

STATE OF NEW YORK

10200

IN SENATE

May 5, 2026

Introduced by Sen. KAVANAGH -- 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 multiple dwelling law, in relation to energy efficiency improvements and certain alterations to multiple dwellings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 4 of the multiple dwelling law is amended by
2 adding two new subdivisions 45 and 46 to read as follows:

3 45. "HVAC equipment" is heating, ventilation or air conditioning
4 equipment.

5 46. "U-factor" is a coefficient of thermal transmittance as defined
6 under the New York city energy conservation code.

7 § 2. Subdivision 5 of section 30 of the multiple dwelling law is
8 amended to read as follows:

9 5. No multiple dwelling shall be so altered as to diminish the light
10 or ventilation of any room or public hall or stairs in any way not
11 approved by the department, except that:

12 a. Where an existing window in any room, public hall or stairs is
13 replaced with a window assembly having a lower U-factor that complies
14 with the New York city energy conservation code, such light and venti-
15 lation may be reduced by not more than twenty-five percent below the
16 minimum otherwise required by this chapter.

17 b. Where HVAC equipment is installed in an existing window, such light
18 and ventilation may be reduced by not more than twenty-five percent
19 below the minimum otherwise required by this chapter.

20 c. Where both an existing window is replaced with a window assembly in
21 accordance with paragraph a of this subdivision and HVAC equipment is
22 installed in such window assembly, such light and ventilation may be
23 reduced by not more than thirty-three percent below the minimum other-
24 wise required by this chapter.

25 § 3. Paragraph (a) of subdivision 8 of section 30 of the multiple
26 dwelling law, as amended by chapter 559 of the laws of 1995, is amended
27 to read as follows:

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

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1 (a) The windows in every room, except a water-closet compartment,
2 bathroom, or cooking space less than eighty square feet in floor surface
3 area, shall have a total area at least one-tenth of the floor surface
4 area of such room [~~and every window in such a room, including a~~
5 ~~mullioned casement window, shall be at least twelve square feet in area~~]
6 except that:

7 (1) Where an existing window in any such room is replaced with a
8 window assembly having a lower U-factor that complies with the New York
9 city energy conservation code, such window area may be reduced by not
10 more than twenty-five percent below the minimum otherwise required by
11 this paragraph.

12 (2) Where HVAC equipment is installed in an existing window, such
13 window area may be reduced by not more than twenty-five percent below
14 the minimum otherwise required by this paragraph.

15 (3) Where both an existing window is replaced with a window assembly
16 in accordance with subparagraph one of this paragraph and HVAC equipment
17 is installed in such window assembly, such window area may be reduced by
18 not more than thirty-three percent below the minimum otherwise required
19 by this paragraph.

20 § 4. Subdivision 4 of section 31 of the multiple dwelling law is
21 amended to read as follows:

22 4. Dining bays with a floor area of fifty-five square feet or less
23 shall not be considered as rooms or alcoves and shall not be required to
24 comply with the provisions of section thirty-two. Every such dining bay
25 shall be equipped with such appropriate permanent fittings as may be
26 required by the department and shall be provided with at least one
27 window opening directly upon a street or upon a lawful yard, court or
28 space above a setback. Such window shall have an area of at least one-
29 eighth of the floor area of such dining bay except that:

30 a. Where an existing window in any such dining bay is replaced with a
31 window assembly having a lower U-factor that complies with the New York
32 city energy conservation code, such window area may be reduced by not
33 more than twenty-five percent below the minimum otherwise required by
34 this subdivision.

35 b. Where HVAC equipment is installed in an existing window, such
36 window area may be reduced by not more than twenty-five percent below
37 the minimum otherwise required by this subdivision.

38 c. Where both an existing window is replaced with a window assembly in
39 accordance with paragraph a of this subdivision and HVAC equipment is
40 installed in such window assembly, such window area may be reduced by
41 not more than thirty-three percent below the minimum otherwise required
42 by this subdivision.

43 § 5. Paragraph c of subdivision 3 of section 33 of the multiple dwell-
44 ing law, as amended by chapter 366 of the laws of 1957, is amended to
45 read as follows:

46 c. Every kitchenette constructed after July first, nineteen hundred
47 forty-nine, shall be provided with a window opening upon a street or
48 upon a yard, court, shaft, or upon any space above a setback.

