

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to amend its rules regarding the installation and location of carbon monoxide detectors.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11am on 12/12/24.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser’s address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://events.gcc.teams.microsoft.com/event/b17fd7e3-3e2a-4918-8686-a0c5b0843609@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don’t have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio, then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://events.gcc.teams.microsoft.com/event/b17fd7e3-3e2a-4918-8686-a0c5b0843609@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select “Join meeting”. Type your name and then select “Join meeting” again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

Alternatively, open the Teams app and select “Join a meeting”. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select “Join meeting”.

Meeting ID: 253 753 914 245

Passcode: vquvtp (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101

Phone Conference ID: 783 523 055#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at 212-566-3843.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing dobrules@buildings.nyc.gov by 12/5/24 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? Yes, you must submit comments by 12/12/24.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at dobrules@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 11/29/24.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments

concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at dobrules@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter and Sections 915.1.2, 915.3, 915.4, and 915.6 of the New York City Building Code authorize DOB to make this proposed rule. This proposed rule was included in DOB's regulatory agenda for this Fiscal Year.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Local Law 126 of 2021 became effective on November 7, 2022. Among other changes, Local Law 126 amended provisions of the New York City Building Code relating to carbon monoxide detectors.

This proposed rule would amend section 908-01 of chapter 900 of Title 1 of the Rules of the City of New York to reflect these changes. Specifically:

- Section 908-01 would be redesignated as section 915-01.
- The reference to occupancy groups E, I-2, I-4, and R-2 in what is now subdivision (c) of section 908-01 would be removed.
- The NFPA 720 amendments currently set forth in subdivision (i) of section 908-01 would be removed and relocated to a new section 3616-08
- Visual notification appliance installation requirements would be added to the redesignated section 915-01.

Chapter 3600 of Title 1 of the Rules of the City of New York would also be amended to add a new section 3616-08 that would:

- Incorporate the NFPA 720 amendments to be removed from section 908-01.
- Include broader requirements for visual notification appliances for occupancy groups A-1, A-2, A-3, B, and M.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and sections 915.1.2, 915.3, 915.4, and 915.6 of the New York City Building Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate unamended text.

“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 908-01 of Title 1 of the rules of the city of New York is hereby renumbered as section 915-01 and, as renumbered, is amended to read as follows:

§ [908-01] **915-01 Carbon Monoxide Detectors.**

(a) **Scope.** Pursuant to [sections 908.7.2 and 908.7.3] section 915.1.2 of the Building Code (BC), listed carbon monoxide (CO) detectors [required to be installed in E, I-2 and I-4 occupancies and] must be installed in buildings equipped with a fire alarm system that contain Group A-1, A-2, A-3, B or M occupancies, as defined in BC Chapter 3[, must be installed in accordance with the requirements of this section]. Such listed carbon monoxide detectors must be connected to the fire alarm system control panel and installed in accordance with the requirements of this section.

[(1) These requirements do not apply to those R-2 occupancies that are adjacent to or above those occupancies classified in this section.

(2) Pursuant to BC section 908.7.3.1, existing buildings must comply with the requirements of this subdivision by July 1, 2021.]

(b) **Reference.** See section 28-315.11 of the New York City Administrative Code (AC), and BC sections [908.7.2, 908.7.3, 908.7.3.1 and 908.7.4] 915.1.2, 915.3, 915.4, and 915.6.

(c) **Group [E, I-2 and I-4] A-1, A-2, A-3, B or M occupancies.** CO detectors with built-in sounder bases [installed in E, I-2 and I-4 occupancies in accordance with] meeting the requirements of BC [908.7.2] section 915.6 and subdivision (g) of this section must be installed in the following locations:

(1) Any room containing [carbon monoxide-producing] CO-producing equipment[, except kitchens and laboratories].

(2) Any [corridor on the story where carbon monoxide-producing equipment unit is located, as well as one story above and one story below] interior space or area immediately adjacent to a CO-producing source, including the vertical projection of the immediate area of the floor above the CO-producing source and the immediate area of the floor below the CO-producing source.

