

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 to specify new requirements for signage regarding ancillary dwelling units.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11:00 AM on 11/4/26.

- **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/d16ad4b7-2518-4db1-b9b6-4fdfe018f95a@32f56fe7-5f81-4e22-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/d16ad4b7-2518-4db1-b9b6-4fdfe018f95a@32f56fe7-5f81-4e22-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: 297 880 445 287 699

Passcode: o5XD2EV9 (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: 278 714 557#

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 10/28/26 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 11/4/26.

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 10/21/26.

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 section U101.5 of Appendix U of the New York City Building Code authorize DOB to make this proposed rule. The rule was not included in the regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

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

The Department of Buildings (“Department”) is proposing to amend section 105-08 of subchapter E of chapter 100 of Title 1 of the Rules of the City of New York, regarding the requirements for ancillary dwelling unit (ADU) entrance identification.

The New York City Zoning Resolution (ZR) was amended to define and allow ADUs as part of the City of Yes for Housing Opportunity text amendment, effective December 5, 2024. The ZR defines an ADU in part as “an additional dwelling unit, permitted on the same zoning lot as a single- or two-family residence that does not exceed eight hundred square feet of floor area. Only one ancillary dwelling unit shall be permitted per every single- or two-family residence on a zoning lot.” The New York City Council also adopted corresponding construction requirements for ADUs in existing buildings in Local Law 127 of 2024 (LL127), effective June 16, 2025.

LL127 gives authority to the Department to promulgate rules in consultation with the Fire Department and Office of Emergency Management for any standards protective of life. This proposed rule amendment was drafted as a result of the required consultations and clarifies the entrance identification requirements to facilitate Fire Department response in an emergency.

DOB’s authority for these rules is found in sections 643 and 1043(a) of the City Charter and in section U101.5 of Appendix U 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. Paragraph (1) of subdivision (f) of section 105-08 of subchapter E of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(f) Technical Requirements.

(1) ADU Entrance Identification. Where the eligible basement or cellar residence entrance is not apparent from the street and there is no existing identification sign, a permanent [directional] sign with red letters [at minimum of 5 inches tall over] on a white background must be mounted on or near the primary dwelling[, stating in sentence form: “Basement (or Cellar) ADU entrance is located on Exposure [#], as viewed from street-facing side (Exposure 1).”] in a location that is plainly discernable from the public street or fire apparatus access road providing access to the frontage space of the primary dwelling, and must comply with the following:

(i) each letter and number must be a minimum of 4 inches (102mm) tall with a minimum stroke width of ½ an inch (12.7mm);

(ii) the first row must state “ADU-BAS” if the ADU is in the basement or “ADU-CEL” if the ADU is in the cellar;

(iii) the second row must state “EXP - 1”, “EXP - 2”, “EXP - 3” or “EXP - 4” to indicate the building side on which the ADU entrance is located; and

(iv) dimensions of the sign must be no smaller than 11 inches (279mm) tall by 17 inches (432mm) wide.

For purposes of this section, building sides [shall] must be numbered as follows: Exposure 1 is the side facing the street on which the building’s official address is assigned; Exposure 2 is the side to the left when standing in the street facing Exposure 1; Exposure 3 is the side opposite Exposure 1; and Exposure 4 is the side to the right when standing in the street facing Exposure 1.

The requirements of this paragraph do not apply where there is an existing identification sign that was in place as of the effective date of the rule that added this sentence and complies with the rule in effect prior to such date.

**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 Ancillary Dwelling Units

REFERENCE NUMBER: DOB-220

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

September 23, 2026
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 Ancillary Dwelling Units

REFERENCE NUMBER: 2026 RG 061

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: 9/23/2026