

ENVIRONMENTAL

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AIR CONDITIONING

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AIR CONDITIONING

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NEW YORK CITY ADMINISTRATIVE CODE

TITLE 20: CONSUMER AFFAIRS

CHAPTER 7: ENERGY

§ 20-910. Air Conditioning Prohibitions.

- a. For the purposes of this section, the following terms shall have the following meanings:
 1. “Chain of stores” shall mean five or more stores located within the city of New York that are engaged in the same general field of business and conduct business under the same business name or operate under common ownership or management or pursuant to a franchise agreement with the same franchisor.
 2. “Commercial building or structure” shall mean a building or structure classified in accordance with section BC 302 of the New York City building code in occupancy group B or M, except that such term shall not include a small store.
 3. “Door” shall mean any door used to close off any exterior entrance to a commercial building or structure and that when open allows for the co-mingling of indoor and outdoor air, but shall not include doors that (i) adjoin indoor seating areas where food or beverages are served and link such areas to outdoor space or outdoor seating areas, or (ii) allow for direct table service of food or beverages to outdoor seating areas during times when servers are actively engaged in serving such areas.
 4. “Person” shall mean (i) with respect to the portion of a commercial building or structure that is a retail or wholesale establishment that sells goods or provides services to consumers, the owner or lessee of such establishment; and (ii) with respect to any other portion of a commercial building or structure, the record owner or lessee of such building or structure.
 5. “Small store” shall mean a retail or wholesale establishment that sells goods or provides services to consumers and occupies under four thousand square feet of retail or wholesale space, excluding storage space, and is not one of a chain of stores.
- b. Except as provided in subdivision c of this section, it shall be unlawful to keep open any exterior door of a commercial building or structure while an air conditioner or central cooling system is operating that cools the area adjacent to such door, except as needed to permit the ingress and egress of people and the delivery and shipping of goods.
- c. The provisions of this section shall not apply when an emergency situation exists that requires an exterior door to be kept open.
- d. The department shall have the authority to enforce the provisions of subdivision b of this section. A proceeding to recover any civil penalty prescribed by subdivision e of this section shall be commenced by the service of a notice of violation, which shall be returnable to the

environmental control board. The environmental control board shall have the power to impose any civil penalty prescribed by subdivision e of this section.

- e. Any person who violates this section shall receive a written warning for the first violation, and shall be liable for a civil penalty in the amount of two hundred dollars for each open door for a second violation within an eighteen month period and four hundred dollars for each open door for any third and subsequent violation within an eighteen month period.

ROLL DOWN GATES

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NEW YORK CITY ADMINISTRATIVE CODE
TITLE 28: NEW YORK CITY CONSTRUCTION CODES
CHAPTER 1: ADMINISTRATION
ARTICLE 101: GENERAL

§ 28-101.4.3. Optional Use of the 1968 Building Code for Alteration of Existing Buildings.

At the option of the owner, and subject to appropriate approval, a permit may be issued after the effective date of this code authorizing work on existing buildings constructed in accordance with the 1968 building code or with the building laws in effect prior to the effective date of the 1968 building code, to be performed in accordance with the requirements and standards set forth in the 1968 building code, subject to the following conditions:

1. The installation and alteration of all appliances, equipment, and systems regulated by the New York City fuel gas code, the New York City plumbing code and the New York City mechanical code shall be governed by applicable provisions of those codes relating to new and existing installations.
2. The installation, alteration and additions to fire protection systems regulated by Chapter 9 of the New York city building code, including a change of occupancy group that would require such systems, shall be governed by applicable provisions of such chapter and related referenced standards. With respect to existing buildings, references to occupancy classifications in Chapter 9 of the New York City building code shall be deemed to refer to the equivalent occupancy classification of the 1968 building code.
3. The installation and alteration of elevators, conveyors, and amusement rides shall be governed by chapter 30, appendix K of the New York City building code and the rules of the department.
4. Safety of public and property during construction operations including demolition shall be governed by chapter 33 of the New York City building code.
5. Where the estimated cost of such alteration in any twelve-month period exceeds fifty percent of the cost of replacement of the building or where there is a change in the main use or dominant occupancy of the building, facilities for people with physical disabilities shall be provided in accordance with chapter 11 of the New York city building code as if the building were hereafter erected.
6. Encroachments onto the public right of way shall be governed by chapter 32 of the New York City building code.
7. Except as otherwise limited by the commissioner, administration and enforcement of the 1968 building code shall be in accordance with this code, including but not limited to approval of construction documents, issuance of permits and certificates of occupancy, tests and inspections, penalties and enforcement. Controlled inspections and semi-controlled

