation Letter to Mayor De Blasio." *National Transportation Safety Board*. June 29, 2015. <http://www.nts.gov/safety/safety-recs/recletters/P-15-033.pdf>

¹⁷ CBS News. March 26, 2016. <http://www.cbsnews.com/news/explosion-collapses-building-in-ny/>

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Jacobs, Shayna; Brown, Stephen. General Contractor, home owners, plumber face manslaughter charges in connection to 2015's deadly East Village Explosion. *New York Daily News*. February 12, 2016

²¹ McGeehan, Patrick and Flegenheimer, Matt. East Village Explosion Reveals Problems in City's Inspection System. *New York Times*. April 3, 2015. <http://www.nytimes.com/2015/04/04/nyregion/east-village-gas-explosion-reveals-problems-in-citys-inspection-system.html>

of Buildings. However, the notice did not mention that there was unauthorized tapping to the gas line.²²

John F. Kennedy High School Explosion

On August 21, 2015, a gas explosion occurred at John F. Kennedy High School at 8:09 PM.²³ Contractors were working on the school's science labs which was part of a project by the School Construction Authority through a private contractor. One of the contractors decided to check the gas leak by lighting a match.²⁴ This set off an explosion at the high school which damaged the school's fourth, fifth and sixth floors.²⁵ DOB issued a partial vacate order at the damaged locations.²⁶ Three contractors were injured during the explosion.

Proposed Int. No. 738-A

Proposed Int. No. 738-A would bar individuals from performing work on gas piping systems after January 1, 2020 unless such individuals are (1) licensed master plumbers, (2) hold a gas qualification or (3) hold a limited gas qualification and perform work under the personal and immediate supervision of a gas qualification holder or a licensed master plumber. In order to qualify for a gas qualification before January 1, 2019 an applicant would have to be a registered journeyman plumber. In order to qualify for a gas qualification on or after January 1, 2019 and individuals would have to demonstrate an understanding of and proficiency and competence with gas work and either (1) be a registered journeyman plumber, (2) successfully complete an apprenticeship in plumbing and have at least one year of full-time experience performing or supervising plumbing work under the direct and continuing supervision of a licensed master

²² *Id.*

²³ Mai, Andy; Slattery, Denis; NH, Alfred. Explosion rocks JFK High School in the Bronx, three workers hurt; New York Daily News. August 21, 2015. <http://www.nydailynews.com/new-york/bronx/explosion-rocks-jfk-high-school-bronx-3-hurt-article-1.2332695>

²⁴ *Id.*

²⁵ *Id.*

²⁶ New York City Department of Buildings. Overview for Complaint #:2215653. <http://a810-bisweb.nyc.gov/bisweb/OverviewForComplaintServlet?requestid=2&vlcompdtlkey=0001892455>

plumber or (3) have at least five years of full-time experience performing or supervising plumbing work under the direct and continuing supervision of a licensed master plumber.²⁷ This local law would take effect immediately after enactment.

Proposed Int. No. 1079-A

Proposed Int. No. 1079-A would require that the final inspection of gas piping systems be performed by the Department of Buildings. This local law would take effect January 1, 2018.

Proposed Int. No. 1088-A

Proposed Int. No. 1088-A would require that, commencing on January 1, 2019, owners of buildings with gas piping systems have such systems periodically inspected. This local law would take effect immediately after enactment.

Proposed Int. No. 1090-A

Proposed Int. No. 1090-A would require owners to instruct their tenants to call 911 and their gas service providers, prior to informing such owners, when a gas leak is suspected. This local law would take effect 180 days after enactment.

Proposed Int. No. 1093-A

Proposed Int. No. 1093-A would require gas service operators and building owners to notify the Department of Buildings within twenty-four hours when gas service is shut-off or not restored. This local law would take effect 90 days after enactment.

Proposed Int. No. 1094-A

Proposed Int. No. 1094-A would require an agency or office designated by the mayor to identify a set of factors related to natural gas violations that risk the safety of residential and commercial buildings. The bill would also require this designated agency to submit a report to

²⁷ It is the Council's intention that the process for verifying that an applicant for a gas qualification has 5 years of experience with plumbing work would be substantially the same as the process for verifying that an applicant for a journeyman plumber registration has 5 years of such experience.

the council on how such risk factors have been used to target enforcement of laws and rules relating to the delivery by pipe or usage of gas in residential and commercial buildings and the efficacy of such targeted enforcement. This local law would take effect immediately after enactment.

Proposed Int. No. 1098-A

Proposed Int. No. 1098-A would require that gas corporations report to an agency or office designated by the mayor annually on asset conditions, planned infrastructure projects and investment priorities. Further, such corporations would be required to meet annually with such agency or office designated by the mayor, the Speaker of the City Council and the Mayor to discuss the information contained in such report and related gas safety issues. This local law would take effect immediately after enactment.

