

STATE OF NEW YORK

11319--A

IN ASSEMBLY

May 11, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal)
-- read once and referred to the Committee on Housing -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the multiple dwelling law, in relation to energy effi-
ciency improvements and certain alterations to multiple dwellings

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

1 Section 1. Section 4 of the multiple dwelling law is amended by
2 adding a new subdivision 45 to read as follows:

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

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

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

10 a. Where an existing window in any room, public hall or stairs is
11 replaced with a window assembly having a lower coefficient of heat tran-
12 smittance, such light and ventilation may be reduced by not more than
13 twenty-five percent below the minimum otherwise required by this chap-
14 ter.

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

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

23 § 3. Paragraph (a) of subdivision 8 of section 30 of the multiple
24 dwelling law, as amended by chapter 559 of the laws of 1995, is amended
25 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 coefficient of heat transmittance, such
9 window area may be reduced by not more than twenty-five percent below
10 the minimum otherwise required by this paragraph.

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

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

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

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

29 a. Where an existing window in any such dining bay is replaced with a
30 window assembly having a lower coefficient of heat transmittance, such
31 window area may be reduced by not more than twenty-five percent below
32 the minimum otherwise required by this subdivision.

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

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

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

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

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

50 A. Where an existing window in any such kitchenette is replaced with
51 an assembly having a lower coefficient of heat transmittance, such
52 window area may be reduced by not more than twenty-five percent below
53 the minimum otherwise required by this subparagraph.

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

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

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

13 § 6. The opening paragraph and paragraph d of subdivision 1 of section
14 34 of the multiple dwelling law, the opening paragraph as amended by
15 chapter 874 of the laws of 1956, are amended to read as follows:

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

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

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

26 A. Where an existing window in any such room is replaced with a window
27 assembly having a lower coefficient of heat transmittance, such window
28 area may be reduced by not more than twenty-five percent below the mini-
29 imum otherwise required by this paragraph.

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

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

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

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

45 1. In every multiple dwelling erected after April eighteenth, nineteen
46 hundred twenty-nine, one at least of the required windows provided to
47 light each public hall or part thereof shall be at least two feet six
48 inches wide and five feet high except that where existing windows are
49 replaced with window assemblies having a lower coefficient of heat tran-
50 smittance, such openings may be reduced in area by not more than twen-
51 ty-five percent. Every required window in such a hall shall open upon a
52 street, court, yard or space above a setback. On the top story of such a
53 dwelling a ventilating skylight of the same dimensions shall be accepted
54 in lieu of a window for that story.

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

4 h. Every water-closet compartment, bathroom and general or public
5 toilet room, and every other room containing one or more water-closets
6 or urinals, except as specifically provided otherwise in this section,
7 shall have at least one window opening upon a street or lawful court,
8 yard or space above a setback. Every such window shall be at least three
9 square feet in area and shall be made so that half its area can be read-
10 ily opened, except that where an existing window is replaced with a
11 window assembly having a lower coefficient of heat transmittance, such
12 window area may be reduced to two and one-quarter square feet.

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

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

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

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

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

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

53 (1) Where an existing window in any such room is replaced with a
54 window assembly having a lower coefficient of heat transmittance, window
55 areas and light and ventilation may be reduced by not more than twenty-
56 five percent below the minimum otherwise required by this chapter.

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

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

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

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

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

32 b. Notwithstanding any inconsistent provision of this subdivision:

33 (1) Where any such existing window in any such room is replaced with a
34 window assembly having a lower coefficient of heat transmittance, the
35 window and glazed areas may be reduced not more than twenty-five percent
36 below the minimum otherwise required by this paragraph.