inspections as referenced in the 1968 building code shall be deemed to be special inspections and shall comply with the provisions of this code relating to special inspections. Materials regulated in their use by the 1968 building code shall be subject to applicable provisions of this code.

8. The installation and replacement of security grilles shall be governed by section 1008.1.3.5 of the New York City building code.*
8. All work related to energy efficiency shall be regulated by the New York City energy conservation code.
11. Alterations involving the recovering or replacing of an existing roof covering shall comply with section 1504.8 of the New York city building code unless the area to be recovered or replaced is less than 50 percent of the roof area and less than 500 square feet.

* There are 2 subdivision 8's.

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NEW YORK CITY ADMINISTRATIVE CODE
TITLE 28: NEW YORK CITY CONSTRUCTION CODES
CHAPTER 7: THE NEW YORK CITY BUILDING CODE
ARTICLE 701: ENACTMENT AND UPDATE OF THE NEW YORK CITY BUILDING CODE
CHAPTER 10: MEANS OF EGRESS
SECTION BC 1008: DOORS, GATES AND TURNSTILES

§ 1008.1.3.5. Security Grilles.

In groups B, M, and S, horizontal sliding or vertical security grilles are permitted at the main entrance where the opening of such grilles are essential to the operation of the establishments. Such grilles shall be installed in accordance with the following criteria:

1. Security grilles shall be openable from the inside without the use of a key or special knowledge or effort during periods that the space is occupied.
2. The security grilles shall remain secured in the full-open position during the period of occupancy by the general public.
3. Except as to buildings or structures classified in occupancy group S, buildings or structures that have been designated as a landmark by the landmarks preservation commission or located in a historic district designated by such commission, on or after July 1, 2011, no security grille may be installed or replaced, nor shall the owner of a structure classified as a Group B or M occupancy or the operator of the business occupying such structure allow to be installed or replaced, a security grille to secure such property where the grille abuts the sidewalk, unless the grille, when closed, permits visibility from the sidewalk of at least seventy percent of the area covered by such grille.
4. No later than July 1, 2026, all security grilles installed on buildings or structures classified in occupancy groups B or M shall comply with the provisions of paragraph 3 of this section.

VOLATILE ORGANIC COMPOUNDS

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NEW YORK CITY ADMINISTRATIVE CODE

TITLE 17: HEALTH

CHAPTER 14: LIMITS ON VOLATILE ORGANIC COMPOUND. EMISSIONS IN CARPET AND CARPET CUSHION.

§ 17.1401. Definitions.

- (1) Carpet. A heavy fabric used to cover a floor and made from wool, cotton, or other natural or synthetic fibers. Such term shall include carpet backing.
- (2) Carpet business. Any person engaged in the business of selling or installing carpet or carpet cushion.
- (3) Carpet adhesive. Any adhesive labeled for use in the installation of carpet, vinyl backed carpet, or artificial grass.
- (4) Carpet backing. Materials such as fabrics, yarns, or chemical compounds at the underside of a carpet, used to reinforce the carpet's construction.
- (5) Carpet cushion. A padding made of hair, felt, jute, foam or sponge rubber, or other natural or man-made materials, that is placed on the floor before a carpet is laid.
- (6) Emission factor. The mass of a compound emitted from a specific unit area of product surface per unit of time.
- (7) Owner. Any person having a legal or equitable interest in or control of any building, premises, or part thereof, including but not limited to the record owner, a tenant, or lessee.
- (8) Person. Any natural person, agent, firm, partnership, corporation, or other legal entity.
- (9) Total volatile organic compound or TVOC. Sum of the concentrations of all identified and unidentified VOCs between and including n-pentane through n-heptadecane (C5-C17) as measured by the gas chromatography/mass spectrometry total ion current (GC/MS TIC) method and expressed as a toluene equivalent value.
- (10) Volatile organic compound or VOC. Carbon-containing compounds with vapor pressures at standard conditions ranging between those of n-pentane through n-heptadecane (C5-C17), excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, and carbonates and ammonium carbonate. For the purposes of this chapter, formaldehyde and acetaldehyde are considered to be VOCs.

