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I N   A S S E M B L Y

February 25, 2014

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Introduced by M. of A. PERRY, LUPINACCI, SCHIMEL, ZEBROWSKI, JAFFEE, AUBRY, CRESPO, SCARBOROUGH, COOK, RYAN, McDONOUGH, RAIA, GRAF, HIKIND, KEARNS, GOTTFRIED, HOOPER, MONTESANO, COLTON, GALEF, OTIS -- Multi-Sponsored by -- M. of A. MARKEY, MAYER, McLAUGHLIN, RIVERA, SIMANOWITZ, THIELE, TITONE, WEISENBERG -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York, in relation to requiring the installation and maintenance of carbon monoxide detectors in restaurants and other commercial buildings

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

1     Section 1. Section 27-981.2 of the administrative code of the city of  
2     New York, as added by local law number 7 of the city of New York for the  
3     year 2004, is amended to read as follows:  
4     S 27-981.2 Carbon monoxide detecting devices; where required. a. Every  
5     dwelling unit in a building within occupancy groups J-1, J-2 or J-3  
6     where a fossil fuel-burning furnace or boiler is located, and every  
7     dwelling unit in a building that is in close proximity to a source of  
8     carbon monoxide, as such proximity is established by the rules promul-  
9     gated by the commissioner in consultation with the fire department and  
10    the department of health and mental hygiene, shall be equipped with an  
11    operational carbon monoxide detecting device approved in accordance with  
12    the rules promulgated by the commissioner in consultation with the fire  
13    department and the department of health and mental hygiene, provided  
14    that there shall be installed at least one approved and operational  
15    carbon monoxide detecting device within fifteen feet of each room  
16    lawfully used for sleeping purposes. Such carbon monoxide detecting  
17    device may be combined with a smoke detecting device that complies with

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

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1 the provisions of this title and any applicable rules promulgated there-  
2 under.

3 b. In every building classified in occupancy group G or occupancy  
4 group H-2, at least one approved and operational carbon monoxide detect-  
5 ing device shall be installed in accordance with rules promulgated by  
6 the commissioner in consultation with the fire department and the  
7 department of health and mental hygiene.

8 c. IN EVERY BUILDING CLASSIFIED IN OCCUPANCY GROUPS F-1, F-3 AND F-4,  
9 AT LEAST ONE APPROVED AND OPERATIONAL CARBON MONOXIDE DETECTING DEVICE  
10 SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH RULES PROMULGATED  
11 BY THE COMMISSIONER IN CONSULTATION WITH THE FIRE DEPARTMENT AND THE  
12 DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

13 D. The provisions of this article shall apply retroactively to every  
14 building, in accordance with the provisions of subdivision a or subdivi-  
15 sion b of this section, irrespective of when such building was  
16 constructed or a certificate of occupancy for such building was issued.

17 [d.] E. The provisions of this article may be enforced by the depart-  
18 ment, the fire department, the department of health and mental hygiene  
19 and the department of housing preservation and development.

20 S 2. This act shall take effect on the one hundred eightieth day after  
21 it shall have become a law.