49 (1) Such window shall be at least one foot wide, have a total area of
50 at least three square feet and be at least ten per centum of the super-
51 ficial floor area of such kitchenette except that:

52 A. Where an existing window in any such kitchenette is replaced with
53 an assembly having a lower U-factor that complies with the New York city
54 energy conservation code, such window area may be reduced by not more
55 than twenty-five percent below the minimum otherwise required by this
56 subparagraph.

1 B. Where HVAC equipment is installed in an existing window, such
2 window area may be reduced by not more than twenty-five percent below
3 the minimum otherwise required by this subparagraph.

4 C. Where both an existing window is replaced with a window assembly in
5 accordance with clause A of this subparagraph and HVAC equipment is
6 installed in such window assembly, then such window area may be reduced
7 by not more than thirty-three percent below the minimum otherwise
8 required by this subparagraph.

9 (2) In lieu of such window, such kitchenette may be provided with
10 mechanical ventilation to provide at least six changes per hour of the
11 air volume of such kitchenette or, when such kitchenette is on the top
12 story, may have a skylight at least one foot wide with a total area of
13 at least four square feet or one-eighth of the area of the kitchenette,
14 whichever is greater, and shall have ventilating openings of at least
15 one-half of the area of the skylight.

16 § 6. The opening paragraph and paragraph d of subdivision 1 of section
17 34 of the multiple dwelling law, the opening paragraph as amended by
18 chapter 874 of the laws of 1956, are amended to read as follows:

19 In any multiple dwelling erected after April eighteenth, nineteen
20 hundred twenty-nine, every room in a cellar or basement shall have a
21 permit as provided in [~~subdivision five of~~] section three hundred and,
22 except as provided in subdivision six of this section, shall comply with
23 the following conditions:

24 d. Every such room shall have a window or windows complying with the
25 requirements of section thirty.

26 (1) The aggregate area of windows in each such room, except as
27 provided in paragraph f, shall be at least one-eighth of the horizontal
28 area of the room except that:

29 A. Where an existing window in any such room is replaced with a window
30 assembly having a lower U-factor that complies with the New York city
31 energy conservation code, such window area may be reduced by not more
32 than twenty-five percent below the minimum otherwise required by this
33 paragraph.

34 B. Where HVAC equipment is installed in an existing window, such
35 window area may be reduced by not more than twenty-five percent below
36 the minimum otherwise required by this paragraph.

37 C. Where both an existing window is replaced with a window assembly in
38 accordance with clause A of this subparagraph and HVAC equipment is
39 installed in such window assembly, such window area may be reduced by
40 not more than thirty-three percent below the minimum otherwise required
41 by this paragraph.

42 (2) Each such window shall be constructed so that the upper half of
43 its area can be opened, and shall open upon a street, court or yard. The
44 underside of the top stop-bead of each such window shall be within
45 twelve inches of the ceiling. [~~One window in each such room shall have~~
46 ~~an area of at least twelve square feet.~~]

47 § 7. Subdivision 1 of section 36 of the multiple dwelling law is
48 amended to read as follows:

49 1. In every multiple dwelling erected after April eighteenth, nineteen
50 hundred twenty-nine, one at least of the required windows provided to
51 light each public hall or part thereof shall be at least two feet six
52 inches wide and five feet high except that where existing windows are
53 replaced with window assemblies having a lower U-factor that complies
54 with the New York city energy conservation code, such openings may be
55 reduced in area by not more than twenty-five percent. Every required
56 window in such a hall shall open upon a street, court, yard or space

1 above a setback. On the top story of such a dwelling a ventilating
2 skylight of the same dimensions shall be accepted in lieu of a window
3 for that story.

4 § 8. Paragraph h of subdivision 1 of section 76 of the multiple dwell-
5 ing law, as amended by chapter 642 of the laws of 1964, is amended to
6 read as follows:

7 h. Every water-closet compartment, bathroom and general or public
8 toilet room, and every other room containing one or more water-closets
9 or urinals, except as specifically provided otherwise in this section,
10 shall have at least one window opening upon a street or lawful court,
11 yard or space above a setback. Every such window shall be at least three
12 square feet in area and shall be made so that half its area can be read-
13 ily opened, except that where an existing window is replaced with a
14 window assembly having a lower U-factor that complies with the New York
15 city energy conservation code, such window area may be reduced to two
16 and one-quarter square feet.

