

FY '18 REGULATORY AGENDA OF THE DEPARTMENT OF BUILDINGS PURSUANT TO SECTION 1042 OF THE CITY ADMINISTRATIVE PROCEDURE ACT

The Rules of the New York City Department of Buildings are authorized pursuant to Section 643 of the New York City Charter and are found in Title 1 of the **Rules of the City of New York**. The Rules are supplementary and include interpretive technical rulings as well as administrative procedure necessary to carry out the law.

Promulgation of the following rules and regulations of the Department of Buildings is anticipated by the first day of July 2018:

1. Energy code

This rule will be updated to conform to the sections in the revised New York City Energy Code.

- A. Reason: The New York City Energy Code was recently revised.
- B. Anticipated contents: Update the rule to conform to the sections in the revised New York City Energy Code.
- C. Objectives: Update the rule to conform to the sections in the revised New York City Energy Code.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Owners, managers and tenants of buildings; energy professionals, registered design professionals, energy modelers, energy inspectors, builders, construction cost estimators, real estate finance professionals.
- F. Other relevant laws: The New York City Energy Code, as effective October 3, 2016.
- G. Approximate schedule: First half of FY'18.

Contact person – Gina Bocra, Chief Sustainability Officer, (212) 393-2086

2. Commissioning requirements

This rule would conform to the state requirements for commissioning report, found in §C408 of the NYC Energy Code.

- A. Reason: There are new state requirements for commissioning report, found in §C408 of the NYC Energy Code.

- B. Anticipated contents: Adding NYC Energy Code §C408. Rule will require the checking of equipment, e.g., HVAC, lighting and hot water, to ensure its proper operation.
- C. Objectives: Rule will conform to State requirements for commissioning report, found in § C408 of the NYC Energy Code.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Owners, managers and tenants of buildings with mechanical equipment exceeding 480,000 Btu/h cooling capacity or 600,000 Btu/h heating capacity; energy professionals, registered design professionals, energy modelers, energy inspectors, construction cost estimators, real estate finance professionals.
- F. Other relevant laws: N/A.
- G. Approximate schedule: First half of FY'18.

Contact person – Gina Bocra, Chief Sustainability Officer, (212) 393-2086

3. **Air-leakage Testing requirements**

- A. Reason: The recent New York City Energy Code added requirements for air-leakage testing.
- B. Anticipated contents: Requirements for air-leakage testing.
- C. Objectives: Address requirements for air-leakage testing under the new NYC Energy Code.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Owners and builders of new commercial buildings exceeding 25,000 square feet; energy professionals, registered design professionals, energy inspectors, construction cost estimators, real estate finance professionals.
- F. Other relevant laws: NYC Energy Code §C402, as effective October 3, 2016.
- G. Approximate schedule: First half of FY'18.

Contact person – Gina Bocra, Chief Sustainability Officer, (212)393-2086

4. Rule relating to the Loft Board.

- A. Reason: To simplify navigation, language, and processes and to add rules pertaining to the 2015 amendments to the Loft Law.
- B. Anticipated contents: Add an entirely new set of rules governing the Loft Board's functions.
- C. Objectives: Repeal and reenact the Loft Board rules in order to simplify navigation, language, and processes.
- D. Legal basis: Section 643 of the New York City Charter; Multiple Dwelling Law 282(d).
- E. Types of individuals and entities likely to be affected: Owners and tenants of interim multiple dwellings and those who work with them to legalize these spaces (architects, contractors, etc.)
- F. Other relevant laws: Multiple Dwelling Law §282.
- G. Approximate schedule: First half of FY'18.