Proposed Int. No. 1100-A

Proposed Int. No. 1100-A would require the Department of Buildings to establish or adopt a standard governing the installation and location of natural gas detectors after an industry standard has been promulgated. It would also require the installation of natural gas detectors that comply with such standards in all multiple dwellings. This local law would take effect immediately after enactment except that the provisions requiring the installation of natural gas detectors in multiple dwellings would take effect on May 1, of the first year that commences after the Department of Buildings establishes or adopts a standard governing the installation and location of such detectors.

Int. No. 1101

Int. No. 1101 would require the Commissioner of the Department of Buildings to establish a temporary fuel gas violation resolution program to allow owners of buildings with

fuel gas piping systems or appliances which violate any provision of the New York City Construction Codes to bring such systems or appliances into compliance with such codes without penalties. This local law would take effect 120 days after enactment.

Int. No. 1102

Int. No. 1102 would designate violations of existing law regarding gas piping systems as “immediately hazardous”. This local law would take effect 120 days after enactment.

Proposed Int. No. 738-A

By Council Members Levine, Crowley, Ferreras-Copeland, Mendez, Cohen, Constantinides, Vallone, Palma, Cornegy, Johnson, Gentile, Rosenthal, Torres, Lancman, Van Bramer, Richards, Cabrera, Espinal, Kallos, Gibson, Vacca, Dromm, King, Reynoso, Chin, Koslowitz, Rodriguez, Rose, Menchaca, Lander, Levin and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to a qualification for gas work

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 28 of the administrative code of the city of New York is amended by adding a new article 423 to read as follows:

ARTICLE 423
QUALIFICATION FOR GAS WORK

§ 28-423.1 Qualification required. For the purposes of this article, “gas work” means work covered by section 101.2 of the New York city fuel gas code, where such work is required by this code to be performed under the direct and continuing supervision of a licensed master plumber, provided that the term “gas work” shall not include periodic inspections required pursuant to article 318 of chapter 3 of title 28 of the administrative code. On and after January 1, 2020, it shall be unlawful to perform gas work unless such work is performed by:

1. A licensed master plumber; or
2. A person working under the direct and continuing supervision of a licensed master plumber if such person:
 - 2.1. Holds a gas work qualification pursuant to this article; or
 - 2.2. Holds a limited gas work qualification pursuant to this article and is performing such work under the personal and immediate supervision of (i) a person who holds a gas work qualification pursuant to this article or (ii) a licensed master plumber.

Exception: The provisions of this article shall not apply to gas work performed, serviced and maintained by utility corporations and subject to the jurisdiction of the New York state public service commission.

§ 28-423.2 Applications for gas work qualification. The commissioner shall issue gas work qualifications in accordance with sections 28-423.2.1 and 28-423.2.2.

§ 28-423.2.1 Applications for gas work qualification submitted before January 1, 2019. The commissioner shall issue a gas work qualification to a person who before January 1, 2019, submits satisfactory proof establishing that such person is a registered journeyman plumber pursuant to article 409 of this chapter.

§ 28-423.2.2 Applications for gas work qualification submitted on or after January 1, 2019. The commissioner shall issue a gas work qualification to a person who on or after January 1, 2019, submits satisfactory proof establishing that such person:

1. Has demonstrated an understanding of and proficiency and competency with gas work, including (i) a working familiarity with the fuel gas code and the ability to apply the requirements of such code correctly, (ii) the application of skills relating to gas work on the job site, (iii) a working knowledge of the tools for gas work and the ability to utilize such tools properly and (iv) an ability to draft simple diagrams and interpret from drawings for the purpose of performing gas work, by satisfying a requirement that the commissioner shall establish by rule; and
2. Satisfies one or more of the following:
 - 2.1. Such person is a registered journeyman plumber pursuant to article 409 of this chapter;
 - 2.2. Such person successfully completed an apprenticeship in plumbing through a program approved by the New York state department of labor and has at least one year of full-time experience performing or supervising plumbing work under the direct and continuing supervision of a licensed master plumber; or
 - 2.3. Such person has at least five years of full-time experience performing or supervising plumbing work under the direct and continuing supervision of a licensed master plumber, provided that at least one year of such experience occurred in the city.

§ 28-423.2.3 Concurrent applications. The commissioner shall establish a procedure for concurrently applying for a journeyman plumber registration pursuant to article 409 of this chapter and a gas work qualification pursuant to this section. No application fee shall be charged to an applicant for a gas work qualification if such applicant (i) is, at the time such application is filed, a registered journeyman plumber pursuant to such article or (ii) is applying concurrently for a journeyman plumber registration pursuant to such article and a gas work qualification.