17 § 9. Paragraph f of subdivision 2 of section 107 of the multiple
18 dwelling law is amended to read as follows:

19 f. If a window to the outer air is provided in any such public vesti-
20 bule or hall, such vestibule or hall shall nevertheless be ventilated as
21 provided in paragraph e, except that if such a window [~~has~~] is readily
22 accessible to the outer air to the extent of at least five and one-half
23 square feet of its area, no vent flues need be provided within a
24 distance of forty feet from each side of such window having a glazed
25 area of at least twelve square feet and at least one tenth of the super-
26 ficial floor area of the vestibule or hall, [~~readily accessible to the~~
27 ~~outer air to the extent of at least five and one-half square feet of its~~
28 ~~area, no vent flues need be provided within a distance of forty feet~~
29 ~~from each side of such window]~~ or, where an existing window is replaced
30 with a window assembly having a lower U-factor that complies with the
31 New York city energy conservation code, such replaced window may be
32 reduced to the greater of a glazed area of at least ten square feet or
33 at least one-twelfth of the floor area of the vestibule or hall.

34 § 10. Subdivision 4 of section 148 of the multiple dwelling law, as
35 amended by chapter 446 of the laws of 1951, is amended to read as
36 follows:

37 4. Except in the case of an interior enclosed stair separated from and
38 directly accessible to the public hall by a self-closing fireproof door
39 and except as provided in subdivision five, there shall be provided to
40 light and ventilate every stair at every story a window or windows open-
41 ing on a street, court, yard or space above a setback. At least one such
42 window shall be at least two feet six inches wide and five feet high
43 unless it opens on a street, in which case its minimum height shall be
44 four feet. The aggregate area of such window or windows at each story
45 shall be at least eighteen square feet [~~or~~] except that where an exist-
46 ing window is replaced with a window assembly having a lower U-factor
47 that complies with the New York city energy conservation code, the
48 aggregate area of such window may be reduced by up to twenty-five
49 percent and on the top story a ventilating skylight may be substituted
50 for a window. At the entrance story or at the roof level a sash door,
51 such as described in section thirty-five, opening to the outer air may
52 be substituted for such window.

53 § 11. Paragraph b of subdivision 2 of section 171 of the multiple
54 dwelling law is amended to read as follows:

1 b. To reduce the room or window area of any converted dwelling or make
2 any other alteration therein if such alteration decreases the light,
3 ventilation, fire protection or sanitation thereof except that:

4 (1) Where an existing window in any such room is replaced with a
5 window assembly having a lower U-factor that complies with the New York
6 city energy conservation code, window areas and light and ventilation
7 may be reduced by not more than twenty-five percent below the minimum
8 otherwise required by this chapter.

9 (2) Where HVAC equipment is installed in an existing window, such
10 window area, light, and ventilation may be reduced by not more than
11 twenty-five percent below the minimum otherwise required by this chap-
12 ter.

13 (3) Where both an existing window is replaced with a window assembly
14 in accordance with subparagraph one of this paragraph and HVAC equipment
15 is installed in such window assembly, such window area, light, and
16 ventilation may be reduced by not more than thirty-three percent below
17 the minimum otherwise required by this chapter.

18 § 12. Subdivisions 1, 2 and 3 of section 173 of the multiple dwelling
19 law, subdivision 2 as amended by chapter 566 of the laws of 1954, are
20 amended to read as follows:

21 1. Except as provided in [~~subdivision four of~~] section one hundred
22 seventy-seven every living room shall have one or more windows opening
23 directly upon a street or upon a yard or court with dimensions conform-
24 ing to those specified in section one hundred seventy-two, or upon an
25 inner court or shaft three feet nine inches or more in width and eight
26 feet or more in length.

27 2. a. Such windows shall be so located as to light properly all
28 portions of the room and in each room shall have an aggregate glazed
29 area of at least one-tenth of the floor area of the room, unless in the
30 opinion of the department such room is already adequately lighted and
31 ventilated. The top of at least one window in each living room shall be
32 seven feet or more above the floor except when such room is in the base-
33 ment or on the top story, in which case the top of at least one window
34 shall be six feet or more above the floor. Every such window shall be
35 twelve square feet or more in area, and shall be so constructed that
36 one-half or more of its area may be opened. However, such window need
37 not be twelve square feet in area provided that each room shall have an
38 aggregate glazed window area of at least one-eighth of the superficial
39 floor area of the room.

