§ 378. Standards for New York state uniform fire prevention and building code. The uniform code shall address the following subjects:

1. Standards for the construction of all buildings or classes of buildings, or the installation of equipment therein, including standards for materials to be used in connection therewith, and standards for safety and sanitary conditions. Notwithstanding the above, sleeping quarters in a children's overnight camp as defined in subdivision one of section thirteen hundred ninety-two of the public health law shall be governed by subdivision one of section thirteen hundred ninety-four of such law.

1-a. a. Standards for the construction of all new buildings and for the construction or renovation of existing buildings that undergo a substantial improvement, as defined by the council, located wholly or partially in an area designated on the applicable Federal Emergency Management Agency ("FEMA") flood insurance rate map, as amended from time to time, as a Special Flood Hazard Area or Moderate Risk Flood Hazard Area, for the purposes of safeguarding life and property therein and thereabout from the hazards of sea level rise, flooding, saltwater corrosion, coastal or riparian erosion, storms, and other degradation that may arise out of characteristics of the coastal environment.

b. The standards in paragraph a of this subdivision shall (i) be developed to address future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data from nationally recognized sources or data produced by state agencies based on nationally recognized procedures, analysis, and studies predicting the likelihood of extreme weather events, including hazard risk analysis data if applicable, and after consultation with the department of environmental conservation, and (ii) if appropriate, provide for regular inspection, and repair, as necessary, of the interior structural elements of buildings.

2. Standards for the condition, occupancy, maintenance, conservation, rehabilitation and renewal of certain existing buildings, structures and premises and for the safeguarding of life and property therein and

thereabout from the hazards of fire, explosion or release of toxic gases arising from the storage, handling or use of combustible or hazardous substances, materials or devices.

3. Standards for passenger elevators to promote uniformity and ease of use for individuals with disabilities including, but not limited to:

a. placement and identification of operating controls,

b. door jamb markings,

c. operation and leveling features,

d. operation, width, and safety features for doors,

e. hall buttons, and

f. hall lanterns.

3-a. a. Standards for emergency planning and preparedness for high-rise buildings that address the needs of individuals with disabilities which shall be developed in consultation with organizations that advocate on behalf of individuals with disabilities to be identified by the department of state in consultation with the office of the chief disability officer.

b. The standards to be developed shall consider but not be limited to:

(i) procedures for evacuating individuals with disabilities;

(ii) if it is necessary for the fire safety and emergency evacuation plan that the owner or the owner's agent shall establish and maintain to include a list of names and room numbers for individuals with disabilities who have affirmatively notified the owner or the owner's agent that they are disabled, would require assistance in the event of an emergency and have requested that their names and room numbers be included in such list;

(iii) if it is necessary for the fire safety and emergency evacuation plan that the owner or the owner's agent shall establish and maintain to

include a notification mechanism to the occupants that a list of individuals with disabilities who would need assistance in case of an emergency may exist and is maintained by the owner or the owner's agent, that such list would include only those individuals who have requested inclusion, that such list would be made available to building staff and management as well as local law enforcement and fire safety personnel, and the method by which occupants can affirmatively place their name on such list;

(iv) if it is necessary for the fire safety and emergency evacuation plan that the owner or the owner's agent shall establish and maintain to include information on the location and type of evacuation assistance devices or assistive technologies that are available within the building; and

(v) if it is necessary for the fire safety and emergency evacuation plan that the owner or the owner's agent shall establish and maintain to contain floor plans identifying the locations of accessible egress routes, including areas of refuge and exterior areas for assisted care.

c. Notwithstanding any provision of law to the contrary, standards developed pursuant to this subdivision shall specify that:

(i) it shall be the duty of every owner of a high-rise building, or of the owner's agent, to establish and maintain a fire safety and emergency evacuation plan as provided for in this subdivision;

(ii) the owner or owner's agent shall make the fire safety and emergency evacuation plan available in the building for reference and review by building management and staff, subject to paragraph h of this subdivision, and by building occupants, provided that if any such plan is required to include a list of individuals with disabilities who have affirmatively notified the owner or the owner's agent that they are disabled, would need assistance in the case of an emergency, and have requested that their names and room numbers be included in such list, building occupants shall not be given access to any such list of individuals with disabilities and their room numbers;

(iii) copies of the fire safety and emergency evacuation plan shall be provided to local law enforcement and fire safety personnel upon request; and