§ 28-423.3 Applications for limited gas work qualification. The commissioner shall issue limited gas work qualifications in accordance with sections 28-423.3.1 and 28-423.3.2.

§ 28-423.3.1 Applications for limited gas work qualification submitted before January 1, 2019. The commissioner shall issue a limited gas work qualification to a person who before January 1,

2019, submits satisfactory proof that such person has at least six months of full-time experience performing plumbing work under the direct and continuing supervision of a licensed master plumber.

§ 28-423.3.2 Applications for limited gas work qualification submitted on or after January 1, 2019. The commissioner shall issue a limited gas qualification to a person who on or after January 1, 2019 submits satisfactory proof establishing that such person:

1. Has at least six months of full-time experience performing plumbing work under the direct and continuing supervision of a licensed master plumber; and
2. Satisfies one or more of the following:
 - 2.1. Such person has successfully completed a training program that (i) relates to gas work, (ii) is at least 16 hours and (iii) is approved by the commissioner;
 - 2.2. Such person is an apprentice in plumbing registered in an apprenticeship program approved by the New York state department of labor; or
 - 2.3. Such person satisfies such other requirement for demonstrating competence with gas work as the commissioner may establish by rule.

§ 28-423.4 Expiration. The gas work qualification shall have no expiration and need not be renewed or reissued. The limited gas work qualification shall expire five years after issuance and may not be renewed.

§ 2. This local law takes effect immediately.

Proposed Int. No. 1079-A

By The Speaker (Council Member Mark-Viverito) and Council Members Williams, Palma, Richards, Rodriguez, Crowley, Rosenthal, and Mendez

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to final inspections of gas piping systems

Be it enacted by the Council as follows:

Section 1. Section 28-116.2.4 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§28-116.2.4 Final inspection. There shall be a final inspection of all permitted work. Final inspections shall comply with sections 28-116.2.4.1 through [28-116.2.4.2] 28-116.2.4.3.

§ 2. Article 116 of title 28 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding a new section 28-116.2.4.3 to read as follows:

§ 28-116.2.4.3 Final inspection of gas piping systems. The final inspection of gas piping systems shall be performed by the department in the presence of the permit holder, the registered design professional of record or the superintendent of construction. Such inspection shall be performed after all work authorized by the building permit is completed. All failures to comply with the provisions of this code or approved construction documents shall be noted and the owner promptly notified thereof in writing. All defects noted in such inspection shall be corrected. Reports of such final inspections shall be maintained by the department. The final inspection report shall confirm that defects noted have been corrected, that the work is in substantial compliance with the approved construction documents and with this code and with other applicable laws and rules and that all required inspections were performed.

§ 3. This local law takes effect January 1, 2018, except that the commissioner of buildings shall take such steps as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Proposed Int. No. 1088-A

By Council Members Espinal, Williams, Levine, Palma, Rose, Richards, Rodriguez, Crowley, Constantinides, Rosenthal, Mendez, Torres, Salamanca, Menchaca, Lander, Cohen, Van Bramer, Levin, Ulrich and Borelli

A Local Law to amend the administrative code of the city of New York, in relation to periodic inspections of gas piping systems

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 318 to read as follows:

ARTICLE 318
PERIODIC INSPECTION OF GAS PIPING SYSTEMS

§ 28-318.1 General. Commencing January 1, 2019, building gas piping systems, other than gas piping systems of buildings classified in occupancy group R-3, shall be periodically inspected in accordance with this article.

Exception: A building that contains no gas piping and for which the owner of such building has submitted to the commissioner, in a form and manner determined by the commissioner, a certificate of a registered design professional, or a person satisfying other qualifications that the commissioner may establish, that such building contains no gas piping.

§ 28-318.2 Frequency of inspection. An inspection of a building's gas piping system shall be conducted at periodic intervals as set forth by rule of the commissioner, but such inspection shall be conducted at least once every five years.

Exceptions:

1. If the New York state public service commission adopts a rule or other requirement for periodic inspections of service lines, as defined in section 255.3 of title 16 of the New York codes, rules and regulations, with a frequency other than five years, the commissioner may, by rule, require that the periodic inspections required by this article be conducted with such frequency.
2. The initial inspection for a new building shall be conducted in the tenth year after the earlier of (i) the issuance by the department of a letter of completion or, if applicable, a temporary or final certificate of occupancy for such building or (ii) the date such building was completed as determined by department rule.

§ 28-318.3 Inspection process. Gas piping systems shall be inspected and tested in accordance with sections 28-318.3.1 through 28-318.3.4.

§ 28-318.3.1 Inspection entity. Inspections of gas piping systems shall be conducted on behalf of the building owner by a licensed master plumber or by an individual under the direct and continuing supervision of a licensed master plumber, with appropriate qualifications as prescribed by department rule.