40 b. Notwithstanding any inconsistent provision of this subdivision:

41 (1) Where any such existing window in any such room is replaced with a
42 window assembly having a lower U-factor that complies with the New York
43 city energy conservation code, the window and glazed areas may be
44 reduced not more than twenty-five percent below the minimum otherwise
45 required by this paragraph.

46 (2) Where HVAC equipment is installed in an existing window, the
47 window and glazed areas may be reduced by not more than twenty-five
48 percent below the minimum otherwise required by this paragraph.

49 (3) Where both an existing window is replaced with a window assembly
50 in accordance with paragraph a of this subdivision and HVAC equipment is
51 installed in such window assembly, such window and glazed areas may be
52 reduced by not more than thirty-three percent below the minimum other-
53 wise required by this paragraph.

54 3. Whenever a basement conforming to the provisions of [~~subdivision~~
55 ~~four of~~] section one hundred seventy-seven is permitted to be occupied
56 for living purposes, every living room, bathroom, water-closet compart-

1 ment, kitchen and cooking space therein shall have one or more windows
2 opening directly upon a street; or upon a yard which is at every point
3 at least fifteen feet in depth and, above the window sill level of the
4 first story above the basement, at least twenty feet; or upon a court at
5 least two feet in width and extending the entire depth of the lot from
6 the street to the yard. All such yards and courts shall be measured at
7 the ground level from the lot line to the building line opposite on the
8 same lot. The top edge of the glazed area of every window shall be nine
9 inches or more below the finished ceiling and one foot or more above the
10 level of the adjoining ground. Every such window shall be so constructed
11 that one-half or more of its area may be opened, and shall be so located
12 as to light and ventilate adequately all portions of the room. The
13 windows in each such room shall have an aggregate glazed area of at
14 least one-eighth of the total floor area of the room, and in no event
15 less than twelve square feet [~~The top edge of the glazed area of every~~
16 ~~window shall be nine inches or more below the finished ceiling and one~~
17 ~~foot or more above the level of the adjoining ground. Every such window~~
18 ~~shall be so constructed that one half or more of its area may be opened,~~
19 ~~and shall be so located as to light and ventilate adequately all~~
20 ~~portions of the room~~] except that:

21 a. Where an existing window in any such room is replaced with a window
22 assembly having a lower U-factor that complies with the New York city
23 energy conservation code, the window and glazed areas may be reduced not
24 more than twenty-five percent below the minimum otherwise required by
25 this subdivision.

26 b. Where HVAC equipment is installed in an existing window, such
27 window and glazed areas may be reduced by not more than twenty-five
28 percent below the minimum otherwise required by this subdivision.

29 c. Where both an existing window is replaced with a window assembly in
30 accordance with paragraph a of this subdivision and HVAC equipment is
31 installed in such window assembly, such window and glazed areas may be
32 reduced by not more than thirty-three percent below the minimum other-
33 wise required by this subdivision.

34 § 13. Subdivision 2 of section 214 of the multiple dwelling law is
35 amended to read as follows:

36 2. In any tenement, apartments containing three or more rooms may have
37 dining bays, which shall not exceed fifty-five square feet in floor
38 surface area and shall not be deemed separate rooms or subject to the
39 requirements for separate rooms or alcoves. [~~Every~~ No dining bay shall
40 be permitted in any apartment containing less than three rooms. Where
41 permitted, such dining bay shall be equipped with such appropriate
42 permanent fittings as may be required by the department and shall also
43 be provided with at least one window opening directly upon a street or
44 upon a yard or court which was lawful on April eighteenth, nineteen
45 hundred twenty-nine. The area of such window shall be one-eighth at
46 least of the floor surface area of such dining bay [~~No dining bay shall~~
47 ~~be permitted in any apartment containing less than three rooms.], except
48 that:~~

49 a. Where an existing window in any such dining bay is replaced with a
50 window assembly having a lower U-factor that complies with the New York
51 city energy conservation code, such window may be reduced by not more
52 than twenty-five percent below the minimum otherwise required by this
53 subdivision.

54 b. Where HVAC equipment is installed in an existing window, the area
55 of such window may be reduced by not more than twenty-five percent below
56 the minimum otherwise required by this subdivision.

1 c. Where both an existing window is replaced with a window assembly in
2 accordance with paragraph a of this subdivision and HVAC equipment is
3 installed in such window assembly, the area of such window may be
4 reduced by not more than thirty-three percent below the minimum other-
5 wise required by this subdivision.