(iv) the fire safety and emergency evacuation plan shall be made

available in a large-print document (18-point font size or larger); Braille (Grade II); and/or any other alternative formats upon request, subject to the limitations on dissemination to building occupants of any list of individuals with disabilities and their room numbers contained in subparagraph (ii) of this paragraph.

d. A copy of the fire safety and emergency evacuation plan shall be maintained at all times in a place easily accessible by law enforcement and/or fire safety personnel. Such a place may include but is not limited to the management office, the security desk, in the vicinity of the firefighter's elevator recall key, the life safety panel, or the fire pump room.

e. On an annual basis, every high-rise building owner or the agent of such owner shall update the fire safety and emergency evacuation plan and provide occupants with a notice detailing the provisions of the fire safety and emergency evacuation plan.

f. As used in this subdivision, "high-rise building" means a building with an occupied floor located more than seventy-five feet above the lowest level of fire department vehicle access.

g. Notwithstanding any other provision of this subdivision, (i) this subdivision shall not apply to hospitals as defined in subdivision one of section twenty-eight hundred one of the public health law, assisted living residences licensed under article forty-six-B of the public health law, and adult care facilities licensed under article seven of the social services law; and (ii) residential high-rise buildings whose units are limited to households containing residents fifty years of age and older and that have implemented specialized evacuation plans in consultation with local first responders may use those plans to satisfy the requirements of this subdivision.

h. Any building management, building staff, local law enforcement and fire safety personnel who receive, as part of or in connection with a fire safety and emergency evacuation plan developed pursuant to this subdivision, a list of individuals with disabilities who require

assistance in the event of an emergency shall maintain the confidentiality of the information in such list and shall use and disclose it only for purposes permitted pursuant to this subdivision or any standards developed pursuant to this subdivision.

4. Standards for areas of public assembly requiring:

a. approved fire protection equipment and systems shall be installed;

b. interior finishes shall be of appropriate grade to materially retard the spread of smoke and flame, taking into consideration the fire protection equipment and systems in place, and shall be maintained in that condition;

c. no combustible material shall be placed in such amounts and locations as would cause existing fire protection equipment and systems to be substantially overburdened, nor shall any material be placed in such manner as would cause safe exit to be significantly impeded; and

d. incorporation of the retroactivity provisions of article eighteen-AA of this chapter.

e. for buildings included in group C5 of paragraph (f) of section 900.2 of title nine of the official compilation of codes, rules and regulations of the state of New York, that water closets and urinals provided for occupants, based upon capacity, shall be deemed sanitary fixtures and shall be distributed on a basis such that the number of such sanitary fixtures provided in rest facilities for men shall be equal to the number of water closets provided in rest facilities provided for women in buildings with an occupancy of four hundred or less. For buildings consisting of more than four hundred occupants, an additional water closet shall be added to a rest facility provided for women for each sanitary fixture added to a similarly situated rest facility provided for men.

The standards shall include provisions for the type, number, spacing and location of fire protection equipment and systems, the

classification and maintenance of interior finishes, and the accumulation of materials.

5. Standards for hotels, motels and lodging houses, requiring that a notice be posted in a prominent place in each guest room, including but not limited to the following information:

a. location of nearest exits and fire alarms;

b. procedures to be followed when the fire or smoke detector gives warning; and

c. procedures to be followed in the event of fire or smoke development.

5-a. Standards for installation of carbon monoxide detectors requiring that every one or two-family dwelling, or any dwelling accommodation located in a building owned as a condominium or cooperative in the state or any multiple dwellings shall have installed an operable carbon monoxide detector of such manufacture, design and installation standards as are established by the council. Carbon monoxide detectors required by this section are required only where the dwelling unit has appliances, devices or systems that may emit carbon monoxide or has an attached garage. For purposes of this subdivision, multiple dwelling means a dwelling which is either rented, leased, let or hired out, to be occupied, or is occupied as the temporary or permanent residence or home of three or more families living independently of each other, including but not limited to the following: a tenement, flat house, maisonette apartment, apartment house, apartment hotel, tourist house, bachelor apartment, studio apartment, duplex apartment, kitchenette apartment, hotel, lodging house, rooming house, boarding house, boarding and nursery school, furnished room house, club, sorority house, fraternity house, college and school dormitory, convalescent, old age or nursing homes or residences. It shall also include a dwelling, two or more stories in height, and with five or more boarders, roomers or lodgers residing with any one family. New construction shall mean a new facility or a separate building added to an existing facility.

