


## NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby repeals the following rules found in Title 1 of the Official Compilation of the Rules of the City of New York:

- Section 7000-01 of Title 1 of the Rules of the City of New York, relating to the National Fire Protection Association, Flammable Combustible Code edition amendment.
- Section 28-01 of Title 1 of the Rules of the City of New York, relating to required smoke detecting devices and systems.
- Section 28-02 of Title 1 of the Rule of the City of New York, relating to required carbon monoxide detecting devices and systems.
- Section 37-01 of Title 1 of the Rule of the City of New York, relating to rules of procedure for amending, revising or promulgating Reference Standards.

This rule was first published on November 2, 2017 and no public hearing thereon was held thereon.

Dated: 1-11-18  
New York, New York

  
Rick D. Chandler, P.E.  
Commissioner

## **Statement of Basis and Purpose of Proposed Rule**

The rule repeals the following rules because the Administrative Code, the New York City Building Code, and Mechanical Code now address the subject matter of these rules:

- 1 RCNY 7000-01 – National Fire Protection Association, Flammable Combustible Code edition amendment to the Mechanical Code
- 1 RCNY 28-01 – Smoke detecting devices and systems, which does not apply under the 2014 Building Code, and the requirements for which are now found in Section 901.9.5.1 of the 2014 Building Code.
- 1 RCNY 28-02 – Required carbon monoxide detecting devices and systems , which does not apply under the 2014 Building Code, and the requirements for which are now found in Section 901.9.5.1 of the 2014 Building Code.
- 1 RCNY 37-01 – Rules of Procedure for amending, revising or promulgating Reference Standards; the process for amending Reference Standards is now found in Section 103.19 of Title 28 of the Administrative Code.

Working with the City's rulemaking agencies, the Law Department, and OMB, the Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. The repeal of 1 RCNY 7000-01 was identified through this initiative.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

**Section 1.** Section 7000-01 of Title 1 of the Rules of the City of New York, relating to the National Fire Protection Association, Flammable Combustible Code edition amendment, is REPEALED.

**§ 2.** Section 28-01 of Title 1 of the Rules of the City of New York, relating to required smoke detecting devices and systems, is REPEALED.

**§ 3.** Section 28-02 of Title 1 of the Rule of the City of New York, relating to required carbon monoxide detecting devices and systems, is REPEALED.

**§ 4.** Section 37-01 of Title 1 of the Rule of the City of New York, relating to rules of procedure for amending, revising or promulgating Reference Standards, is REPEALED.