§ 28-318.3.2 Scope. At each inspection, in addition to the requirements prescribed by this article or by the commissioner, all exposed gas lines from point of entry of gas piping into a building, including building service meters, up to individual tenant spaces shall be inspected for evidence of excessive atmospheric corrosion or piping deterioration that has resulted in a dangerous condition, illegal connections, and non-code compliant installations. The inspection entity shall also test public spaces, hallways, corridors, and mechanical and boiler rooms with a portable combustible gas detector to determine if there is any gas leak, provided that such testing need only include public spaces, hallways and corridors on floors that contain gas piping or gas utilization equipment.

§ 28-318.3.3 Report and certificate of inspection. The inspection entity conducting an inspection of a building pursuant to this article and the owner of such building shall comply with the following requirements:

1. No later than 30 days after such inspection, such inspection entity shall submit to such owner (i) a report of such inspection, on a form and in a manner determined by the department, and (ii) a certification of the licensed master plumber who performed or exercised direct and continuing supervision over such inspection that an inspection pursuant to this article has been completed for such building. Such report shall be certified by such licensed master plumber and, where applicable, by any individual who performed such inspections under the direct and continuing supervision of such licensed master plumber, and shall include, for each gas piping system inspected, a list of conditions including instances where a part or parts of such system is worn to such an extent that the safe and reliable operation of such system may be affected, gas leaks, any observed non-code compliant installations or illegal connections, any conditions described in section 28-318.3.4 and any additional information required by the department.
2. No later than the due date for such inspection, in accordance with department rules, and no earlier than 60 days before such due date, such owner shall submit a certification from a licensed master plumber that an inspection pursuant to this article has been completed by such licensed master plumber for such building, provided that the department may by rule establish an alternative timeframe for such submissions.
3. No later than 90 days after the due date for such inspection, in accordance with department rules, such owner shall electronically submit, or cause to be submitted by such inspection entity, such report to the utility company providing gas service to such building. Such submission shall only be required if, before the date that such submission would be required,

the department has determined and set forth in a rule that such utility company will accept such electronic submission at no cost to such owner.

4. No later than 120 days after the due date for such inspection, in accordance with department rules, such owner shall submit to the department, in a form and manner determined by the department, (i) a certification from a licensed master plumber that all conditions that were identified in the inspection report for which a certification was submitted pursuant to item 2 of this section have been corrected, except that such certification may note that correction of one or more conditions identified in such report, other than conditions referred to in section 28-318.3.4, will reasonably take additional time to complete and (ii) a certification from such owner that such owner is in compliance with item 3 of this section. If such certification notes that one or more conditions will take additional time to complete, such owner shall, no later than 180 days after the due date for such inspection, submit to the department, in a form and manner determined by the department, a certification from a licensed master plumber that all conditions identified in such report have been corrected.
5. All reports and certifications required by this section shall be kept on file by the inspection entity and the building owner for at least eight years after the date of inspection and made available to the department at the department's request.

§ 28-318.3.4 Reporting and correction of unsafe or hazardous condition. If an inspection reveals any of the following conditions, the inspection entity shall notify the building owner, the utility and the department immediately and the building owner shall immediately take action to correct such condition in compliance with the New York city construction codes:

1. A gas leak;
2. Evidence of illegal connections or non-code compliant installations; or
3. Any other condition which (i) if verified by a utility company or utility corporation, would constitute a class A condition as described in part 261 of title 16 of the New York codes, rules and regulations or (ii) constitutes an imminently dangerous condition.

§ 28-318.4 Fees. The department may charge filing fees for the certifications required by section 28-318.3.3, as set forth in the rules of the department.

§ 28-318.5 Enforcement. Failure to submit a certification required by this article shall be classified as a major violation.

§ 2. This local law takes effect immediately.

Proposed Int. No. 1090-A

By Council Members Gibson, Williams, Palma, Dickens, Rose, Richards, Gentile, Rodriguez, Crowley, Rosenthal and Torres

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring owners to provide notice to their tenants regarding procedures that should be followed when a gas leak is suspected

Section 1. Section 27-2005 of the administrative code of the city of New York is amended by adding a new subsection f to read as follows:

f. The owner of a dwelling shall deliver or cause to be delivered to each tenant and prospective tenant of such dwelling, along with the lease or lease renewal form for such tenant or prospective tenant, and shall post and maintain in a common area of the building containing such dwelling, a notice, in a form developed or approved by the department, regarding the procedures that should be followed when a gas leak is suspected. Such notice may be combined with any existing required notices and shall instruct tenants to first call 911 and then call the relevant gas service provider, whose name and emergency phone number shall be set forth on such notice, before contacting such owner or an agent thereof when a gas leak is suspected.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of housing preservation and development may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

EAA/GP
LS 4711
9/20/16 12:37 PM

Proposed Int. No. 1093-A

By Council Members Mendez, Crowley, Williams, Palma, Dickens, Richards, Gentile, Rodriguez, Rosenthal and Ulrich