6 § 14. The opening paragraph and paragraph f of subdivision 2 of
7 section 216 of the multiple dwelling law, the opening paragraph as
8 amended by chapter 874 of the laws of 1956, are amended to read as
9 follows:

10 No room in the basement or cellar of any tenement shall be occupied
11 for living purposes unless there is a written permit therefor as
12 provided in [~~subdivision five of~~] section three hundred and it either is
13 part of an apartment which complies with the conditions of subdivision
14 six of section thirty-four or complies with the following conditions:

15 f. [~~The area of every~~] Every window in such a room shall be [~~at~~] made
16 to open, and the top of each window shall be within twelve inches of the
17 ceiling. At least twelve square feet, and the total area of windows in
18 every such room shall be at least one-eighth of the total floor area of
19 the room[~~, At least half of each window shall be made to open, and the~~
20 ~~top of each window shall be within twelve inches of the ceiling~~], except
21 that:

22 (1) Where an existing window in any such room is replaced with a
23 window assembly having a lower U-factor that complies with the New York
24 city energy conservation code, such window may be reduced by not more
25 than twenty-five percent below the minimum otherwise required by this
26 paragraph.

27 (2) Where HVAC equipment is installed in an existing window, such
28 window area may be reduced by not more than twenty-five percent below
29 the minimum otherwise required by this paragraph.

30 (3) Where both an existing window is replaced with a window assembly
31 in accordance with subparagraph one of this paragraph and HVAC equipment
32 is installed in such window assembly, such window area may be reduced by
33 not more than thirty-three percent below the minimum otherwise required
34 by this paragraph.

35 § 15. Paragraph d of subdivision 3 of section 216 of the multiple
36 dwelling law is amended to read as follows:

37 d. Such room shall have a window or windows opening directly to the
38 required unoccupied area of ground outside of and adjoining such room or
39 to a street or yard. Every such window shall be made so as to open read-
40 ily and such window or windows shall provide at least twelve square feet
41 of clear openings for ventilation, except that where an existing window
42 is replaced with a window assembly having a lower U-factor that complies
43 with the New York city energy conservation code, such window opening may
44 provide not less than nine square feet of clear openings for
45 ventilation.

46 § 16. Paragraph b of subdivision 4 of section 216 of the multiple
47 dwelling law is amended to read as follows:

48 b. Such room shall be everywhere seven feet six inches or more in
49 height from floor to ceiling and shall have a window or windows opening
50 directly to a street, or to a yard at least twelve feet in depth, or to
51 a court at least six feet in its least dimension and twelve feet in its
52 greatest dimensions; every such windows shall be made so as to open
53 readily; such window or windows shall provide at least twelve square
54 feet of clear opening for ventilation, [~~and the~~] except that where an
55 existing window is replaced with a window assembly having a lower U-fac-
56 tor that complies with the New York city energy conservation code, such

1 window may provide not less than nine square feet of clear opening for
2 ventilation. The apartment containing such room shall have one or more
3 rooms opening upon a street or yard.

4 § 17. Subdivision 5 of section 217 of the multiple dwelling law is
5 amended to read as follows:

6 5. In every public hall that is provided with a window or windows in a
7 tenement erected after April twelfth, nineteen hundred one, at least one
8 such window shall be at least two feet six inches wide and five feet
9 high, except that:

10 a. Where an existing window is replaced with a window assembly having
11 a lower U-factor that complies with the New York city energy conserva-
12 tion code, such window may be reduced in area by not more than twenty-
13 five percent below the minimum otherwise required by this subdivision.

14 b. Where HVAC equipment is installed in an existing window, the glazed
15 area may be reduced by not more than twenty-five percent below the mini-
16 mum otherwise required by this subdivision.

17 c. Where both an existing window is replaced with a window assembly in
18 accordance with paragraph a of this subdivision and HVAC equipment is
19 installed in such window assembly, such glazed area may be reduced by
20 not more than thirty-three percent below the minimum otherwise required
21 by this subdivision.

22 § 18. Paragraph a of subdivision 11 of section 248 of the multiple
23 dwelling law is amended to read as follows:

24 a. No room may be occupied for sleeping purposes unless it has a
25 window or windows with an aggregate glazed area of at least ten per
26 centum of the total floor area of such room. Each such window shall be
27 at least twelve feet in area and so constructed that at least half of
28 its area may be opened, except that:

29 (1) Where an existing window in any such room is replaced with a
30 window assembly having a lower U-factor that complies with the New York
31 city energy conservation code, such window and glazed areas may be
32 reduced by not more than twenty-five percent below the minimum otherwise
33 required by this paragraph.

