

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

No. 49

Introduced by Council Members Brewer, Gonzalez, James, Palma, Recchia Jr., Williams, Rodriguez, Garodnick, Van Bramer, Vallone, Crowley, Chin, Comrie, Koppell, Lappin, Jackson, Barron and Reyna

A LOCAL LAW

To amend the administrative code of the city of New York and the New York city building code, in relation to greenhouses.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 27-306 of the administrative code of the city of New York is amended to read as follows:

(c) Roof structures, *greenhouses*, bulkheads, and penthouses.

§2. Section BC 504.3 of the New York city building code, as amended by local law numbers 20 and 22 for the year 2011, 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, *greenhouses*, 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, exclusive of any solar thermal and solar electric (photovoltaic) collectors and/or panels and their supporting equipment, 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.

Exception: Solar thermal and solar electric (photovoltaic) collectors and/or panels and their supporting equipment that exceed 33 and one-third percent of the area of the roof of the building upon which they are erected shall not be included in the height of a building or considered an additional story.

§3. 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 onJuly 28, 2011..... and approved by the Mayor onAugust 17, 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 49 of 2011, Council Int. No. 338-A) contains the correct text and was passed by the New York City Council on July 28, 2011 approved by the Mayor on August 17, 2011 and returned to the City Clerk on August 17, 2011.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.