

6676

I N S E N A T E

February 26, 2014

Introduced by Sen. SERRANO -- 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 the New York state uniform fire prevention and building code to address standards for the installation of carbon monoxide detectors in buildings that house one or more places of business; and to amend the administrative code of the city of New York, in relation to requiring the installation 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 378 of the executive law is amended by adding a new  
2 subdivision 5-d to read as follows:

3 5-D. STANDARDS FOR INSTALLATION OF CARBON MONOXIDE DETECTORS REQUIRING  
4 THAT THE OWNER OF EVERY BUILDING THAT HOUSES ONE OR MORE PLACES OF BUSI-  
5 NESS, INCLUDING BUT NOT LIMITED TO RESTAURANTS, OFFICES AND SHOPPING  
6 AREAS IN THE STATE SHALL HAVE INSTALLED AN OPERABLE CARBON MONOXIDE  
7 DETECTOR OF SUCH MANUFACTURE, DESIGN AND INSTALLATION STANDARDS AS ARE  
8 ESTABLISHED BY THE COUNCIL. CARBON MONOXIDE DETECTORS REQUIRED BY THIS  
9 SECTION ARE REQUIRED ONLY WHERE ONE OR MORE PLACES OF BUSINESS HAS  
10 APPLIANCES, DEVICES OR SYSTEMS THAT MAY EMIT CARBON MONOXIDE OR HAS AN  
11 ATTACHED GARAGE.

12 S 2. Section 27-981.2 of the administrative code of the city of New  
13 York, as added by local law number 7 of the city of New York for the  
14 year 2004, is amended to read as follows:

15 S 27-981.2 Carbon monoxide detecting devices; where required. a. Every  
16 dwelling unit in a building within occupancy groups J-1, J-2 or J-3  
17 where a fossil fuel-burning furnace or boiler is located, and every  
18 dwelling unit in a building that is in close proximity to a source of  
19 carbon monoxide, as such proximity is established by the rules promul-  
20 gated by the commissioner in consultation with the fire department and  
21 the department of health and mental hygiene, shall be equipped with an  
22 operational carbon monoxide detecting device approved in accordance with

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

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1 the rules promulgated by the commissioner in consultation with the fire  
2 department and the department of health and mental hygiene, provided  
3 that there shall be installed at least one approved and operational  
4 carbon monoxide detecting device within fifteen feet of each room  
5 lawfully used for sleeping purposes. Such carbon monoxide detecting  
6 device may be combined with a smoke detecting device that complies with  
7 the provisions of this title and any applicable rules promulgated there-  
8 under.

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

14 c. IN EVERY BUILDING CLASSIFIED IN OCCUPANCY GROUPS C, D, E, F-1, F-3,  
15 F-4 AND G, AT LEAST ONE APPROVED AND OPERATIONAL CARBON MONOXIDE DETECT-  
16 ING DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH RULES PROMULGATED BY  
17 THE COMMISSIONER IN CONSULTATION WITH THE FIRE DEPARTMENT AND THE  
18 DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

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

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

26 S 3. This act shall take effect on the sixtieth day after it shall  
27 have become a law.