

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 rule regarding periodic inspection of gas piping systems.

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 10/27/25.

- 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/5f430c42-aa5c-49ba-b253-73392ce5ad93@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/5f430c42-aa5c-49ba-b253-73392ce5ad93@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.

PLEASE NOTE: The above links are used to register for the hearing. Once registered, you will receive a confirmation email that will include a link to join the hearing. If you should run into technical difficulties when using the above links to register or you do not receive the registration confirmation email with your link to join the hearing, please use one of the following alternative methods to join the hearing. You should receive the confirmation email within a short time of registering. Please check your junk email folder too if you do not see the email in your inbox. Best practice is to register for the hearing prior to the actual hearing date.

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: 265 016 328 570 1
Passcode: Nh2g5AT7 (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: 830 030 984#

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.
- **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 10/20/25 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 10/27/25.

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 10/13/25.

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 article 112 of chapter 1 and article 318 of chapter 3 of Title 28 of the New York City Administrative Code, authorize DOB to make this proposed rule. The rule was included in the 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

Under Local Law 152 of 2016, codified in article 318 of chapter 3 of Title 28 of the New York City Administrative Code, gas piping systems must be inspected periodically, and certificates of inspection must be submitted to the owner and DOB in accordance with section 103-10 of Title 1 of the Rules of the City of New York.

The Department of Buildings (DOB) proposes to amend sections 101-03 and 103-10 of chapter 100 of Title 1 of the Rules of the City of New York to address new filing fees, penalty waivers, and requirements after receiving a violation. In 2015, DOB introduced DOB NOW, an electronic portal to replace the former BIS system. All building owners are now required to submit documents digitally through DOB NOW, and the procedures for submitting documentation related to gas piping system inspections are now being integrated into the DOB NOW platform. These amendments address the transfer of this process to DOB NOW from a paper submission system and create new procedures to govern digital submissions. These amendments would also address the imposition of penalties for noncompliance beginning in Cycle 2a. With the move to DOB NOW, DOB will begin enforcing penalties, and these amendments reflect this change and establish grounds for penalty waivers.

Specifically, the amendments would:

- Add filing fees for:
 - submission of the certification of the gas piping system periodic inspection,
 - extension requests to submit initial certification or to correct conditions,
 - certification of correction to gas piping systems,
 - certification of no gas piping system in the building, and
 - documentation regarding no gas service in the building;
- Allow certification from a utility company to be used to establish that the building has no gas piping;
- Clarify that certification of no gas piping in the building is a one-time submission to DOB;
- Require inspectors of a gas piping system to notify DOB two days before the performance of an inspection;

- Require owners who receive a violation for failure to file certification of the gas piping system periodic inspection to resolve the violation by submitting payment of a civil penalty for such violation and submitting certification of a gas piping system periodic inspection, certification that the building has no gas piping system, or documentation establishing the building has no gas service;
- Clarify that certification is not considered filed until it is fully uploaded in DOB NOW;
- Establish penalty waivers for violations; and
- Correct references.

DOB's authority for these rules is found in sections 643 and 1043(a) of the City Charter, and article 112 of chapter 1 and article 318 of chapter 3 of Title 28 of the New York City Administrative 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 101-03 of subchapter A of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding the following entries at the end of the table set forth in that section:

<u>Filing fee for certification of the gas piping system periodic inspection.</u>	<u>\$35</u>
<u>Filing fee for extension request to submit initial certification or extension request to correct conditions.</u>	<u>\$35</u>
<u>Filing fee for gas piping certification of correction.</u>	<u>\$35</u>
<u>Filing fee for certification of no gas piping system in the building.</u>	<u>\$375</u>
<u>Filing fee for documentation regarding no gas service in the building.</u>	<u>\$480</u>

§2. Paragraphs (2), (3), (4) and (5) of subdivision (a) of section 103-10 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

(2) This requirement for periodic inspections does not apply to buildings that contain no gas piping system, provided that the owner of such a building submits to

the Department, in a form and manner determined by the commissioner, along with a filing fee as specified in the rules of the Department, a certification from a utility company, a registered design professional, or a licensed master plumber or an individual under the direct and continuing supervision of a licensed master plumber, stating that the building contains no gas piping system. Such statements need only be submitted once. The due date for submitting such a certification pursuant to this paragraph shall be as follows:

(3) A building that contains gas piping but is not currently supplied with gas, that does not contain any appliance connected to any gas piping, and that complies with section 28-318.3.5 of the Administrative Code is not required to undergo a gas piping inspection otherwise required under this section. The due date for submitting the statements required by section 28-318.3.5, along with a filing fee as specified in section 101-03 of the rules of the Department, is the same as the due dates set forth in paragraph (2) of this subdivision. [Such statements need only be submitted once, provided that there continues to be no gas service.] Where the owner seeks to resume gas service, the owner must comply with the provisions of section 28-318.3.6.

(4) Inspections of building gas piping systems required under this section must be conducted at least once every four (4) years and in accordance with the following periodic inspection schedule:

(iv) In calendar year 2023, and within every fourth calendar year thereafter, building gas piping systems shall be inspected in community districts 11, 12, 14, 15, and 17 and in any community district not specified in this paragraph [(3)] in all boroughs.

(5) The initial inspection for a new building with a gas piping system [shall] must be performed during the tenth year after the Department has issued a certificate of occupancy for such building. Following such initial inspection, a new building's subsequent periodic inspection must be conducted in accordance with the periodic inspection schedule set forth in paragraph [(3)] (4) of this subdivision.