5-b. Standards for installation of smoke detecting alarm devices requiring that:

a. every one or two-family dwelling or any dwelling accommodation located in a building owned as a condominium or cooperative in the state used as a residence shall have installed an operable single station smoke detecting alarm device or devices,

b. such device or devices shall be installed in an area so that it is clearly audible in each bedroom or other room used for sleeping purposes, with intervening doors closed, in accordance with rules to be promulgated by the council,

c. every residential building with a common space or common spaces shared between three or more dwelling units shall have installed an operable smoke detecting alarm device, devices, system or systems such that an alarm notification is clearly audible in each common space, with rules to be promulgated by the council in accordance with nationally recognized standards. The council shall define common spaces for the purposes of the standards promulgated pursuant to this paragraph, provided that such definition shall include any spaces accessible by all residents, including, but not limited to, lobbies, hallways, and stairwells,

d. such device or devices shall be in compliance with the uniform code, provided, however, that for purposes of this subdivision, battery operated devices shall be permitted,

e. upon conveyance of any real property containing a one or two-family dwelling or a condominium unit used as a residence and the transferor of the shares allocated to an apartment located in a building owned by a cooperative housing corporation where such apartment is used as a residence, the grantor shall deliver to the grantee at the time of conveyance an affidavit indicating that the grantor is in compliance with this subdivision. The grantee shall have ten days from the date of conveyance within which to notify the grantor if the alarm or alarms are

not operable. Upon notification, the transferor shall bear any cost of compliance with the provisions of this subdivision,

f. notwithstanding any other provision of law, a failure to comply with the provisions of this subdivision shall not be a breach of any warranty in a conveyance of real property, nor shall it be a defense to any claim made under a policy of insurance issued to insure the property against fire or other casualty loss.

5-c. Standards for inspections of solid fuel burning heating appliances, chimneys and flues requiring:

a. prior to the installation of any solid fuel burning heating appliance, chimney or flue in any dwelling used as a residence, the owner thereof, or his agent, shall first secure a building permit from the appropriate local government official;

b. an appropriate and qualified inspector, as determined by the local government, shall cause an inspection to be made of the solid fuel burning heating appliance, chimney or flue at a time when such inspection will best determine conformity of such installation with the uniform code, provided, however, that the local government official may waive such inspection for good cause shown;

c. upon approval of such installation, the appropriate local government official shall issue a certificate evidencing compliance with the appropriate provisions of the uniform code;

d. no owner of any dwelling used as a residence shall operate, or cause to be operated, any solid fuel burning heating appliance until such installation, including chimney and flue, has been approved and a certificate indicating such approval obtained from the appropriate local government official;

e. in the event of an accidental fire, requiring the services of a fire department, in a solid fuel burning heating appliance, chimney or flue, the chief of the fire department so responding may issue a

temporary thirty day certificate indicating substantial conformity with the uniform code, until such time as an official inspector, as determined by local law, or in the case of a locality that relies on state inspection, a state inspector, shall cause an inspection to be made and a certificate to be issued indicating conformity of such solid fuel burning heating appliance, chimney or flue with the uniform code;

f. the issuance of such certificate of compliance shall not be deemed to give rise to any claim or cause of action for damages against the local government or local official for damages resulting from operation or use of such solid fuel burning heating appliance, chimney or flue;

g. the local government in which such property is located may establish and collect a reasonable fee for such inspection from the owner of such property or his agent;

h. any violation of this subdivision shall be deemed a violation and be punishable by a fine not to exceed two hundred fifty dollars;

i. notwithstanding the foregoing provisions of this subdivision, in the event of an emergency, where a delay occasioned by the requirement of securing a building permit could reasonably be expected to cause irrepairable damage to the property or serious personal injury to the occupants or other person, the owner or his agent may commence such installation without first obtaining such building permit provided application therefore is filed within three business days after such work is commenced.

5-d. Standards for installation of carbon monoxide detecting devices requiring that the owner of every building that contains one or more restaurants and the owner of every commercial building in the state shall have installed in such building and shall maintain operable carbon monoxide detecting device or devices of such manufacture, design and installation standards as are established by the council. Carbon monoxide detecting devices shall only be required if the restaurant or commercial building has appliances, devices or systems that may emit carbon monoxide or has an attached garage.

6. Standards for the use of lead in water supply systems constructed or portions added on or after January first, nineteen hundred eighty-six, including limiting the amount of lead in solder which may be utilized in piping to convey potable water to not more than two-tenths of one percent.

7. Standards for the construction of water supply systems which shall prohibit the use of asbestos cement pipe to convey potable water for any new or modified construction on or after January first, nineteen hundred ninety-two.

