S T A T E O F N E W Y O R K

8887

I N A S S E M B L Y

February 27, 2014

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

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 restaurants and other commercial buildings; 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:

Section 1. Section 378 of the executive law is amended by adding a new subdivision 5-d to read as follows:

5-D. STANDARDS FOR INSTALLATION OF CARBON MONOXIDE DETECTORS REQUIRING THAT EVERY RESTAURANT AND COMMERCIAL BUILDING IN THE STATE OR ANY MULTIPLE DWELLINGS SHALL HAVE INSTALLED AN OPERABLE CARBON MONOXIDE DETECTOR OF SUCH MANUFACTURE, DESIGN AND INSTALLATION STANDARDS AS ARE ESTABLISHED BY THE COUNCIL. CARBON MONOXIDE DETECTORS REQUIRED BY THIS SECTION ARE REQUIRED ONLY WHERE THE RESTAURANT OR COMMERCIAL BUILDING HAS APPLIANCES, DEVICES OR SYSTEMS THAT MAY EMIT CARBON MONOXIDE OR HAS AN ATTACHED GARAGE.

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

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

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

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that there shall be installed at least one approved and operational carbon monoxide detecting device within fifteen feet of each room lawfully used for sleeping purposes. Such carbon monoxide detecting device may be combined with a smoke detecting device that complies with the provisions of this title and any applicable rules promulgated thereunder.

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

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

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

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

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