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

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

45 3. Whenever a basement conforming to the provisions of [~~subdivision~~
46 ~~four of~~] section one hundred seventy-seven is permitted to be occupied
47 for living purposes, every living room, bathroom, water-closet compart-
48 ment, kitchen and cooking space therein shall have one or more windows
49 opening directly upon a street; or upon a yard which is at every point
50 at least fifteen feet in depth and, above the window sill level of the
51 first story above the basement, at least twenty feet; or upon a court at
52 least two feet in width and extending the entire depth of the lot from
53 the street to the yard. All such yards and courts shall be measured at
54 the ground level from the lot line to the building line opposite on the
55 same lot. The top edge of the glazed area of every window shall be nine
56 inches or more below the finished ceiling and one foot or more above the

1 level of the adjoining ground. Every such window shall be so constructed
2 that one-half or more of its area may be opened, and shall be so located
3 as to light and ventilate adequately all portions of the room. The
4 windows in each such room shall have an aggregate glazed area of at
5 least one-eighth of the total floor area of the room, and in no event
6 less than twelve square feet[. ~~The top edge of the glazed area of every~~
7 ~~window shall be nine inches or more below the finished ceiling and one~~
8 ~~foot or more above the level of the adjoining ground. Every such window~~
9 ~~shall be so constructed that one-half or more of its area may be opened,~~
10 ~~and shall be so located as to light and ventilate adequately all~~
11 ~~portions of the room] except that:~~

12 a. Where an existing window in any such room is replaced with a window
13 assembly having a lower coefficient of heat transmittance, the window
14 and glazed areas may be reduced not more than twenty-five percent below
15 the minimum otherwise required by this subdivision.

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

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

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

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

39 a. Where an existing window in any such dining bay is replaced with a
40 window assembly having a lower coefficient of heat transmittance, such
41 window may be reduced by not more than twenty-five percent below the
42 minimum otherwise required by this subdivision.

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

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

51 § 14. The opening paragraph and paragraph f of subdivision 2 of
52 section 216 of the multiple dwelling law, the opening paragraph as
53 amended by chapter 874 of the laws of 1956, are amended to read as
54 follows:

55 No room in the basement or cellar of any tenement shall be occupied
56 for living purposes unless there is a written permit therefor as

1 provided in [~~subdivision five of~~] section three hundred and it either is
2 part of an apartment which complies with the conditions of subdivision
3 six of section thirty-four or complies with the following conditions:

4 f. [~~The area of every~~] Every window in such a room shall be [at] made
5 to open, and the top of each window shall be within twelve inches of the
6 ceiling. At least twelve square feet, and the total area of windows in
7 every such room shall be at least one-eighth of the total floor area of
8 the room[~~, At least half of each window shall be made to open, and the~~
9 ~~top of each window shall be within twelve inches of the ceiling~~], except
10 that:

11 (1) Where an existing window in any such room is replaced with a
12 window assembly having a lower coefficient of heat transmittance, such
13 window may be reduced by not more than twenty-five percent below the
14 minimum otherwise required by this paragraph.

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

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

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

25 d. Such room shall have a window or windows opening directly to the
26 required unoccupied area of ground outside of and adjoining such room or
27 to a street or yard. Every such window shall be made so as to open read-
28 ily and such window or windows shall provide at least twelve square feet
29 of clear openings for ventilation, except that where an existing window
30 is replaced with a window assembly having a lower coefficient of heat
31 transmittance, such window opening may provide not less than nine square
32 feet of clear openings for ventilation.

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

35 b. Such room shall be everywhere seven feet six inches or more in
36 height from floor to ceiling and shall have a window or windows opening
37 directly to a street, or to a yard at least twelve feet in depth, or to
38 a court at least six feet in its least dimension and twelve feet in its
39 greatest dimensions; every such windows shall be made so as to open
40 readily; such window or windows shall provide at least twelve square
41 feet of clear opening for ventilation, [~~and the~~] except that where an
42 existing window is replaced with a window assembly having a lower coef-
43 ficient of heat transmittance, such window may provide not less than
44 nine square feet of clear opening for ventilation. The apartment
45 containing such room shall have one or more rooms opening upon a street
46 or yard.

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

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

53 a. Where an existing window is replaced with a window assembly having
54 a lower coefficient of heat transmittance, such window may be reduced in
55 area by not more than twenty-five percent below the minimum otherwise
56 required by this subdivision.