§3. Subdivision (a) of section 103-10 of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new paragraph (6) to read as follows:

(6) An inspection entity qualified to conduct inspections of gas piping systems pursuant to subdivision (b) of this section must notify the Department of the performance of a gas piping system inspection. Such notice must be submitted to the Department in a form and manner as determined by the Department at least two (2) days prior to the performance of such gas piping system inspection.

§4. Paragraph (1) of subdivision (d) of section 103-10 of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new subparagraph (iii) to read as follows:

(iii) The Department will not consider for review an inspection report or a certification of inspection if such report or certification is in a pre-filing or Quality Assurance failed status.

§5. Paragraph (6) of subdivision (d) of section 103-10 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(6) Owners who are unable to obtain an inspection of a building's gas piping systems pursuant to this section by the date set forth in paragraph (4) of subdivision (a) of this section may receive a 180-day extension of the due date for such inspection and the filing of any certification required to be filed after such inspection, upon notification to the Department in a form and manner determined by the commissioner and submission of a filing fee as specified in section 101-03 of the rules of the Department.

§6. Subdivision (f) of section 103-10 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(f) Civil penalties for failure to file certification. A building owner who fails to submit a certification required to be submitted pursuant to this section on or before the filing due date specified in paragraph (4) of subdivision (a) of this section will be liable for a civil penalty of:

- (1) One thousand five hundred dollars (\$1,500.00) for a 3-family building; or
- (2) five thousand dollars (\$5,000.00) for all other buildings.

To resolve a violation for failure to file certification of a gas piping system periodic inspection, an owner must submit payment of the civil penalty and file a certification of the gas piping system periodic inspection, certification of no gas piping system in the building, or documentation regarding no gas service in the building. Payment of the civil penalty and certification of the gas piping system periodic inspection, certification of no gas piping system in the building, or documentation regarding no gas service in the building may be submitted separately.

A certification is not considered filed if it is in pre-filing or Quality Assurance failed status.

§7. Section 103-10 of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new subdivision (h) to read as follows:

(h) Penalty waivers; eligibility and evidentiary requirements. An owner may request a waiver of penalties assessed for violation of Article 318 of Title 28 of the Administrative Code, the New York City Building Code and/or related rules enforced by the Department. Requests must be made through the Department's website and must meet eligibility and evidentiary requirements as follows:

(1) Owner Status

(i) New owner. A new owner may be granted a waiver of penalties contingent upon the Department's acceptance of the owner's proof that transfer of ownership to the new owner occurred after penalties were incurred. Proof includes a recorded deed evidencing a bona fide transfer of

ownership to the current owner after penalties were incurred, as well as any other documentation requested by the Department.

(ii) Government ownership. A new owner of a property previously owned by a government entity requesting a waiver due to change in ownership must submit official documentation from the government entity affirming that the premises was entirely owned by the government entity during the period for which a waiver is requested.

(iii) Bankruptcy. An owner may be granted a waiver of penalties upon submission of a copy of an order signed by a bankruptcy court judge reflecting the owner's bankruptcy.

(iv) State of emergency. If a state of emergency is declared that prevents an owner from conducting an inspection or filing a certification, an owner may be granted a waiver of penalties.

(2) Building Status

(i) Building conversion or misclassification. An owner requesting a waiver because the building was converted to an R3 occupancy, or misclassified as other than an R3 occupancy when it is an R3 occupancy, must submit city or departmental records evidencing the R3 occupancy of the building prior to the filing deadline.

(ii) Demolished building. An owner may be granted a waiver if the full demolition of the building occurred prior to the inspection cycle for which the report was due, and such demolition was signed off by the Department, or a new building permit has been issued for the property.

(iii) Sealed or vacated building. An owner requesting a waiver because the entire building was ordered to be sealed or vacated by a government agency, including but not limited to the Department, the Department of Housing Preservation and Development, the Fire Department or the Office of Emergency Management, or by court order prior to the expiration of the inspection cycle for which the report was due, must provide city, court, or departmental records evidencing the order to seal or vacate the entire building.

(3) Building has no gas piping system. An owner may be granted a waiver of penalties contingent upon the Department's acceptance of proof that there was work in progress for the removal of the gas piping which had a projected date of completion prior to the deadline in paragraph (2) of subdivision (a) of this rule, but was unable to be completed in time to file the certification by the due date because of some unforeseen circumstance, which must be explained in the request. An owner must also submit the certification of no gas piping system that resulted from such work.

(4) Building has no active gas service. An owner requesting a waiver because the building has no active gas service must file the required documentation showing that the

building was not supplied with gas and no appliance was connected to any gas piping on the day of the deadline set out in paragraph (3) of subdivision (a) of this rule.

(5) Gas work in progress. An owner may be granted a waiver of the civil penalty imposed for failing to file a certification of correction because there is permitted gas work in progress for the replacement or installation of a gas piping system or a major renovation to correct a defect. An owner must provide the job number for such gas work, proof of compliance with paragraphs (2) and (3) of subdivision (d), and any other documentation requested by the Department.

**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 Gas Piping Inspections

REFERENCE NUMBER: DOB-200

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 a cure period is not practicable under the circumstances.

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

September 17, 2025
Date

**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 Gas Piping Inspections

REFERENCE NUMBER: 2025 RG 048

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: September 17, 2025