§ 17.1402. Sale or Installation of Non-Compliant Carpet or Carpet Cushion Prohibited.

On and after July 1, 2013 it shall be unlawful for a carpet business to sell or offer for sale carpet or carpet cushion designed for installation or use in the interior of a building or for a carpet business or owner to install or lay or to cause the installation or laying of carpet or carpet cushion in the interior of any building, premises or part thereof in the city that is not compliant with the standards set forth in section 17-1404.

§ 17.1403. Carpet Adhesive.

Carpet adhesive used in the installation of carpet in the interior of any building in the city shall comply with subpart 228-2 of part 228 of title 6 of the official compilation of the codes, rules, and regulations of the state of New York.

§ 17.1404. Standard for Testing.

Testing of materials, other than carpet adhesive, covered by this chapter shall be in accordance with American Society for Testing and Materials (ASTM) D 5116-10 (standard guide for small-scale environmental chamber determination of organic emissions from indoor materials/products) or as otherwise specified in the rules of the department. Carpet shall comply with the emission factor limits in table I for a 14-day testing period. Carpet cushion shall comply with the emission factor limits in table II for a 24-hour testing period.

§ 17.1405. Recordkeeping Requirement for Carpet Businesses.

Carpet businesses shall not remove the original manufacturer's labels from carpets or carpet cushions unless removal is necessary during installation. Carpet businesses shall obtain documentation from the manufacturer, in a form the department finds acceptable, that all carpet or carpet cushion sold, offered for sale or installed within the city is compliant with the standards set forth in section 17-1404 unless the manufacturer's label otherwise indicates that the carpet or carpet cushion is compliant pursuant to section 17-1406. Such documentation shall be kept on file and available for inspection by consumers and officers and employees of the department or the department of consumer affairs within seventy-two hours of the request. If carpet or carpet cushion is sold outside the city for installation in the city, such documentation shall be available for inspection by consumers and the department at the site upon installation.

§ 17.1406. Green Label, Green Label Plus and Other Certification Programs.

- a. Carpets and carpet cushions that have been certified by, and carry the seal or symbol of, the following certification programs shall be deemed to comply with the standards set forth in section 17-1404: i. Carpet and Rug Institute (CRI) Green Label certification program, version effective February 16, 2010 or such other version as may be specified in the rules of the department; ii. Carpet and Rug Institute (CRI) Green Label Plus certification program, version effective February 16, 2010 or such other version as may be specified in the rules of the department; and iii. other certification programs as may be specified in the rules of the department.
- b. Notwithstanding the provisions of subdivision a, this section shall not apply to any certification program if the emission factor allowed for any individual VOC or for TVOC by the applicable version of such program exceeds the standards set forth in section 17-1404.

§ 17.1407. Notice.

Notice of the requirements of this chapter shall be posted in a conspicuous location at the premises of a carpet business within the city where carpet or carpet cushion are sold or offered for sale to consumers or, provided in written form to consumers at the time of sale within the city. If carpet or carpet cushion is sold outside the city for installation in the city, such notice shall be provided to the consumer prior to installation. The form and wording of such notice shall be specified by the department of health and mental hygiene.

§ 17.1408. Construction.