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring gas service providers and owners to notify the department of buildings within twenty-four hours when gas service is shut-off or not restored due to safety concerns

Be it enacted by the Council as follows:

Section 1. Article 119 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-119.4:

§ 28-119.4 Notification of gas shut-off or non-restoration after inspection. Within 24 hours after gas service to a building is shut off by a utility company or utility corporation because of a class A or class B condition, as described in part 261 of title 16 of the New York codes, rules and regulations, and within 24 hours after gas service is, after an inspection by such a company or corporation, not restored because of such a condition, such company or corporation and the owner of such building shall each provide notice to the department in a form and manner prescribed by the department.

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

EAA/GP
LS 4782
9/12/16 11:38 AM

Proposed Int. No. 1094-A

By Council Members Richards, Williams, Palma, Dickens, Gentile, Rodriguez, Crowley, Rosenthal, Mendez, and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to identifying the factors indicating gas-related violations in residential and commercial buildings

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-425 to read as follows:

§ 24-425 Identification of gas safety risk factors. a. An agency or office designated by the mayor shall seek to identify risk factors that correlate to or otherwise indicate a violation of any law or rule that (i) relates to the delivery by pipe, or usage of, gas in residential or commercial buildings and (ii) poses a hazard to health and safety or a risk of damage to property. Such risk factors may include, but need not be limited to, unauthorized gas usage; unusual gas usage for a building based on its historic usage or usage for buildings of similar size, type or occupancy; abandoned structures; or structures condemned by the city.

b. In developing such risk factors, such designated agency or office shall (i) seek the cooperation of each gas corporation that owns, operates or manages a gas plant located in whole or in part in the city and with each organized labor association that contracts with such corporations and (ii) share with each such corporation appropriate information necessary to minimize impacts of such risk factors. The terms “gas corporation” and “gas plant” as used in this section shall have the meanings ascribed to such terms in section 2 of the public service law.

c. By December first 2017, and every third year thereafter, such designated office or agency shall submit to the mayor and the speaker of the council, and make publicly available online, a report on how the city has made use of such risk factors in targeting enforcement of

laws and rules relating to the delivery by pipe or usage of gas in residential and commercial buildings and the efficacy of such targeted enforcement.

§ 2. This local law takes effect immediately.

LS 4697
10/5/16 – 720p

Proposed Int. No. 1098-A

By Council Members Rodriguez, Williams, Richards, Palma, Dickens, Crowley, Rosenthal and Ulrich

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring annual reports on the state of gas infrastructure in the city

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-424 to read as follows:

§ 24-424 Annual safety report concerning gas infrastructure. a. As used in this section, the terms “gas corporation” and “gas plant” shall have the meanings ascribed to such terms in section 2 of the public service law.

b. Each gas corporation that owns, operates or manages a gas plant located in whole or in part in the city shall by July first in each year, beginning in 2017, submit to an agency or office designated by the mayor a report on gas asset conditions consistent with the reporting requirements of section 255.951 of title 16 of the New York codes, rules and regulations and section 191.11 of title 49 of the code of federal regulations, including the operator’s mains and services inventory by material, diameter, vintage and leaks; a summary of major planned infrastructure projects in the city; the gas corporation’s investment priorities in the next year; and such other information as such designated agency or office may require by rule.

c. Each gas corporation will meet annually with the head of such designated agency or office, the speaker of the council and the mayor, or designees of such persons, to discuss the information set forth in subdivision b of this section and related gas safety issues, including

planned infrastructure in the city, leak reporting and surveillance activities, the operator's integrity management program and the general condition of the operator's gas assets.

§ 2. This local law takes effect immediately.

MJ
LS # 2726
9/9/16 4:12PM

Proposed Int. No. 1100-A

By Council Members Vacca, Williams, Palma, Richards, Gentile, Rodriguez, Crowley and Rosenthal

A LOCAL LAW

To amend the New York city housing maintenance code and the New York city building code, in relation to requiring the installation of natural gas detecting devices, and to repeal sections 27-2045, 27-2046, 27-2046.1 and 27-2046.2 of the administrative code of the city of New York, relating to smoke detecting devices and carbon monoxide detecting devices

Be it enacted by the Council as follows:

Section 1. Where an industry standard concerning the use of natural gas detecting devices in residential buildings has been promulgated on or after the effective date of the local law that added this section, the commissioner of buildings shall, within 180 days, by rule, establish or adopt a standard governing the installation and location of single- or multiple-station alarms responsive to natural gas.