34 (2) Where HVAC equipment is installed in an existing window, such
35 window and glazed areas may be reduced by not more than twenty-five
36 percent below the minimum otherwise required by this paragraph.

37 (3) Where both an existing window is replaced with a window assembly
38 in accordance with subparagraph one of this paragraph and HVAC equipment
39 is installed in such window assembly, such window and glazed areas may
40 be reduced by not more than thirty-three percent below the minimum
41 otherwise required by this paragraph.

42 § 19. Subdivision 7 of section 277 of the multiple dwelling law, as
43 added by chapter 734 of the laws of 1985, paragraph (e) as amended by
44 chapter 559 of the laws of 1995, is amended to read as follows:

45 7. Minimum light and air standards for joint living-work quarters for
46 artists or general residential portions of lofts or manufacturing and
47 commercial buildings altered to residential use shall comply with the
48 following:

49 (a) Portions of such buildings which are occupied exclusively as joint
50 living-work quarters for artists as permitted by local law shall comply
51 with the following:

52 (i) The minimum size of a joint living-work quarters for artists shall
53 be twelve hundred square feet of interior space, except as otherwise
54 authorized by the zoning resolution of the city of New York, for units
55 occupied for residential purposes on or before January first, nineteen
56 hundred eighty-five.

1 (ii) Joint living-work quarters for artists shall conform to the stan-
2 dards for light and ventilation of former sections C26-1205.0 through
3 and including section C26-1205.7 of the administrative code of the city
4 of New York.

5 (b) Portions of such buildings which are occupied exclusively as resi-
6 dential units as permitted by local law shall comply with the following:

7 (i) Every dwelling unit shall have one or more windows:

8 A. which open onto a street, a court with a dimension of fifteen feet
9 perpendicular to the windows and one hundred square feet minimum area
10 above a setback or a thirty foot rear yard; or

11 B. for corner lots or lots within one hundred feet of a corner, where
12 the minimum horizontal distance between such windows opening onto a rear
13 yard and the rear lot line is at least twenty feet; or

14 C. for interior lots, where the minimum horizontal distance between
15 such windows opening onto a rear yard and any wall opposite such windows
16 on the same or another zoning lot is at least twenty feet and not less
17 than a distance equal to one-third of the total height of such wall
18 above the sill height of such windows; but need not exceed forty feet;
19 or

20 D. for interior lots where the minimum horizontal distance between
21 such windows opening onto a rear yard and any wall opposite such windows
22 on the same or another zoning lot is at least fifteen feet and the mini-
23 mum size of such dwelling unit is twelve hundred square feet; or

24 E. in no event shall the distance between such windows and the rear
25 lot line be less than five feet; and

26 F. yards and courts may be existing or may be new in buildings seven
27 stories or less in height.

28 (ii) The minimum required ratio of window area opening onto a street,
29 rear yard, or court to the floor area of every living room shall:

30 A. be ten percent where the floor area of such living room is less
31 than five hundred square feet, except that:

32 (1) where an existing window in any such room is replaced with a
33 window assembly having a lower U-factor that complies with the New York
34 city energy conservation code, such window areas may be reduced not more
35 than twenty-five percent below the minimum otherwise required by this
36 paragraph;

37 (2) where HVAC equipment is installed in an existing window, such
38 window area may be reduced by not more than twenty-five percent below
39 the minimum otherwise required by this paragraph; or

40 (3) where both an existing window is replaced with a window assembly
41 in accordance with item one of this clause, and HVAC equipment is
42 installed in such window, such window area may be reduced by not more
43 than thirty-three percent below the minimum otherwise required by this
44 paragraph; or

45 B. decrease, by one percent for every one hundred square feet greater
46 than five hundred square feet of floor area of such living room, to a
47 minimum of five percent; and

48 C. in no event shall the distance between such window area and the
49 rear lot line be less than five feet; and

50 D. at least fifty percent of the required window area shall be opena-
51 ble.

52 (c) Ventilation of spaces other than living rooms, including enclosed
53 work spaces for joint living-work quarters for artists shall be either
54 in accordance with this section or in accordance with the administrative
55 code of the city of New York.