(3) Any [corridor on the story where] interior space or area immediately adjacent to an enclosed parking garage or a loading dock [is located], [as well as one story above and one story below] including the vertical projection of the immediate area of the floor above the enclosed parking garage or loading dock and the immediate area of the floor below the enclosed parking garage or loading dock.

(4) Any parking attendant's office or booth located within an enclosed parking garage or loading dock.

(5) As an alternative to installation as provided in paragraphs (1) through (4) of this subdivision and subject to the Department's approval, in locations determined by a performance-based design that is in accordance with section 5.8.5.3.2 of reference standard National Fire Protection Association ("NFPA") 720 – 2015 edition.

(d) [Group A-1, A-2 and A-3 occupancies. CO detectors with built-in sounder bases installed in buildings that are equipped with a fire alarm system and that contain A-1, A-2 or A-3 occupancies must be installed in the following locations:

(1) Any room containing CO-producing equipment, except kitchens.

(2) Any occupiable room or space on the same floor as, one story above, or one story below the CO-producing equipment that is at least 75 square feet and is not provided with mechanical ventilation.

(3) Any corridor on the story where enclosed parking or a loading dock is located, as well as one story above and one story below.

(4) Any parking attendant's office or booth located within an enclosed garage or loading dock.

(5) As an alternative to installation as provided in paragraphs (1) through (4) of this subdivision and subject to the Department's approval, in locations determined by a performance-based design that is in accordance with Section 5.8.5.3.2 of reference standard National Fire Protection Association (NFPA) 720 and approved by the Department.

(e) Group B and M occupancies. CO detectors with built-in sounder bases installed in buildings that are equipped with a fire alarm system and that contain Group B or M occupancies must be installed in the following locations:

(1) Any room containing CO-producing equipment, except kitchens.

(2) Any corridor on the story where carbon monoxide-producing equipment unit is located, as well as one story above and one story below.

(3) Any corridor on the story where enclosed parking or a loading dock is located, as well as one story above and one story below.

(4) Any parking attendant's office or booth located within an enclosed garage or loading dock.

(5) As an alternative to installation as provided in paragraphs (1) through (4) of this subdivision and subject to the Department's approval, in locations determined by a

performance-based design that is in accordance with Section 5.8.5.3.2 of reference standard National Fire Protection Association (NFPA) 720 and approved by the Department.

- (6) Detection zones:
- (i) Detection zones less than 10,000 square feet. Where carbon monoxide detection is required to be provided in a detection zone having an area less than 10,000 square feet, the carbon monoxide detection shall be placed in a central location within such detection zone.
 - (ii) Detection zones 10,000 square feet or greater. Where carbon monoxide detection is required to be provided in a detection zone having an area 10,000 square feet or greater, carbon monoxide detection shall be placed in a central location within such detection zone and at such additional locations with such detection zone as may be necessary to assure that no point in the detection zone is more than 100 feet from carbon monoxide detection.
- (7) Definition of detection zone. The term “detection zone” as used in this section means a story of a building.

Exceptions.

- (i) If a story is arranged so that two or more separate carbon monoxide producing HVAC systems are used to serve separate portions of the story, each such portion of the story shall be deemed to be a separate detection zone.
- (ii) If a portion of a story is used as a garage, the portion used as a garage shall not be deemed to be a detection zone and the portion not used as a garage shall be deemed to be a detection zone; and
- (iii) If an entire story is used as a garage, such story shall not be deemed to be a detection zone.

(f)] *Equipment shutdown.* Activation of a CO detector located at the source of CO-producing equipment must shut down that source pursuant to BC section 915.3.1.

Exception: This provision does not apply where the source is a generator.

[(g)] (e) Installation requirements. CO detectors must be installed in accordance with NFPA 720 – 2015 edition, as modified for New York City by [this] section 3616-08 of these rules.

