

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2011**

No. 22

Introduced by Council Members Reyna, Cabrera, Chin, Fidler, Garodnick, Gentile, James, Koppell, Lander, Mark-Viverito, Nelson, Palma, Sanders Jr., Williams, Rodriguez, Van Bramer, Lappin, Vallone, Crowley, Gennaro, Jackson, Brewer, Halloran, Wills, Barron, Greenfield and Koo

A LOCAL LAW

To amend the administrative code of the city of New York and the New York city building code, in relation to combined heat and power systems.

Be it enacted by the Council as follows:

Section 1. Section 27-232 of the administrative code of the city of New York is amended by adding a certain definition to be placed in appropriate alphabetical order to read as follows:

COMBINED HEAT AND POWER SYSTEMS. *Equipment that simultaneously produces electricity and heat from a single fuel source.*

§2. Subdivision b of section 27-306 of the administrative code of the city of New York is amended to read as follows:

(b) ventilating, air conditioning, *combined heat and power systems*, and similar building service equipment.

§3. Section BC 502 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a certain definition to be placed in appropriate alphabetical order to read as follows:

COMBINED HEAT AND POWER SYSTEMS. *Equipment that simultaneously produces electricity and heat from a single fuel source.*

§4. Section BC 504.3 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

504.3 Rooftop structures. Rooftop structures including but not limited to roof tanks and their supports, ventilating, air conditioning, *combined heat and power systems* and similar building service equipment, bulkheads, penthouses, chimneys, and parapet walls 4 feet (1219 mm) or less in height shall not be included in the height of the building or considered an additional story unless the aggregate area of all such structures exceeds 33 and one-third percent of the area of the roof of the building upon which they are erected. Rooftop structures shall be constructed in accordance with Section 1509.

§5. This local law shall take effect immediately upon enactment.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onApril 6, 2011..... and approved by the Mayor onApril 29, 2011.....

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 22 of 2011, Council Int. No.358-A) contains the correct text and was passed by the New York City Council on April 6, 2011, approved by the Mayor on April 29, 2011 and returned to the City Clerk on April 29, 2011.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.