8. Standards for hotels, motels and lodging houses requiring (in addition to any other requirement) portable smoke-detecting alarm devices for the deaf and hard of hearing of audible and visual design, available for three percent of all units available for occupancy, with a minimum of one unit. If any other law or regulation requires a central, closed circuit interior alarm system, such device shall be incorporated into or connected to the system so as to be capable of being activated by the system. Incorporation into the existing system shall be in lieu of the portable alarms. Standards shall require operators of any such establishment to post conspicuously at the main desk or other similar station a notice in letters at least three inches in height stating that smoke-detector alarm devices for the deaf and hard of hearing are available. The council shall mandate by rule and regulation the specific design of the smoke-detector alarm devices.

9. Standards for buildings (designated as "Group B3-senior citizens" in regulations promulgated pursuant to the New York state uniform fire prevention and building code act) housing senior citizens, intended primarily for persons sixty-two years old or more, who are in good physical condition and do not require physical assistance, requiring that a notice be posted in a prominent place in each residential unit, including but not limited to the following information:

a. location of nearest exits and fire alarms;

b. procedures to be followed when the fire or smoke detector gives warning; and

c. procedures to be followed in the event of fire or smoke development.

10. Standards for assistive listening systems for new construction commenced after January first, nineteen hundred ninety-one requiring the installation of assistive listening systems at all places of public assembly so designated by the appropriate building and fire code for use by persons who are deaf or hard of hearing who require use of such a system to improve their reception of sound.

a. For purposes of this subdivision, the term (i) "assistive listening system" shall mean situational-personal acoustic communication equipment designed to improve the transmission and auditory reception of sound; and

(ii) "place of public assembly" shall mean a facility which is open to the public as a theater, meeting hall, hearing room, amphitheater, auditorium, or in any other similar capacity.

b. Standards for such systems shall be developed by the state fire prevention and building code council upon receiving recommendations from the advisory board on assistive listening systems in places of public assembly.

c. The appropriate building code or ordinance shall designate such places of public assembly which shall be required to install such assistive listening systems.

11. Standards for buildings shall authorize the installation of potable water heaters for all domestic uses, including space heating.

* 12. a. Standards for bed and breakfast dwellings shall be promulgated for fire safety. Notwithstanding any other provision of this article, for the purposes of this subdivision a "bed and breakfast dwelling" shall include an owner-occupied residence providing at least three but not more than five rooms for temporary transient lodgers with

sleeping accommodations and a meal in the forenoon of the day. Such standards shall distinguish bed and breakfast dwellings from one and two family dwellings, provide specific options for hard-wired single-station smoke detectors and provide a notice to each guest that contains:

(i) the location of nearest exits and fire alarms;

(ii) procedures to be followed when fire or smoke detectors give warning; and

(iii) procedures to be followed in the event of fire or smoke development.

b. Such standards shall also include egress design options to preserve the aesthetic charm and historical significance of such dwellings that shall be limited to one of the following:

(i) an automatic sprinkler head in the stairwell area of any means of egress;

(ii) an external second floor egress; or

(iii) a portable escape device for each guest room.

c. The standards required by this subdivision shall be promulgated and implemented not later than one hundred twenty days after the effective date of this paragraph.

* NB There are 2 sub 12's

* 12. Standards for hospice residences, as defined in section four thousand two of the public health law, which shall be deemed to be either a single family dwelling or a two family dwelling for the purposes of local laws and ordinances relating to fire safety and building construction standards.

* NB There are 2 sub 12's

13. Standards for the abandonment or removal of heating oil storage tanks and related piping in connection with the conversion of liquid fuel burning appliance to alternative fuel requiring:

a. The entire contents of the heating oil storage tank and related piping shall be emptied, cleaned and purged of all vapor. The contents of the storage tank and related piping shall be removed from the premises or property and disposed of in accordance with applicable

local, state or federal rules and regulations;

b. If the heating oil storage tank is to be abandoned in place, the vent line shall remain open and intact, unless the tank is filled with an inert material. The oil fill pipe and other related piping shall either be removed, or the oil fill pipe shall be filled with concrete;

c. If the heating oil storage tank is to be removed, the vent line, oil fill pipe and related piping shall also be removed, or the oil fill pipe shall be filled with concrete;

d. An appropriate and qualified inspector, as determined by the local government, shall cause an inspection to be made of the abandonment or removal in connection with the conversion to determine conformity with the uniform code; provide, however, that the local government official may waive such inspection for good cause shown; and

e. No approval of such abandonment or removal shall be granted unless written proof of the heating oil storage tank's oil fill pipe having been removed or filled with concrete in accordance with appropriate provisions of the uniform code has been provided by the property owner to the local inspector or, in the event that an inspection has been waived for good cause shown, to the local government official.

