

2790

2009-2010 Regular Sessions

I N S E N A T E

March 3, 2009

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to requiring every certain family dwellings and dwelling accommodations to have carbon monoxide detectors

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 5-a of section 378 of the executive law, as
2 amended by chapter 202 of the laws of 2006, is amended to read as
3 follows:
4 5-a. Standards for installation of carbon monoxide detectors requiring
5 that every one or two-family dwelling [constructed or offered for sale
6 after July thirtieth, two thousand two], OR any dwelling accommodation
7 located in a building owned as a condominium or cooperative in the state
8 [constructed or offered for sale after July thirtieth, two thousand two,
9 or any multiple dwellings constructed or offered for sale after August
10 ninth, two thousand five] shall have installed an operable carbon monox-
11 ide detector of such manufacture, design and installation standards as
12 are established by the council. Carbon monoxide detectors required by
13 this section are required only where the dwelling unit has appliances,
14 devices or systems that may emit carbon monoxide or has an attached
15 garage. For purposes of this subdivision, multiple dwelling means a
16 dwelling which is either rented, leased, let or hired out, to be occu-
17 pied, or is occupied as the temporary or permanent residence or home of
18 three or more families living independently of each other, including but
19 not limited to the following: a tenement, flat house, maisonette apart-
20 ment, apartment house, apartment hotel, tourist house, bachelor apart-
21 ment, studio apartment, duplex apartment, kitchenette apartment, hotel,
22 lodging house, rooming house, boarding house, boarding and nursery
23 school, furnished room house, club, sorority house, fraternity house,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

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1 college and school dormitory, convalescent, old age or nursing homes or
2 residences. It shall also include a dwelling, two or more stories in
3 height, and with five or more boarders, roomers or lodgers residing with
4 any one family. [For the purposes of this section, sale shall mean the
5 transfer of ownership of a business or property, provided however,
6 transfer of franchises shall not be deemed a sale.] New construction
7 shall mean a new facility or a separate building added to an existing
8 facility.

9 S 2. This act shall take effect on the three hundred sixty-fifth day
10 after it shall have become a law.