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

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

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

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

16 (1) Where an existing window in any such room is replaced with a
17 window assembly having a lower coefficient of heat transmittance, such
18 window and glazed areas may be reduced by not more than twenty-five
19 percent below the minimum otherwise required by this paragraph.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (1) where an existing window in any such room is replaced with a
20 window assembly having a lower coefficient of heat transmittance, such
21 window areas may be reduced not more than twenty-five percent below the
22 minimum otherwise required by this paragraph;

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

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

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

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

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

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

42 (d) No building converted pursuant to this article shall be enlarged,
43 except where the underlying zoning district permits residential use.
44 Such an enlargement shall be in conformance with the bulk regulations
45 for conforming residential use for new construction and shall be in
46 conformance with the provisions of section twenty-six of this chapter.
47 No interior floor area enlargement shall be permitted except that a
48 mezzanine with a minimum headroom of seven feet shall be allowed within
49 individual dwelling units, provided that the gross floor area of such
50 mezzanine does not exceed one-third of the floor area contained within
51 such dwelling unit. No mezzanine shall be included as floor area for the
52 purpose of calculating the minimum required size of a living room or a
53 dwelling unit or for calculating floor area devoted to dwellings. For
54 the purpose of this article a mezzanine may be constructed above the
55 level of the roof of a building as long as the aggregate area of roof

1 structures does not exceed one-third of the total roof area and the roof
2 structures conform with applicable building code requirements.

3 (e) The kitchen located within dwelling units and having a floor area
4 of eighty square feet or more shall have natural ventilation as
5 prescribed in sections 27-749 and 27-750 of chapter twenty-seven of the
6 administrative code of the city of New York. Open kitchens shall be
7 considered as part of the adjacent space where forty percent of the area
8 of the separation between the spaces is open and without doors. If the
9 floor area of the combined space exceeds seven hundred fifty square
10 feet, a separate bedroom shall not be required. When the floor area is
11 less than eighty square feet the kitchenette shall be ventilated by
12 either of the following:

13 (i) Natural means complying with sections 27-749 and 27-750 of chapter
14 twenty-seven of the administrative code of the city of New York and
15 further that the windows shall have a minimum width of twelve inches, a
16 minimum area of three square feet, or ten percent of the floor area of
17 the space, whichever is greater and be so constructed that at least
18 one-half of their required area may be opened, except that where exist-
19 ing windows are replaced with window assemblies having a lower coeffi-
20 cient of heat transmittance, such windows may be reduced to not less
21 than a minimum width of ten inches, a minimum area of two and one-quar-
22 ter square feet, or one-twelfth of the floor area of the space, whichev-
23 er is greater. When the space is located at the top story, the window
24 or windows may be replaced with a skylight whose minimum width shall be
25 twelve inches, whose minimum area shall be four square feet or one-
26 eighth of the floor area of the space, whichever is greater and which
27 shall have ventilation openings of at least one-half of the required
28 area of the skylight.

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

36 (f) When bathrooms and toilet rooms are ventilated by natural means,
37 the natural ventilation sources shall comply with former sub-article
38 1205.0 of chapter twenty-six of the administrative code of the city of
39 New York and shall have an unobstructed free area of at least five
40 percent of the floor area. In no case shall the net free area of the
41 ventilation sources be less than one and one-half square feet. When
42 bathrooms and toilet rooms are vented by mechanical means, individual
43 vent shafts or ducts constructed of non-combustible materials with a
44 minimum cross section area of one square foot shall be utilized, the
45 exhaust system shall be capable of exhausting at least fifty cubic feet
46 per minute of air. Means shall be provided for egress of air by louvers
47 in doors, by undercutting the door, or by transfer ducts, grills or
48 other openings. Toilet exhaust systems shall be arranged to expel air
49 directly to the outdoors.

50 (g) A single station smoke detector shall be installed immediately
51 outside each sleeping or bedroom area of each dwelling unit. Such device
52 shall be designed and installed so as to detect smoke and activate an
53 alarm, be reasonably free from false alarms and provide visible indi-
54 cation that the alarm is energized. Such device shall be directly
55 connected to the lighting circuit of the dwelling or rooming unit with
56 no intervening wall switch and shall provide a warning signal clearly

1 audible in all sleeping quarters with intervening doors closed. Cord
2 connected installations or smoke detectors which rely exclusively on
3 batteries are not permissible. Such devices shall either be approved or
4 listed by an acceptable testing service or laboratory.
5 § 20. This act shall take effect immediately and shall apply to all
6 buildings in existence on or constructed after such date.