f. For the purposes of this subdivision, "heating oil storage tank" shall mean a tank used for storing heating oil for consumptive use on the premises where stored.

g. In cities with a population of over one million, such cities' local code provisions shall be at least as stringent as the provisions of this subdivision.

h. The property owner shall provide written notice to his or her home heating oil supplier or suppliers to inform them of such conversion to an alternate fuel prior to the commencement of the new home heating service.

14. Provide that any:

a. gates required to be provided in a swimming pool enclosure shall be self-closing and self-latching, and shall be securely locked with a key, combination or other child proof lock sufficient to prevent access to such swimming pool through such gate when such swimming pool is not in use or supervised. Release mechanism standards shall be developed by the state fire prevention and building code council based on internationally recognized standards;

b. residential or commercial swimming pool constructed or substantially modified after the effective date of this paragraph shall be equipped with an acceptable pool alarm capable of detecting a child entering the water and of giving an audible alarm; and

c. hot tub or spa with a safety cover which complies with American Society of Testing and Materials International standard F1346 (2003) or any similar standard which may be approved by the council shall be exempt from the provisions of this subdivision and any swimming pool, other than a hot tub or spa, with an automatic power safety cover which complies with American Society of Testing and Materials International standard F1346 (2003) or any similar standard which may be approved by the council shall be exempt from the provisions of paragraph b of this subdivision.

d. temporary swimming pool enclosure shall be required to be replaced by a permanent enclosure which is in compliance with New York state codes, regulations or local laws within ninety days from the issuance of a local building permit or the commencement of the installation of an in-ground swimming pool, whichever is later. A local building department may issue a waiver to allow an extension of such ninety day time period for good cause including but not limited to adverse weather conditions delaying construction.

15. Standards for temporary swimming pool enclosures used during the installation or construction of swimming pools requiring that any such enclosure shall sufficiently prevent any access to such swimming pool by

any person not engaged in the installation or construction of such swimming pool and shall sufficiently provide for the safety of any such person.

16. Standards requiring the installation and maintenance of at least one safe, sanitary, and convenient diaper changing station, deck, table, or similar amenity which shall be available for use by both male and female occupants and which shall comply with section 603.5 (Diaper Changing Tables) of the two thousand nine edition of the publication entitled ICC A117.1, Accessible and Usable Buildings and Facilities, published by the International Code Council, Inc., on each floor level containing a public toilet room in all newly constructed buildings in the state that have one or more areas classified as assembly group A occupancies or mercantile group M occupancies and in all existing buildings in the state that have one or more areas classified as assembly group A occupancies or mercantile group M occupancies and undergo a substantial renovation. The council shall prescribe the type of renovation to be deemed to be a substantial renovation for the purposes of this subdivision. The council may exempt historic buildings from the requirements of this subdivision.

17. Standards requiring that, in each building that has one or more areas classified as assembly group A occupancies or mercantile group M occupancies and in which at least one diaper changing station, deck, table, or similar amenity is installed, a sign shall be posted in a conspicuous place in each public toilet room indicating the location of the nearest diaper changing station, deck, table, or similar amenity that is available for use by the gender using such public toilet room. The requirements of this subdivision shall apply without regard to whether the diaper changing station, deck, table, or similar amenity was installed voluntarily or pursuant to subdivision sixteen of this section or any other applicable law, statute, rule, or regulation. No such sign shall be required in a public toilet room in which any diaper changing station, deck, table, or similar amenity is located.

18. Standards requiring that grease traps or interceptors located in a place that may be accessible by the public, or located inside any food

service establishment, or located in any other building that is open to the public, shall be designed and maintained to withstand expected loads and to prevent unauthorized access. Such standards shall also include requiring the installation of a warning sign or symbol, as determined by the council, on or in the vicinity of such grease traps or interceptors. Such standards shall apply to new and existing grease traps and interceptors. For the purposes of this subdivision, "food service establishment" shall have the same meaning as in part fourteen of title ten of the New York code of rules and regulations.

