



New York City Department of Buildings  
280 Broadway, New York, NY 10007-1801

Patricia J. Lancaster, FAIA, Commissioner

**Fatma M. Amer, P.E.**  
Deputy Commissioner & Chief Code  
Engineer  
Technical Affairs  
(212) 566-3248  
Fax: (212) 566-3796  
fatmaa@buildings.nyc.gov


**ISSUANCE # 671 (Revised)**

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**TECHNICAL POLICY AND PROCEDURE  
NOTICE #2/07**

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**TO:** Distribution

**FROM:** Fatma M. Amer, P.E.  
Deputy Commissioner & Chief Code Engineer 

**DATE:** September 6, 2007

**SUBJECT:** **The Installation of Outdoor Natural Gas Fired Heaters in Unenclosed Sidewalk Cafes**

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**PURPOSE:** To address the installation of outdoor gas fired heating devices by the owners and/or operators of sidewalk cafes throughout the five boroughs of New York City. Such unenclosed sidewalk cafes must be licensed by the Department of Consumer Affairs.

**REFERENCES:** *The installation of gas burning equipment shall comply with the applicable requirements of Article 5 of Subchapter 14, RS 14-2 and RS 14-6 of Chapter 1 of Title 27 of the Administration Code. The installation of gas piping shall comply with Subchapter 16 and Section §P115 of RS 16 of Chapter 1 of Title 27 of the Administration Code. The unit heaters shall be accepted for use in NYC in accordance with Section 27-131 and Section 27-135 of the Building Code.*

*In addition to the code provisions above, sidewalk cafes shall also comply with applicable provisions of Chapter 4 of Article I of the NYC Zoning Resolution and Chapter 35 of the Rules of the Fire Department.*

**EFFECTIVE:** Immediately

**SPECIFICS:** All applications for the installation of Natural Gas Fired Outdoor Heaters shall be filed by a New York State Registered Architect or New York State Professional Engineer on behalf of the owners and/or operators of the sidewalk cafes. Such installations are filed with this department as Alteration Type II with a separate PL work type in accordance with Directive 14 of 1975. A New York City Licensed Master Plumber shall obtain a plumbing permit and perform all of the plumbing work in accordance with the provisions of Subchapter 16 and RS 16 of the Building Code. All work shall also comply with all of the following requirements:

1. Outdoor gas heaters must be of commercial grade with MEA approval.
2. The units and related piping shall be installed in accordance with the terms and conditions of the MEA approval and the manufacturers' recommendations.
3. Clearances shall be maintained around the units as recommended by the manufacturer and in no event shall such clearances be less than two feet. No heater shall be placed under or within 4 feet of an awning.
4. Plans of the café submitted with Alteration Type II shall, at a minimum, indicate the following:
  - The approved boundaries of the sidewalk cafe showing all exit door(s) to or from the restaurant,
  - Details of gas piping and connections,
  - Location of heaters and clearances from other objects as recommended by the manufacturer, and
  - Location of gas shut off valve and alarms.
5. Copy of the department's accepted plans shall be maintained on the premises and made available upon request by the department or the Fire Department.
6. Where flexible hose connectors are used to connect unit heaters to gas outlets, such flexible hoses shall be MEA approved. Such connection shall be made in accordance with the terms and conditions of the MEA approval and the manufacturers' recommendations. The maximum length of the flexible hoses shall be in compliance with the manufacturers' recommendations and in no event shall such length exceed 8 feet.
7. Hoses shall not be a tripping hazard and must be protected by bridging in compliance with LL58 of 1987 and RS 4-6 of the Building Code, both to allow accessibility and protect the hose from damage.
8. Outside connection points shall comply with ANSI Z-21.90, Standards for Gas Outlets, and shall be in lockable receptacles, made of corrosion-

resistant metallic material, suitable for outdoor use. Receptacles shall be recessed and locked closed when not in use.

9. All gas piping shall be installed only by NYC licensed plumbers and the distribution system shall have a manual shut off valve for both emergency use and locking out the system when not in use.
10. An emergency automatic gas shut off valve, activated by either a low pressure sensor or an emergency switch, shall be installed on the main gas line. The low pressure sensor shall be connected to an alarm that utilizes a bell or horn with a flashing device.
11. The emergency switch shall be identified by a sign posted in plain sight next to it.
12. At least one portable fire extinguishing device of a minimum 2-A rating for every 2,500 square feet of floor area or fraction thereof shall be provided within 10 feet of the entrance to the café.
13. Only designated employees who hold a FDNY Certificate of Fitness shall connect or disconnect the outdoor heaters.
14. All devices shall have wireless electric ignition devices. Open flame, match start and electrical hard-wired systems are not permitted.
15. The owners and/or operators of such outdoor heaters shall obtain a Fire Department open flame permit prior to the operation of the equipment. Such equipment shall be subject to annual inspection by the Fire Department.
16. Unit heaters using LPG (Propane) shall be prohibited.

/Gas Fired Heaters