

# STATE OF NEW YORK

3249

2023-2024 Regular Sessions

## IN SENATE

January 30, 2023

Introduced by Sens. BAILEY, MYRIE -- 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, the multiple dwelling law, the multiple residence law and the administrative code of the city of New York, in relation to requiring the installation of smoke detectors in common places of certain dwellings

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-e to read as follows:

3 5-e. Standards for installation of smoke detectors requiring that  
4 every multiple-family dwelling, or any dwelling accommodation located in  
5 a building owned as a condominium or cooperative, or any multiple dwell-  
6 ings shall have installed an operable smoke detector, of such manufac-  
7 ture, design and installation standards as are established by the coun-  
8 cil, in all common places within such dwelling and in accordance with  
9 any other law. For purposes of this subdivision, multiple dwelling means  
10 a dwelling which is either rented, leased, let or hired out, to be occu-  
11 pied, or is occupied as the temporary or permanent residence or home of  
12 three or more families living independently of each other, including but  
13 not limited to the following: a tenement, flat house, maisonette apart-  
14 ment, apartment house, apartment hotel, tourist house, bachelor apart-  
15 ment, studio apartment, duplex apartment, kitchenette apartment, hotel,  
16 lodging house, rooming house, boarding house, boarding and nursery  
17 school, furnished room house, club, sorority house, fraternity house,  
18 college and school dormitory, convalescent, old age or nursing homes or  
19 residences. It shall also include a dwelling with five or more boarders,  
20 roomers or lodgers residing with any one family.

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

LBD08131-01-3

1 § 2. Paragraph (a) of subdivision 2 of section 68 of the multiple  
2 dwelling law, as added by chapter 683 of the laws of 1985, is amended to  
3 read as follows:

4 (a) The owner of every multiple dwelling to which the provisions of  
5 this section apply shall equip each apartment or other separate living  
6 unit and each common place in such multiple dwelling with approved and  
7 operational smoke detecting devices in conformity with the state fire  
8 prevention and building code; provided, however, that any multiple  
9 dwelling not subject to the provisions of such code may, in the alterna-  
10 tive, be equipped with battery-operated smoke detecting devices of a  
11 type accepted by the division of housing and community renewal.

12 § 3. Paragraph (a) of subdivision 2 of section 15 of the multiple  
13 residence law, as added by chapter 683 of the laws of 1985, is amended  
14 to read as follows:

15 (a) The owner of every multiple dwelling to which the provisions of  
16 this section apply shall equip each apartment or other separate living  
17 unit and each common place in such multiple dwelling with approved and  
18 operational smoke detecting devices in conformity with the state fire  
19 prevention and building code; provided, however, that any multiple  
20 dwelling not subject to the provisions of such code may, in the alterna-  
21 tive, be equipped with battery-operated smoke detecting devices of a  
22 type accepted by the division of housing and community renewal.

23 § 4. Section 27-979 of the administrative code of the city of New York  
24 is amended by adding a new subdivision (c) to read as follows:

25 (c) Approved and operational smoke detecting devices shall be  
26 installed in all common areas in all buildings within occupancy groups  
27 J-1, J-2, and J-3, except for single family dwellings.

28 § 5. Section 907.2.8.3 of the New York city building code, as amended  
29 by section 10 of part C of local law number 126 of the city of New York  
30 for the year 2021, is amended to read as follows:

31 907.2.8.3 Smoke detectors within dwelling units and sleeping units.  
32 Smoke detectors and audible notification appliances shall be installed  
33 in dwelling units and sleeping units and shall be annunciated by dwell-  
34 ing unit and sleeping unit at a constantly attended location from which  
35 the fire alarm system is capable of being manually activated. Smoke  
36 detectors are required in the following areas:

37 1. In sleeping areas.

38 2. In every room in the path of the means of egress from the sleeping  
39 area to the door leading from the dwelling unit and sleeping unit.

40 3. In each story within the unit, including below-grade stories. For  
41 dwelling units and sleeping units with split levels and without an  
42 intervening door between the adjacent levels, a smoke alarm installed on  
43 the upper level shall suffice for the adjacent lower level.

44 4. In every common place.

45 § 6. This act shall take effect on the thirtieth day after it shall  
46 have become a law. Effective immediately, the addition, amendment  
47 and/or repeal of any rule or regulation necessary for the implementation  
48 of this act on its effective date are authorized to be made and  
49 completed on or before such effective date.