[(h)] (f) Fire alarm control units. [The] CO detectors must be connected and monitored at the fire alarm control panel or Fire Command Center. Pursuant to the provisions of section

23.8.2.2 of NFPA 72 – [2010 regarding having] 2016, if there is insufficient space in the existing fire alarm control panel to monitor the carbon monoxide detectors, a new separate fire alarm control panel [apply to CO detectors] may be installed. However, the new fire alarm control panel must function as if it were part of the original building fire alarm system, and such dedicated function fire alarm control panel must be interconnected with the building’s master fire alarm control panel or Fire Command Station.

(g) Visual Notification Appliance Installation Requirements. In Group A-1, A-2, A-3, B or M occupancies where CO detection is required, visual notification appliances required by Section 6.4.1.1 of NFPA 720 – 2015, must be installed in accordance with this subdivision.

- (1) Visual notification appliance devices must be installed within 10 feet of any CO detector.
- (2) Where multiple detectors are within the same zone, circuit activation is acceptable.
- (3) A permanently identified lamacoid label or a permanent marking on the device with the wording “ALERT”, “EMERGENCY” or “CARBON MONOXIDE” must be either affixed to the device or within the vicinity of the visual appliance device employed by the fire alarm system.
- (4) A visual notification appliance device must not have the word “FIRE”, or any fire symbol, in any form (i.e., stamped, imprinted, etc.) in any location on the device that is visible to the public. A notification appliance device with multiple visible elements is permitted to have “FIRE” markings only on those visible elements used for fire signaling.
- (5) The lens of the notification appliance device for the carbon monoxide system must be amber in color.

(i) NFPA 720 amendments. Pursuant to Section 28-103.19 of the New York City Administrative Code, the New York City modifications to reference standard NFPA 720 – 2015 are as follows:

- (1) Section 2.1 is revised by adding the following at the end: “Where a referenced publication has been modified for the City of New York by the New York City Building Code, every reference to such publication shall be deemed to include all such modifications.”
- (2) Section 2.2 is deleted and a new section 2.2 is added to read as follows:

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

NFPA 70®, *National Electrical Code*®, as modified and incorporated into the New York City Electrical Code.

NFPA 72®, *National Fire Alarm and Signaling Code*, as modified and incorporated into Appendix Q of the New York City Building Code.

NFPA 101®, *Life Safety Code*®, as listed in Chapter 35 of the New York City Building Code.

NFPA 110, *Standard for Emergency and Standby Power Systems*, as listed in Chapter 35 of the New York City Building Code.

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*, as listed in Chapter 35 of the New York City Building Code.

- (3) Section 2.3.4 is deleted and a new section 2.3.4 is added to read as follows:

Section 2.3.4 UL Publications. Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, IL 60062-2096.

ANSI/UL 1971, *Standard for Safety Signaling Devices for Hearing Impaired*, 2002, revised 2013.

ANSI/UL 2034, *Standard for Single and Multiple Station Carbon Monoxide Alarms*, as listed in Chapter 35 of the New York City Building Code.

ANSI/UL 2075, *Standard for Gas and Vapor Detectors and Sensors*, as listed in Chapter 35 of the New York City Building Code.

- (4) Section 4.4.1.1 is deleted and a new section 4.4.1.1 is added to read as follows:

Section 4.4.1.1 Carbon monoxide detection system plans and specifications must be developed in accordance with the New York City Building Code by persons who are New York State Registered Design Professionals and experienced in the proper design, application and testing of carbon monoxide detection systems.

- (5) Sections 4.4.1.2, 4.4.1.3 and 4.4.1.4 are deleted in their entirety.

- (6) Section 4.4.2.1 is revised to add the following at the beginning: “Carbon monoxide systems installations must be performed by a New York City Licensed electrical contractor.”

- (7) Section 4.4.3.1 is revised to add the following at the beginning: “Carbon monoxide inspection, testing, maintenance and repair may be performed by a New York City Licensed electrical contractor holding a New York State registration for Business of Installing, Servicing or Maintaining Security or Fire Alarm Systems or by those fire

alarm companies holding a New York State registration for Business of Installing, Servicing or Maintaining Security or Fire Alarm Systems. The rules and regulations of the Fire Department shall apply as appropriate.”