19. a. To support the goal of zero on-site greenhouse gas emissions and help achieve the state's clean energy and climate agenda, including but not limited to greenhouse gas reduction requirements set forth within chapter one hundred six of the laws of two thousand nineteen, also known as the New York state climate leadership and community protection act, the uniform code shall prohibit the installation of fossil-fuel equipment and building systems, in any new building not more than seven stories in height, except for a new commercial or industrial building greater than one hundred thousand square feet in conditioned floor area, on or after December thirty-first, two thousand twenty-five, and the uniform code shall prohibit the installation of fossil-fuel equipment and building systems, in all new buildings on or after December thirty-first, two thousand twenty-eight.

b. The provisions set forth in paragraph a of this subdivision shall not be construed as applying to buildings existing prior to the effective date of the applicable prohibition, including to:

(i) the repair, alteration, addition, relocation, or change of occupancy or use of such buildings; and

(ii) the installation or continued use and maintenance of fossil-fuel equipment and building systems, including as related to cooking equipment, in any such buildings.

c. In addition, in effectuating the provisions set forth in paragraph a of this subdivision the code shall include exemptions for the purposes of allowing the installation and use of fossil-fuel equipment and building systems where such systems are installed and used:

(i) for generation of emergency back-up power and standby power systems;

(ii) in a manufactured home as defined in subdivision seven of section six hundred one of the executive law; or

(iii) in a building or part of a building that is used as a manufacturing facility, commercial food establishment, laboratory, car wash, laundromat, hospital, other medical facility, critical infrastructure, including but not limited to emergency management facilities, wastewater treatment facilities, and water treatment and pumping facilities, agricultural building, fuel cell system, or crematorium, as such terms are defined by the code council.

d. Where the uniform code includes an allowed exemption pursuant to subparagraph (i) or (iii) of paragraph c of this subdivision, other than agricultural buildings as defined by the council, such exemption shall include provisions that, to the fullest extent feasible, limit the use of fossil-fuel equipment and building systems to the system and area of the building for which a prohibition on fossil-fuel equipment and building systems is infeasible; except with respect to servicing manufacturing or industrial processes, require the area or service within a new building where fossil-fuel equipment and building systems are installed be electrification ready; and minimize emissions from the fossil-fuel equipment and building systems that are allowed to be used, provided that such provisions do not adversely affect health, safety, security, or fire protection. Financial considerations shall not be sufficient basis to determine physical or technical infeasibility.

e. Exemptions included in the uniform code pursuant to this subdivision shall be periodically reviewed by the code council to assure that they continue to effectuate the purposes of paragraph a of this subdivision and subparagraph three of paragraph b of subdivision two of section three hundred seventy-one of this article to the fullest extent feasible.

f. The code shall allow for exemption of a new building construction project that requires an application for new or expanded electric service, pursuant to subdivision one of section thirty-one of the public

service law and/or section twelve of the transportation corporations law, when electric service cannot be reasonably provided by the grid as operated by the local electric corporation or municipality pursuant to subdivision one of section sixty-five of the public service law; provided, however, that the public service commission shall determine reasonableness for purposes of this exemption. For the purposes of this paragraph, "grid" shall have the same meaning as electric plant, as defined in subdivision twelve of section two of the public service law.

g. For the purposes of this subdivision:

(i) "Fossil-fuel equipment and building systems" shall mean (A) equipment, as such term is defined in section 11-102 of the energy law, that uses fossil-fuel for combustion; or (B) systems, other than items supporting an industrial or commercial process as referred to in the definition of equipment in section 11-102 of the energy law, associated with a building that will be used for or to support the supply, distribution, or delivery of fossil-fuel for any purpose, other than for use by motor vehicles.

(ii) "Electrification ready" means the new building or portion thereof where fossil-fuel equipment and building systems are allowed to be used which contains electrical systems and designs that provide sufficient capacity for a future replacement of such fossil-fuel equipment and building systems with electric-powered equipment, including but not limited to sufficient space, drainage, electrical conductors or raceways, bus bar capacity, and overcurrent protective devices for such electric-powered equipment.

20. a. Except as otherwise provided by statute, no change to the building code shall become effective until at least ninety days after the date on which notice of such change has been published in the state register, unless the council finds that:

(i) an earlier effective date is necessary to protect health, safety and security; or

(ii) the change to the code will not impose any additional compliance requirements on any person.

b. Notwithstanding the provisions of paragraph a of this subdivision,

the council may provide that, in the period during which changes to the code have been adopted but are not yet effective pursuant to paragraph a of this subdivision, a person shall have the option of complying with either the provisions of the code as changed or with the code provisions as they were set forth immediately prior to the change.