1 (d) No building converted pursuant to this article shall be enlarged,
2 except where the underlying zoning district permits residential use.
3 Such an enlargement shall be in conformance with the bulk regulations
4 for conforming residential use for new construction and shall be in
5 conformance with the provisions of section twenty-six of this chapter.
6 No interior floor area enlargement shall be permitted except that a
7 mezzanine with a minimum headroom of seven feet shall be allowed within
8 individual dwelling units, provided that the gross floor area of such
9 mezzanine does not exceed one-third of the floor area contained within
10 such dwelling unit. No mezzanine shall be included as floor area for the
11 purpose of calculating the minimum required size of a living room or a
12 dwelling unit or for calculating floor area devoted to dwellings. For
13 the purpose of this article a mezzanine may be constructed above the
14 level of the roof of a building as long as the aggregate area of roof
15 structures does not exceed one-third of the total roof area and the roof
16 structures conform with applicable building code requirements.

17 (e) The kitchen located within dwelling units and having a floor area
18 of eighty square feet or more shall have natural ventilation as
19 prescribed in sections 27-749 and 27-750 of chapter twenty-seven of the
20 administrative code of the city of New York. Open kitchens shall be
21 considered as part of the adjacent space where forty percent of the area
22 of the separation between the spaces is open and without doors. If the
23 floor area of the combined space exceeds seven hundred fifty square
24 feet, a separate bedroom shall not be required. When the floor area is
25 less than eighty square feet the kitchenette shall be ventilated by
26 either of the following:

27 (i) Natural means complying with sections 27-749 and 27-750 of chapter
28 twenty-seven of the administrative code of the city of New York and
29 further that the windows shall have a minimum width of twelve inches, a
30 minimum area of three square feet, or ten percent of the floor area of
31 the space, whichever is greater and be so constructed that at least
32 one-half of their required area may be opened, except that where exist-
33 ing windows are replaced with window assemblies having a lower U-factor
34 that complies with the New York city energy conservation code, such
35 windows may be reduced to not less than a minimum width of ten inches, a
36 minimum area of two and one-quarter square feet, or one-twelfth of the
37 floor area of the space, whichever is greater. When the space is
38 located at the top story, the window or windows may be replaced with a
39 skylight whose minimum width shall be twelve inches, whose minimum area
40 shall be four square feet or one-eighth of the floor area of the space,
41 whichever is greater and which shall have ventilation openings of at
42 least one-half of the required area of the skylight.

43 (ii) Mechanical means exhausting at least two cubic feet per minute of
44 air per square foot of floor area. Where doors are to be used to sepa-
45 rate the space, the lower portion of each door shall have a metal grill
46 containing at least forty-eight square inches of clean openings or in
47 lieu of such grill, two clear opening spaces may be provided, each of at
48 least twenty-four square inches, one between the bottom of each door and
49 the floor and the other between the top of each door and the head jamb.

50 (f) When bathrooms and toilet rooms are ventilated by natural means,
51 the natural ventilation sources shall comply with former sub-article
52 1205.0 of chapter twenty-six of the administrative code of the city of
53 New York and shall have an unobstructed free area of at least five
54 percent of the floor area. In no case shall the net free area of the
55 ventilation sources be less than one and one-half square feet. When
56 bathrooms and toilet rooms are vented by mechanical means, individual

1 vent shafts or ducts constructed of non-combustible materials with a
2 minimum cross section area of one square foot shall be utilized, the
3 exhaust system shall be capable of exhausting at least fifty cubic feet
4 per minute of air. Means shall be provided for egress of air by louvers
5 in doors, by undercutting the door, or by transfer ducts, grills or
6 other openings. Toilet exhaust systems shall be arranged to expel air
7 directly to the outdoors.

8 (g) A single station smoke detector shall be installed immediately
9 outside each sleeping or bedroom area of each dwelling unit. Such device
10 shall be designed and installed so as to detect smoke and activate an
11 alarm, be reasonably free from false alarms and provide visible indi-
12 cation that the alarm is energized. Such device shall be directly
13 connected to the lighting circuit of the dwelling or rooming unit with
14 no intervening wall switch and shall provide a warning signal clearly
15 audible in all sleeping quarters with intervening doors closed. Cord
16 connected installations or smoke detectors which rely exclusively on
17 batteries are not permissible. Such devices shall either be approved or
18 listed by an acceptable testing service or laboratory.

19 § 20. This act shall take effect immediately and shall apply to all
20 buildings in existence on or constructed after such date.