

# 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 imum 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.