

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1989**

No. 81

Introduced by Council Member Leffler; also Council Member Maloney, Pinkett, Spigner, Horwitz, Michels, Williams, O'Donovan, Friedlander, Robles, Katzman, Greitzer, Gerges, Dryfoos, Povman and Lisa.

A LOCAL LAW

To amend the administrative code of the City of New York with respect to the installation of smoke detectors in J-3 occupancy groups.

Be it enacted by the Council as follows:

Section one. Section 27-978 of the administrative code is amended to read as follows:

§27-978 Definitions. For the purposes of this article: a. an existing building is one which is within [either] occupancy group J-1 [or], occupancy group J-2 *or occupancy group J-3* and for which plans have been approved by the department *on or* prior to December thirty-first, nineteen hundred eighty-one.

b. an improvement or alteration is a physical change in an existing structure other than painting, repairs and normal replacement of maintenance items.

c. a building shall be deemed to have been substantially improved or altered if:

1. the cost of improvement or alteration exceeds the sum of one hundred fifty thousand dollars, or

2. *in either occupancy group J-1 or occupancy group J-2*, fifty percent or more of the dwelling units or square feet of the structure are improved or altered and the cost of such improvement or alteration exceeds the sum of fifteen thousand dollars per dwelling unit, or

3. there has been a change in the occupancy or use of the structure.

§2. Section 27-979 of such code, is hereby amended to read as follows:

§27-979. Smoke detecting devices; where required.

(a) On and after January first, nineteen hundred eighty-two, all dwelling units within occupancy group J-1 and occupancy group J-2, except such units which contain operational automatic wet sprinkler systems pursuant to article four of this subchapter, and dwelling units in buildings within occupancy group J-3 [for which plans are approved by the department on or after January first, nineteen hundred eighty-two,] shall be equipped with approved and operational smoke detecting devices as hereinafter provided. Buildings within occupancy group J-1 may, in the alternative, be equipped with a line-operated zoned smoke detecting system with central annunciation and central office tie-in for all public corridors and public spaces, pursuant to rules and regulations promulgated by the commissioner. The commissioner may, upon good cause shown, extend the period of compliance for occupancy groups J-1 and J-2 to June thirtieth, nineteen hundred eighty-two.

(b) Approved and operational smoke detecting devices shall be installed in mechanical rooms, electrical switch gear rooms and electric and telephone closets over seventy-five square feet in gross floor area in all buildings in all occupancy groups.

§3. Section 11-2105 of such code is amended by adding thereto a new subdivision g, to read as follows:

g. Returns with respect to the conveyance of a one- or two-family dwelling will not be accepted for filing unless accompanied by an affidavit signed by the grantor and grantee indicating that the premises is equipped with an approved and operational smoke detecting device as provided in article six of subchapter seventeen of chapter one of title twenty-seven of this code.

§4. This local law shall take effect ninety days after 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 on October 24, 1989, and approved by the Mayor on November 8, 1989.

CARLOS CUEVAS, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed local law (Local Law 81 of 1989, Council Int. No. 968-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on October 24, 1989: 28 for, 0 against

Was approved by the Mayor on November 8, 1989.

Was returned to the City Clerk on November 9, 1989.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel