

5887

2011-2012 Regular Sessions

I N A S S E M B L Y

March 2, 2011

Introduced by M. of A. McLAUGHLIN, CASTRO -- read once and referred to
the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the state uniform fire
prevention and building code standards for the installation of carbon
monoxide detectors in restaurants

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

1 Section 1. Subdivision 5-a of section 378 of the executive law, as
2 amended by chapter 367 of the laws of 2009, is amended to read as
3 follows:
4 5-a. A. Standards for installation of carbon monoxide detectors
5 requiring that every one or two-family dwelling, or any dwelling accom-
6 modation located in a building owned as a condominium or cooperative in
7 the state [or], any multiple dwellings, OR ANY RESTAURANT CONSTRUCTED OR
8 OFFERED FOR SALE AFTER DECEMBER FIRST, TWO THOUSAND ELEVEN shall have
9 installed an operable carbon monoxide detector of such manufacture,
10 design and installation standards as are established by the council.
11 Carbon monoxide detectors required by this [section] SUBDIVISION are
12 required only where the dwelling unit OR RESTAURANT has appliances,
13 devices or systems that may emit carbon monoxide or has an attached
14 garage.
15 B. (I) For purposes of this subdivision, [multiple dwelling] "MULTIPLE
16 DWELLING" means a dwelling which is either rented, leased, let or hired
17 out, to be occupied[,] or is occupied as the temporary or permanent
18 residence or home of three or more families living independently of each
19 other, including but not limited to the following: a tenement, flat
20 house, maisonette apartment, apartment house, apartment hotel, tourist
21 house, bachelor apartment, studio apartment, duplex apartment, kitchen-
22 ette apartment, hotel, lodging house, rooming house, boarding house,
23 boarding and nursery school, furnished room house, club, sorority house,
24 fraternity house, college and school dormitory, convalescent, AND old

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

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1 age or nursing homes or residences. It shall also include a dwelling,
2 two or more stories in height, and with five or more boarders, roomers
3 or lodgers residing with any one family. [New construction]

4 (II) FOR THE PURPOSES OF THIS SUBDIVISION, "NEW CONSTRUCTION" shall
5 mean a new facility or a separate building added to an existing facili-
6 ty.

7 S 2. This act shall take effect immediately.