Contact person – Helaine Balsam, Executive Director, Loft Board, (212) 393-2616

5. Rule relating to individual on-site sewage disposal systems.

- A. Reason: To establish minimum standards for the design and construction of new or modified disposal systems to consolidate all requirements in one place.
- B. Anticipated contents: Adds a new rule, 1 RCNY § 8001-01.
- C. Objectives: Establish minimum standards for the design and construction of new or modified disposal systems for residences and commercial establishments whose total discharges of sewage wastewater is less than 1,000 gallons per day.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Those without a connection to city sewers; plumbers who install these systems.
- F. Other relevant laws: NYC Charter section 645(5)(iii); 10 NYCRR Part 75 and Appendix 75-A.
- G. Approximate schedule: First half of FY'18.

Contact person – Joseph Ackroyd, Executive Director, Technical Affairs, (212) 393-2031

6. Rule relating to elevator door monitoring.

- A. Reason: To ensure compliance with the mandatory retroactive 2020 door-monitoring installation date.
- B. Anticipated contents: Addition of a new rule and amendment of existing rules, including 1 RCNY § 101-07.
- C. Objectives: Allow approved agencies to inspect door monitoring installations. Require owners to retain an approved agency, rather than electing to have DOB inspect.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Elevator inspection agencies.
- F. Other relevant laws: Article 421 of the Administrative Code.
- G. Approximate schedule: First half of FY'18.

Contact person – Dmitri Dits, Assistant Commissioner, Central Inspections, (212) 393-2016

7. Rule relating to elevator loads.

- A. Reason: To enhance the safety of elevators.
- B. Anticipated contents: Add requirements for load weighing devices and balance load testing, and that the elevator capacity plate state the maximum number of people allowed.
- C. Objectives: Require load weighing devices, balance load testing, and that the elevator capacity plate state the maximum number of people allowed.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Building owners.
- F. Other relevant laws: Appendix K of the Building Code.
- G. Approximate schedule: Second half of FY'18.

Contact person – Dmitri Dits, Assistant Commissioner, Central Inspections, (212) 393-2016

8. Rule relating to solar tax abatements.

- A. Reason: There is no reason for the prohibition on ballast.
- B. Anticipated contents: Removal of the prohibition on ballast for grade-level and roof installations.
- C. Objectives: Remove the prohibition on ballast for grade-level and roof installations.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Owners of buildings with a solar roof.
- F. Other relevant laws: Title 4-C of Article 4 of the Real Property Tax Law of New York State.
- G. Approximate schedule: First half of FY'18.

Contact person – Gina Bocra, Chief Sustainability Officer, (212) 393-2086

9. Rule relating to gas work qualifications.

- A. Reason: Local law 150 of 2016 created a requirement for gas work qualifications.
- B. Anticipated contents: Qualifications for performing gas work.
- C. Objectives: Establish qualifications for performing gas work.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Plumbers and those performing gas work.
- F. Other relevant laws: Article 423 of the Administrative Code.
- G. Approximate schedule: Second half of FY'18.

Contact person – Gus Sirakis, Assistant Commissioner, Technical Affairs, (212) 393-2043

10. Rule relating to gas piping safety inspections.

- A. Reason: Local law 152 of 2016 requires periodic inspections of gas piping systems.
- B. Anticipated contents: Qualifications for gas piping safety inspectors and the frequency of inspections.

- C. Objectives: Establish qualifications for gas piping safety inspectors and the frequency of inspections.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Building owners, licensed plumbers.
- F. Other relevant laws: Article 318 of the Administrative Code.
- G. Approximate schedule: Second half of FY'18.

Contact person – Gus Sirakis, Assistant Commissioner, Technical Affairs, (212) 393-2043

11. Increasing Penalties.

- A. Reason: The schedule of penalties has not seen a general increase since 2008.
- B. Anticipated contents: Amend 1 RCNY § 102-01 to increase penalties for violations of code and rules.
- C. Objectives: Streamline penalties for consistency.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Building owners; registered design professionals, licensees.
- F. Other relevant laws: The NYC Construction Codes and Zoning Resolution
- G. Approximate schedule: Second half of FY'18.

Contact person: Renaldo Hylton, Assistant Commissioner, Operations Compliance, (212) 393-2014