§ 2. Sections 27-2045, 27-2046, 27-2046.1 and 27-2046.2 of the administrative code of the city of New York are REPEALED and a new section 27-2045 is added to read as follows:

§ 27-2045 Duties of owner and occupant with respect to installation and maintenance of smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices.

a. As used in this section:

Class A multiple dwelling. The term “class A multiple dwelling” means a class A multiple dwelling as defined in paragraph 8 of subdivision a of section 27-2004, except that such term shall include garden-type maisonette dwellings constructed before April 18, 1954.

Garden-type maisonette dwelling. The term “garden-type maisonette dwelling” means a dwelling project consisting of a series of dwelling units that, together and in their aggregate, are

arranged or designed to provide three or more apartments; are provided as a group collectively with all essential services such as, but not limited to, house sewers and heat; and are operated as a unit under single ownership, notwithstanding that certificates of occupancy were issued for portions thereof as private dwellings, as such term is defined in paragraph 6 of subdivision a of section 27-2004.

Private dwelling. The term “private dwelling” means a dwelling unit in a one-family or two-family home that is occupied by a person or persons other than the owner of such unit or the owner’s family.

b. The owner of a class A multiple dwelling, class B multiple dwelling or private dwelling shall:

1. (a) Provide and install one or more approved and operational smoke detecting devices in each dwelling unit in accordance with section 907.2 of the New York city building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code, as applicable, or, in the alternative for class B multiple dwellings, provide and install a line-operated zoned smoke detecting system with central annunciation and central office tie-in for all public corridors and public spaces, pursuant to rules promulgated by the commissioner of buildings, except that this paragraph shall not apply to private dwellings;

(b) Provide and install one or more approved and operational carbon monoxide detecting devices in each dwelling unit in accordance with section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code, as applicable, or, in the alternative for class B multiple dwellings, provide and install a line-operated zoned carbon monoxide detecting system with central annunciation and central office tie-in for all public

corridors and public spaces, pursuant to rules promulgated by the commissioner of buildings or by the commissioner in consultation with the department of buildings and the fire department;

(c) Provide and install one or more approved and operational natural gas detecting devices in accordance with section 908.10 of the New York city building code or section 28-315.2.3 of the code, as applicable, or, in the alternative for class B multiple dwellings, provide and install a line-operated zoned natural gas detecting system with central annunciation and central office tie-in for all public corridors and public spaces, pursuant to rules promulgated by the commissioner of buildings or by the commissioner in consultation with the department of buildings and the fire department;

2. Periodically replace any device required under paragraph 1 of this subdivision upon expiration of its useful life in accordance with article 312 of title 28 of the code;

3. (a) For a class A multiple dwelling or private dwelling, replace any such device that has been stolen, removed, found missing or rendered inoperable during a prior occupancy of the dwelling unit and that has not been replaced by the prior occupant before commencement of a new occupancy of such dwelling unit, except that this paragraph shall not apply to smoke detecting devices in private dwellings;

(b) For a class B multiple dwelling, replace any such device that has been stolen, removed, found missing or rendered inoperable before commencement of a new occupancy of such dwelling unit;

4. Where any such device becomes inoperable within one year after installation due to a defect in the manufacture of such device and through no fault of the occupant of such dwelling unit, replace such device within 30 calendar days after receiving written notice that such device

is inoperable, except that this paragraph shall not apply to class B multiple dwellings or smoke detecting devices in private dwellings;

5. Post a notice in a form approved by the commissioner in a common area of the building or, for private dwellings, provide to the occupants thereof a notice, indicating that (i) the owner is required by law to install such devices and to periodically replace such devices upon the expiration of their useful life, and (ii) each occupant is responsible for the maintenance and repair of such devices that are battery-operated and within such occupant's dwelling unit and for replacing, in accordance with article 312 of title 28 of the code, any or all such devices which are stolen, removed, found missing or rendered inoperable during such occupant's occupancy of such dwelling unit, except that this paragraph shall not apply to class B multiple dwellings or smoke detecting devices in private dwellings;

6. Provide to at least one adult occupant of such dwelling unit information relating to (i) the risks posed by carbon monoxide poisoning and, if natural gas detecting devices are required to be installed in such dwelling unit by rules promulgated by the commissioner of buildings, the risks posed by natural gas leaks, (ii) the testing and maintenance of smoke detecting devices, carbon monoxide detecting devices and, if natural gas detecting devices are required to be installed in such dwelling unit by rules promulgated by the commissioner of buildings, natural gas detecting devices, (iii) what to do if such devices alert, (iv) the useful life of such devices, (v) the owner's duty to replace such devices pursuant to article 312 of title 28 and (vi) the occupant's duty to maintain and repair such devices that are battery-operated and within such occupant's dwelling unit and replace any or all such devices within such dwelling unit that are stolen, removed, found missing or rendered inoperable during such occupant's occupancy of such dwelling unit; provided that the information provided in accordance with this paragraph

may include material that is distributed by the manufacturer or material prepared or approved by the department of buildings; except that this paragraph shall not apply to class B multiple dwellings or smoke detecting devices in private dwellings; and

7. Keep such records as the commissioner shall prescribe relating to the installation and maintenance of smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices in the dwelling, including the manufacturer's suggested useful life of such devices and records showing that such devices meet the requirements of all applicable laws and rules, and make such records available to the commissioner upon request.

c. Notwithstanding the provisions of subdivision a of section 27-2005 and subdivision c of section 27-2006, the occupant of each dwelling unit in a class A multiple dwelling or private dwelling in which a device required by paragraph 1 of subdivision b of this section has been provided and installed shall:

1. Keep and maintain such device in good repair; and

2. Replace such device if it is stolen, removed, found missing or rendered inoperable during the occupant's occupancy of such dwelling unit.

d. It shall be unlawful for any person to tamper with or render inoperable a required smoke detecting device, carbon monoxide detecting device or natural gas detecting device, except to replace the batteries of such device or for other maintenance purposes.

e. The occupant of a dwelling unit within a class A multiple dwelling or private dwelling in which a battery-operated smoke detecting device, carbon monoxide detecting device or natural gas detecting device is newly installed, or installed to replace a device that has exceeded the manufacturer's useful life or that has been lost or damaged by such occupant or installed as a result of such occupant's failure to maintain such device, shall reimburse the owner for the cost

of providing and installing such device an amount not to exceed (i) \$25 for each smoke detecting device, carbon monoxide detecting device or natural gas detecting device, (ii) \$50 for each combined smoke and carbon monoxide detecting device, combined smoke and natural gas detecting device or combined carbon monoxide and natural gas detecting device and (iii) \$75 for each combined smoke, carbon monoxide and natural gas detecting device.

f. This section may be enforced by the department, the department of buildings, the fire department and the department of health and mental hygiene.

§ 3 Article 312 of title 28 of the administrative code of the city of New York, as amended by local law number 112 for the year 2013, is amended to read as follows:

ARTICLE 312
CARBON MONOXIDE, [AND] SMOKE AND NATURAL GAS ALARMS

§ 28-312.1 General. Required carbon monoxide, [and] smoke and natural gas alarms shall comply with the provisions of this article.

§ 28-312.2. Periodic replacement of carbon monoxide alarms. Carbon monoxide alarms required pursuant to section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer's suggested useful life of the alarm.

Exception: A carbon monoxide alarm installed [prior to the effective date of this article] before April 25, 2012 shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer's suggested useful life of the alarm or [within 6 months after the effective date of this article] before October 25, 2012, whichever is later.

§ 28-312.3[.] Audible notification of expiration of useful life of carbon monoxide alarms. All carbon monoxide alarms installed after [the effective date of this article] April 25, 2012 shall comply with UL 2034 and be of a type that emits an audible notification at the expiration of the useful life of such alarm.

§ 28-312.4 Periodic replacement of smoke alarms. Smoke alarms required pursuant to section 907.2 of the New York [City] city building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer's suggested useful life of the alarm.

Exception: A smoke alarm installed [prior to the effective date of this section] before April 1, 2014 and whose end of useful life is not known shall be replaced with an alarm that complies with section 28-312.5 [within 7 years after the effective date of this section] by no later than April 1, 2021.

§ 28-312.5 Audible notification of expiration of useful life of smoke alarms. All smoke alarms installed after [the effective date of this section] April 1, 2014 shall comply with UL 217, shall employ a non-removable, non-replaceable battery that powers the alarm for a minimum of 10 years, and shall be of the type that emits an audible notification at the expiration of the useful life of the alarm.

§ 28-312.6 Periodic replacement of natural gas alarms. Natural gas alarms required pursuant to section 908.10 of the New York city building code shall be replaced when the time elapsed since the installation of such alarm exceeds the manufacturer’s suggested useful life of the alarm.

§ 28-312.7 Audible notification of expiration of useful life of natural gas alarms. All natural gas alarms installed after the effective date of the local law that added this section 28-312.7 shall comply with a standard established or adopted by department rule and shall be of the type that emits an audible notification at the expiration of the useful life of the alarm.

§ 4. Section 28-315.2 of the administrative code of the city of New York, as added by local law number 141 for the year 2013, is amended by adding a new section 28-315.2.4 to read as follows:

§ 28-315.2.4 Natural gas alarms. Natural gas alarms shall be provided and installed in accordance with section 908.10 of the New York city building code on or before May 1 of the first year that commences after the department, by rule, establishes or adopts a standard governing the installation and location of natural gas alarms.

Exception: In existing buildings, natural gas alarms shall not be required to comply with the power source and interconnection requirements for smoke alarms in accordance with Sections 907.2.11.2 through 907.2.11.3.