Nothing in this chapter shall be construed to require the removal or replacement of carpet or carpet cushion installed prior to July 1, 2013.

§ 17.1409. Enforcement and Penalties.

The provisions of this chapter shall be enforced by the department and the department of consumer affairs. Any person found to be in violation of section 17-1402 or 17-1403 of this chapter or rules of the department promulgated pursuant thereto shall be liable for a civil penalty of not more than five hundred dollars for each violation. Any person found to be in violation of section 17-1405 or 17-1407 of this chapter or rules of the department promulgated pursuant thereto shall be liable for a civil penalty of not more than two hundred fifty dollars for each violation. Such civil penalties may be recovered in proceedings before the environmental control board or the administrative tribunal of the department of consumer affairs or in an action in any court of appropriate jurisdiction. Notices of violation returnable to such board or tribunal may be served by officers and employees of the department and the department of consumer affairs. In any proceeding it shall be an affirmative defense that the respondent is a laborer in the employ of the carpet business to do the physical work of installing the carpet and that he or she has no ownership interest in or control of the business or in any corporation, partnership or other legal entity that owns or controls the business and that he or she has no managerial or supervisory responsibility.

§ 17.1410. Exemptions.

This chapter shall not apply to antique or hand-made rugs or carpets made of natural fibers such as wool, cotton, or jute with no VOC containing carpet cushion or carpet backing.

**Table I
Carpet 14-Day VOC Emissions Test Criteria**

Volatile Organic Compound Chemical	Abstract Service #	Maximum Emission Factor (jgm²/hr)
Acetaldehyde	75-07-0	130
Benzene	71-43-2	55
Carbon disulfide	75-15-0	744
Carbon tetrachloride	56-23-5	37
Chlorobenzene	108-90-7	930
Chloroform	67-66-3	279
Dichlorobenzene (1,4-)	106-46-7	744
Dichloroethylene (1,1)	75-35-4	65
Dimethylformamide (N,N-)	68-12-2	74
Dioxane (1,4-)	123-91-1	2790
Epichlorohydrin	106-89-8	2
Ethylbenzene	100-41-4	1860
Ethylene glycol	107-21-1	372
Ethylene glycol monoethyl ether	110-80-5	65
Ethylene glycol monoethyl ether acetate	111-15-9	279
Ethylene glycol monomethyl ether	109-86-4	55
Ethylene glycol monomethyl ether acetate	110-49-6	83
Formaldehyde	50-00-0	16.7

Hexane (n-)	110-54-3	6510
Isophorone	78-59-1	1860
Isopropanol	67-63-0	6510
Methyl chloroform	71-55-6	930
Methylene chloride	75-09-2	372
Methyl t-butyl ether	1634-04-4	7440
Naphthalene	91-20-3	8.2
Phenol	108-95-2	186
Propylene glycol monomethyl ether	107-98-2	6510
Styrene	100-42-5	410
Tetrachloroethylene	127-18-4	32
Toluene	108-88-3	280
Trichloroethylene	79-01-6	558
Vinyl acetate	108-05-4	186
Xylenes, technical mixture (m-,o-, p-xylene combined)	108-38-3 95-47-6 106-42-3	651

Table II
Carpet Cushion 24-Hour VOC Emissions Test Criteria

Volatile Organic Compound	24-hour Testing Period: Maximum	Emission Factor (jg/m² per hour)
Butylated hydroxytoluene	300	
Formaldehyde	50	
4-Phenylcyclohexene (4PCH)	50	
Total Volatile Organic Compounds	1000	

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NEW YORK CITY ADMINISTRATIVE CODE
TITLE 28: NEW YORK CITY CONSTRUCTION CODES
CHAPTER 1: ADMINISTRATION
ARTICLE 113: MATERIALS

§ 28.113.5. Volatile Organic Compounds Emissions in Carpet and Carpet Cushion.

On and after July 1, 2013 carpet and carpet cushion as defined in section 17-1401 of the administrative code shall comply with the limits on volatile organic compound emissions set forth in chapter 14 of title 17 of such code.