




DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013
RUDOLPH J. RINALDI, COMMISSIONER
312-8100

**TECHNICAL
POLICY AND PROCEDURE NOTICE # 10/92**

TO: Borough Commissioners/Superintendents
Chief Plumbing Inspectors

FROM: David Sobel, P.E., Executive Engineer 

DATE: November 2, 1992

SUBJECT: Local Law 29/89 - Low Flow Fixtures

The following is a clarification of Local Law 29/89, Low Flow Fixtures, based upon Commissioner Rinaldi's memorandum of April, 21, 1992, Commissioner Appieton's memorandum of May 28, 1992, State D.E.C. list of accepted fixtures, September 1992, List "B", page 100, and concerns of the Committee of Plumbers and Mechanical Engineers.

Local Law 29/89 is not applicable to the following plumbing fixtures:

Aspirators	Bedpan Washers
Bathtubs/Faucets	Clinic Service Sink Faucets
Bidets	Instrument Sink Faucets
Emergency Showers and Eyewash Fountains	Perineal Baths
Dish Washers or Washing Machines	Plaster Work Sink Faucets
Hose Bibs	Sitz Baths
Laundry Tray Faucets	Surgical Sink Faucets
Service Sink Faucets (Slop Sink, Mop Sink)	Distilled Water Faucets
Whirlpool Baths	Needle Point Faucets
	Steam Fittings
	Tube Washers

All fixtures used for food service shall comply with flow rates, but need not be self-closing.

Blow out type toilets in prisons, stadiums, airports and large exhibition spaces such as the convention center shall be exempted at this time pending review. This determination shall be reviewed based upon the latest statistics from industry and government.

Lavatory faucets in hospitals and nursing homes shall comply with volume requirements of Local Law 29/89, except for public and office spaces, which shall also comply with self-closing requirements.

Lavatories in public toilets shall be limited to one-half G.P.M.

In a shower stall, the total flow of all shower heads within the stall shall be three G.P.M.

Reference: Operational PPN # 23/91 and PPN # 22/92

RESCINDED



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013

RUDOLPH J. RINALDI, Commissioner

BARRY G. COX
Assistant Commissioner
Borough Operations
(212) 312-8004

ISSUANCE NO: 330

OPERATIONS
POLICY AND PROCEDURE NOTICE NO. 23/91

TO: Distribution
FROM: Barry G. Cox
DATE: December 30, 1991
REGARDING: Local Law 29/89 - LowFlow Fixtures

PURPOSE: To implement Local Law 29/89 which amended the administrative code in relation to standards for water saving devices. Local Law 29/89 requires that water closets and associated flush valves, installed after January 1, 1992, must be on the approved list of water saving devices compiled by the NYS Department of Environmental Conservation. This Local Law, enacted in 1989, allowed the industry almost 2½ years to prepare for the law's implementation.

EFFECTIVE DATE: January 1, 1992.

SPECIFICS: All water closets and associated flush valves installed in conjunction with a New Building, Alteration or PRA/OBE application must meet certain water saving performance standards as well as proper labeling as set forth in Local Law 29/89.

Office of the Deputy Commissioner for Technical Affairs

The Office of the Deputy Commissioner for Technical Affairs shall publish annually the listing of fixtures which meet the standards set forth in Local Law 29/89. This listing shall be forwarded to the Office of the Assistant Commissioner for Borough Operations to disseminate to the Borough Offices.

Office of the Assistant Commissioner for Borough Operations

This office shall annually disseminate the listing of acceptable fixtures to the Borough Offices.

Borough Offices/Plumbing Division

The Plumbing Division shall make certain that each inspector is given a copy of the listing

of acceptable fixtures in accordance with LL29/89. The listing is sorted by manufacturer and may be a supplement to previous lists which would require the inspector to verify the fixture on more than one list.

. No inspector shall "sign off" a job where the job entails the installation (new or replacement) of water closets and associated flush valves unless the fixture(s) is on the approved list.

. The following information should be clearly marked on the fixture(s) to aid the inspector in identifying it:

- manufacturer's name or registered trademark and the model number of the fixture
- gallon/liter water consumption rate per flush
- on water closets: a clear marking or designation for the "water line" located within the tank and shall be set at the level of gallons/liters per flush required.

. The inspector shall note on the objection sheet that the job was not signed off because the fixture(s) was not on the listing of acceptable "lowflow" fixtures.

Exception:

An exception occurs when the inspection of the job was requested prior to January 1, 1992, but is not performed until after January 1, 1992.

Applicants who have installed a fixture(s) prior to January 1, 1992, which were not on the approved list but did not request an inspection must contact the Borough Commissioner. If the Borough Commissioner is convinced by documentary evidence - which may include a signed and sealed statement from the licensed plumber that the installation occurred prior to January 1, 1992 - the Borough Commissioner may allow the job to be signed off.

These requests must be made prior to February 1, 1992. This exception shall remain in effect until that date only.



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RUDOLPH J. RINALDI, Commissioner

BARRY G. COX
Assistant Commissioner
Borough Operations
(212) 312-8004

Issuance # 376

OPERATIONS
POLICY AND PROCEDURE NOTICE # 22/92

(corrected copy)

To: Distribution
From: Barry G. Cox
Date: 23 October 1992
Subject: Legalization of Plumbing Fixtures Installed Prior
to January 1, 1992

Purpose:

To establish a procedure to legalize plumbing fixtures installed prior to January 1, 1992 where no work application had been filed prior to that date. Applicants meeting the criteria outlined below need not comply with Local Law 29/89.

Reference:

Local Law 29/89 "Low Flow Legislation"
PPN 23/91

Effective: Immediately

Specifics:

An applicant may file to legalize plumbing work (fixtures) installed prior to January 1, 1992 but must obtain the required DOB permits and pay all civil penalties due pursuant to Local Law 58/88.

The applicant must furnish to the Borough Superintendent/Commissioner or his/her Deputy significant proof that the fixtures were installed prior to January 1, 1992.

Proof shall be one or a combination of the following which provides sufficient proof to satisfy the Borough Commissioner/Superintendent that the fixtures were installed prior to January 1, 1992. These include:

- . Contractor's receipt of payment identifying work
- . dated receipt or cancelled check showing payment for work completed or materials delivered
- . dated photographs of the subject property
- . proof of compliance with Workers' Compensation Law insurance requirements
- . a survey of the subject property made prior to January 1, 1992

While no one of the above-listed documents will be deemed dispositive, appropriate weight will be accorded to the application in its entirety, taking into account the particular facts and circumstances on a case-by-case basis.

It shall not be sufficient that the applicant provide sales receipt with dates preceding January 1, 1992. The fixtures must have been installed prior to the first day of 1992.

JMc:mh

RESCINDED