

**New York City
Department of Housing Preservation
and Development**

**Office of Preservation Services/
Division of Code Enforcement**

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See FAQs Inside

This pamphlet contains frequently asked questions for tenants and owners concerning carbon monoxide detecting devices and is provided for your convenience only. For complete information, consult the law and applicable rules.

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housing corporation and shareholders or board of managers and owners.

Can owners allow occupants to install their own carbon monoxide alarm or must the owner install it?

Local Law # 7 requires that the owner of the dwelling provide and install at least one approved and operational carbon monoxide alarm. Even when owners and tenants are in agreement that the tenant will install the carbon monoxide alarm, the owner must still file a "*Certificate of Satisfactory Installation*" with HPD's Borough Code Enforcement office. Therefore, the owner should be provided access to the apartment to confirm that an approved carbon monoxide alarm is properly installed and operational.

Are owners required to install carbon monoxide alarms in vacant apartments?

Yes. Owners are required to install carbon monoxide alarms in each dwelling unit, regardless of whether the apartment is occupied.

Are combination carbon monoxide/smoke alarms permitted?

Yes, combination carbon monoxide/smoke alarms are permitted.

If an owner installs a combination carbon monoxide/smoke alarm, is the owner entitled to a \$35 (\$25 carbon monoxide alarm + \$10 smoke alarm) reimbursement?

Owners who install a combined smoke and carbon monoxide alarm are entitled to be reimbursed a maximum of \$35 only when the smoke alarm needs to be replaced, e.g., it is missing or inoperable. If the smoke alarm is operable and the building owner still wants to replace it with a combined alarm, he or she can only be reimbursed \$25.

The New York City Department of Housing Preservation and Development (HPD), Division of Code Enforcement, is responsible for enforcing the New York City Housing Maintenance Code and the New York State Multiple Dwelling Law.

For more information or to learn more about the New York City Department of Housing Preservation and Development please visit our website www.nyc.gov/hpd or call the City's Citizen Service Center at 311.



www.nyc.gov/hpd



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FAQs

Frequently Asked Questions

About...

The New York City
Carbon Monoxide
Detecting Device
Act of 2004
(Local Law #7 of 2004)



Department of
Housing Preservation
& Development

FAQs

Frequently Asked Questions

What is carbon monoxide?

Carbon monoxide is a highly toxic gas. It is the product of the incomplete combustion of fossil fuels such as oil, natural gas, gasoline, wood and coal. The major sources of carbon monoxide in homes and apartments are fossil fuel burning boilers, furnaces, water heaters, fireplaces and parking garages. Carbon monoxide is very dangerous because it is colorless, odorless, tasteless, and non-irritating. Carbon monoxide poisoning can be fatal. The warning signs of carbon monoxide poisoning include headaches, dizziness, tiredness and nausea.

What is Local Law # 7 of 2004?

Local Law # 7 of 2004 is the New York City Carbon Monoxide Detecting Device Act of 2004. This law requires that certain dwelling units be equipped with one or more carbon monoxide alarm.

How does HPD enforce Local Law # 7 of 2004?

HPD housing inspectors look for proper installation of operational carbon monoxide alarms in every dwelling unit inspected.

What dwelling units must be equipped with carbon monoxide alarms?

The Department of Buildings rule pertaining to Local Law # 7 of 2004 requires the installation of carbon monoxide alarms in every dwelling unit located within a building that contains any fossil fuel burning furnace, boiler or water heater as part of a central system and in every dwelling unit located within

a building served by a central fossil fuel burning furnace, boiler or water heater that is located in an adjoining or attached building.

The Department of Buildings rule also requires the installation of carbon monoxide alarms in every dwelling unit on the same floor as, on the floor below, and on the floor above any enclosed parking lot or fossil fuel burning equipment such as a fireplace or fossil fuel burning apparatus, appliances or devices other than household cooking appliances and household gas clothes dryers located in the building.

Where should carbon monoxide alarms be installed?

Carbon monoxide alarms must be installed within 15 feet of the primary entrance of each bedroom.

What is the penalty for failure to provide and install a carbon monoxide alarm?

Failure to provide an approved and operational carbon monoxide alarm will, after inspection, result in the issuance of a class "B" hazardous violation. Civil penalties, which can be imposed by the Court, range from \$25 to \$100 plus \$10 per day from the date set for correction in the notice of violation until the date the violation is corrected.

What are an owner's obligations under Local Law # 7 of 2004?

An owner's obligations under Local Law # 7 of 2004 depend on the type of dwelling owned.

Owners of class "A" multiple dwellings (a multiple dwelling which is occupied, as a rule, for permanent residence purposes) that are required to be equipped with carbon monoxide alarms must:

- Provide and install at least one approved and operational carbon

monoxide alarm within each dwelling unit,

- File a "*Certificate of Satisfactory Installation*" with HPD's Borough Code Enforcement office,
- Post a notice in a common area informing occupants of the law's requirements,
- Provide written information regarding the testing and maintenance of carbon monoxide alarms to at least one adult occupant of each dwelling unit, and
- Keep all records relating to the installation and maintenance of carbon monoxide alarms.

Owners of class "B" multiple dwellings (a multiple dwelling which is occupied, as a rule, transiently, as the more or less temporary abode of individuals or families who are lodged with or without meals) that are required to be equipped with carbon monoxide alarms must:

- Provide and install at least one approved and operational carbon monoxide alarm within each dwelling unit,
- File a "*Certificate of Satisfactory Installation*" with HPD's Borough Code Enforcement office,
- Keep all records relating to the installation and maintenance of carbon monoxide alarms, and
- Keep and maintain the carbon monoxide alarms or systems in good repair.

Owners of private dwellings (a building or structure designed and occupied for residential purposes by not more than two families, i.e., one- and two-family homes) required to be equipped with carbon monoxide alarms must:

- Provide and install at least one approved carbon monoxide alarm within each dwelling unit,

- Provide a notice informing occupants of the law's requirements,
- Provide written information regarding the testing and maintenance of carbon monoxide alarms to at least one adult occupant of each dwelling unit, and
- Keep all records relating to the installation and maintenance of carbon monoxide alarms.

What are an occupant's obligations under Local Law # 7 of 2004?

An occupant's obligations under Local Law # 7 of 2004 depend on the type of dwelling occupied. Occupants of class "B" multiple dwellings have no obligations under Local Law #7.

Occupants of Class "A" multiple dwellings and private dwellings must:

- Keep and maintain the carbon monoxide alarm in good repair.
- Replace any carbon monoxide alarm that is either stolen, removed, missing, or rendered inoperable.
- Reimburse the owner \$25 for each carbon monoxide alarm that is newly installed or installed as a result of the occupant's failure to maintain the carbon monoxide alarm, or where the carbon monoxide alarm has been lost or damaged by such occupant.

How much time does an occupant have to make the \$25 reimbursement to the owner?

Occupants have one year from the date of installation to make the \$25 reimbursement.

Are occupants who own their own apartments responsible for installing their own carbon monoxide alarm?

This must be decided among the cooperative