§ 5. Section 202 of the New York city building code, as amended by local law number 141 for the year 2013, is amended by adding a new definition for “NATURAL GAS ALARM,” in appropriate alphabetical order, to read as follows:

NATURAL GAS ALARM. See Section 902.1.

§ 6. Section 902.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended by adding a new definition for “NATURAL GAS ALARM,” in appropriate alphabetical order, to read as follows:

NATURAL GAS ALARM. A single- or multiple-station alarm responsive to natural gas.

§ 7. Section 908.7.1.1.2 of the New York city building, as amended by local law number 141 for the year 2013, is amended to read as follows:

908.7.1.1.2 Installation requirements. Carbon monoxide alarms or detectors shall comply with the power source, interconnection[,] and acceptance testing requirements as required for smoke alarms in accordance with Sections 907.2.11.2 through 907.2.11.3 and Section 907.7.1.

§ 8. Section BC 908 of the New York city building code is amended by adding a new section 908.10 to read as follows:

908.10 Natural gas alarms. Natural gas alarms shall be provided and installed in accordance with Sections 908.10.1 and 908.10.2.

908.10.1 Location. Natural gas alarms listed in accordance with a standard established or adopted by department rule shall be provided and installed in accordance with department rules.

908.10.2 Additional installation requirements. Natural gas alarms shall comply with the power source, interconnection and acceptance testing requirements for smoke alarms in accordance with Sections 907.2.11.2 through 907.2.11.3 and Section 907.7.1.

§ 9. This local law takes effect immediately, except that sections two through eight of this local law shall take effect on May 1 of the first year that commences after the commissioner of buildings adopts the rule required by section one of this local law, and except that such commissioner and the commissioner of housing preservation and development may take such measures as are necessary for the implementation of such sections, including the promulgation of rules, before such effective date. Upon adoption of the rule required by section one of this local

law, the commissioner of buildings shall notify the New York state legislative bill drafting commission, in order that the commission may maintain an accurate and timely effective database of the official text of the New York city charter and administrative code in furtherance of effectuating the provisions of section 70-b of the public officers law, and the corporation counsel, who shall notify relevant publishers in furtherance of effectuating the provisions of section 7-111 of the administrative code. Failure to provide the notifications described in this section shall not affect the effective date of any section of this local law.

LS # 1092-2014
11/7/16 8:11PM

Int. No. 1101

By Council Members Williams, Palma and Richards

A Local Law in relation to a temporary waiver of penalties for violations relating to fuel gas piping systems and appliances that are promptly repaired

Be it enacted by the Council as follows:

Section 1. a. The commissioner of buildings shall establish a temporary fuel gas violation resolution program. Such program shall allow owners of buildings with fuel gas piping systems or appliances that were designed, installed, modified or maintained in violation of any provision of the New York city construction codes, or rules promulgated pursuant thereto, to bring such systems or appliances into compliance with such codes and rules without the imposition of civil or criminal penalties.

b. Eligibility to participate in such program shall be restricted to building owners who (i) own one or more buildings in the city in which fuel gas piping systems or appliances have been, on or before the effective date of this local law, designed, installed, modified or maintained in violation of the New York city construction codes, or rules promulgated thereto, and (ii) before the end of the sixth month that commences after the effective date of this local law, commence work to bring all fuel gas piping systems and appliances under the control of such owner into compliance with the New York city construction codes and rules promulgated pursuant thereto; provided that such work is diligently carried out and completed to the satisfaction of such commissioner.

c. Notwithstanding any other local law or rule, no civil or criminal penalty shall be imposed for a violation of the New York city construction codes, or rules promulgated pursuant thereto, issued on or after the effective date of this local law and relating to fuel gas piping

systems or appliances for a building under the control of a building owner participating in such program.

d. The commissioner of buildings shall conduct outreach to building owners concerning such program and shall post information regarding such program on the website of the department of buildings.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may promulgate rules or take other actions for the implementation of this local law prior to such effective date.

KS
LS 5317
2/2/16 5:05PM

Int. No. 1102

By Council Members Williams, Richards, Levine, Cabrera and Palma

A Local Law to amend the administrative code of the city of New York, in relation to designating violations of existing law regarding gas piping systems as “immediately hazardous”

Be it enacted by the Council as follows:

Section 1. Section 28-201.2.1 of chapter 2 of title 28 of the administrative code of the city of New York is amended by adding new items 17, 18, and 19 to read as follows:

17. A violation of sections 28-119.1 or 28-119.1.1.

18. A violation of section 105.2 of the New York city fuel gas code relating to work on a gas piping system.

19. A violation of sections 406.6.2, 406.6.2.1, 406.6.2.2 or 406.6.3 of the New York city fuel gas code.

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

ARP
LS # 4687-4698-4727-5368
11/10/15 2:33PM