- (8) Section 5.8.5.3.1 is amended by substituting 5.8.5.3.1(2) with the following:
 - (2) On every level requiring detection and in every HVAC zone of the space requiring detection.
- (9) Section 9.4.1.1 is deleted in its entirety.]

§2. Chapter 3600 of Title 1 of the Rules of the City of New York is amended by adding a new section 3616-08 to read as follows:

§3616-08 National Fire Protection Association (“NFPA”) 720 amendment relating to the installation and location of carbon monoxide detectors.

Pursuant to section 28-103.19 of the New York City Administrative Code, NFPA 720 (2015 edition) is hereby amended as follows:

2.1 Add language at the end of the paragraph to read as follows: “Where a referenced publication has been modified for the City of New York by the New York City Building Code, every reference to such publication shall be deemed to include all such modifications.”

2.2 Delete and replace with the following:

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169- 7471.

NFPA 70®, *National Electrical Code*®, as modified and incorporated into the New York City Electrical Code.

NFPA 72®, *National Fire Alarm and Signaling Code*, as modified and incorporated into Appendix Q of the New York City Building Code.

NFPA 101®, *Life Safety Code*®, as listed in Chapter 35 of the New York City Building Code.

NFPA 110, *Standard for Emergency and Standby Power Systems*, as listed in Chapter 35 of the New York City Building Code.

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*, as listed in Chapter 35 of the New York City Building Code.

2.3.4 Delete and replace with the following:

Section 2.3.4 UL Publications. Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, IL 60062-2096.

ANSI/UL 1971, Standard for Safety Signaling Devices for Hearing Impaired, 2002, revised 2013.

ANSI/UL 2034, Standard for Single and Multiple Station Carbon Monoxide Alarms, as listed in Chapter 35 of the New York City Building Code.

ANSI/UL 2075, Standard for Gas and Vapor Detectors and Sensors, as listed in Chapter 35 of the New York City Building Code.

4.4.1.1 Delete and replace with the following:

Section 4.4.1.1 Carbon monoxide detection system plans and specifications must be developed in accordance with the New York City Building Code by persons who are New York State Registered Design Professionals and experienced in the proper design, application and testing of carbon monoxide detection systems.

4.4.1.2, 4.4.1.3 and 4.4.1.4 Delete and replace with the following: DELETED.

4.4.2.1 Add the following at the beginning: “Carbon monoxide systems installations must be performed by a New York City licensed electrical contractor.”

4.4.3.1 Add language at the beginning of the paragraph to read as follows: “Carbon monoxide system inspection, testing, and maintenance shall be performed by a New York City licensed electrical contractor holding a New York State registration for ‘Business of Installing, Servicing or Maintaining Security or Fire Alarm Systems’ or those fire alarm companies holding a New York State registration for ‘Business of Installing, Servicing or Maintaining Security or Fire Alarm Systems,’ and in accordance with rules and regulations promulgated by the Fire Commissioner.”

5.8.5.3.1(2) Delete and replace with the following:

(2) On every level requiring detection and in every HVAC zone of the space requiring detection.

6.4.1.1 Delete and replace with the following:

Section 6.4.1.1 An average ambient sound level greater than 105 dBA shall require the use of a visible notification appliance(s) in accordance with Section 6.5 where the application is public mode or Section 6.6 where the application is private mode, except for in Group A-1, A-2, A-3, B or M occupancies.

(1) In Group A-1, A-2, A-3, B or M occupancies, the use of a visible notification appliance shall be required to be installed where CO detection is required in subsection (c) of section 915-01 of the rules of the City of New York [72:18.4.1.1]

9.4.1.1 Delete and replace with the following: DELETED.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to Installation and Location of Carbon Monoxide Detectors

REFERENCE NUMBER: 2024 RG 115

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: October 24, 2024

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to Installation and Location of Carbon Monoxide Detectors

REFERENCE NUMBER: DOB-194

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

October 25, 2024
Date