



CONSTRUCTION CODES UPDATE PAGES

Attached are Construction Codes Update Pages. These pages reflect local laws enacted and ministerial administrative corrections made after July 1, 2008. Please note that the source of a particular update, the local law number, and year is indicated on each page. Please visit our [webpage](#) to ensure that your codes are complete and up to date as the City Council may periodically pass Local Laws that affect the Construction Codes.

Instructions:

Please place each page, according to its page number found on the bottom right hand corner, into your Construction Codes books. The pages contain letters after the page number and should be placed in alphabetical order following the number, i.e. 5, 6, 6a, 6b, etc.

- Place Title Pages in the front of your Code books for easy reference.
- Note: If you have all four Construction Codes (Building, Mechanical, Plumbing & Fuel Gas), please make sure to insert updates made to the Administrative Provisions into each of the four Code books.

CONSTRUCTION CODES UPDATE PAGES

UPDATE # 36

Source: Local Law 88 of 2009, effective December 28, 2009.

This update includes the following pages:

GENERAL ADMINISTRATIVE PROVISIONS (PRECEDING THE BUILDING, FUEL GAS, MECHANICAL AND PLUMBING CODES)	
<u>Section</u>	<u>Page Number</u>
Article 310	A-54aa-bb
Article 311	A-54bb-dd

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.

Source: Local Law 88 of 2009, effective December 28, 2009.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages A-54z and A-55 of your bound volumes of the NYC Building Code, NYC Plumbing Code, NYC Mechanical Code and NYC Fuel Gas Code.

Add the following new articles 310 and 311:

ARTICLE 310 REQUIRED UPGRADE OF LIGHTING SYSTEMS

§28-310.1 General. Lighting systems in covered buildings shall be upgraded as provided for in this article.

§28-310.2 Definitions. As used in this article, the following terms shall have the following meanings:

COVERED BUILDING. As it appears in the records of the department of finance: (i) a building that exceeds 50,000 gross square feet (4645 m²), (ii) two or more buildings on the same tax lot that together exceed 100,000 gross square feet (9290 m²) or (iii) two or more buildings held in the condominium form of ownership that are governed by the same board of managers and that together exceed 100,000 gross square feet (9290 m²).

Exception: The term "covered building" shall not include real property classified as class one pursuant to subdivision one of section eighteen hundred two of the real property tax law.

UPGRADE. The installation or modification of the lighting system of a covered building to comply with the standards required for new systems, including all of the following elements: lighting controls (interior lighting controls, light reduction controls and automatic lighting shutoff), tandem wiring, exit signs, interior lighting power requirements and exterior lighting.

§28-310.3 Upgrade of lighting systems of covered buildings required. The lighting systems of covered buildings shall be upgraded to comply with the standards for new systems set forth in section eight hundred five of the New York city energy conservation code and/or applicable standards referenced in such energy code on or prior to January 1, 2025. The owner of a covered building shall ensure that the upgrade of the lighting system of the entire covered building is completed on or prior to such date and shall file a report with the department, on or prior to such date, prepared by a registered design professional or a licensed master or special electrician certifying that such upgrade has been completed and that the work is in compliance with the technical standards of the

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.

Source: Local Law 88 of 2009, effective December 28, 2009.

New York city electrical code. The department may impose a fee for filing and review of such reports.

Exceptions:

1. No upgrade is required for (i) an element of a lighting system that is in compliance with the standards of the New York city energy conservation code and/or applicable standards referenced in such code as in effect for new systems installed on or after July 1, 2010, or (ii) lighting power densities in any space bounded by permanent floor-to-ceiling partitions and/or closable doors that are in compliance with the standards of the New York city energy conservation code and/or applicable standards referenced in such code as in effect for new systems installed on or after July 1, 2010.
2. No upgrade is required for the lighting system within dwelling units classified in occupancy group R-2 or R-3 or spaces serving such dwelling units, including but not limited to, hallways, laundry rooms, or boiler rooms.
3. No upgrade is required for the lighting system within a space classified in occupancy group A-3 that is within a house of worship.

ARTICLE 311**INSTALLATION OF ELECTRICAL SUB-METERS IN TENANT SPACES**

§28-311.1 General. Sub-meters shall be installed in covered buildings as provided in this article.

§28-311.2 Definitions. As used in this article, the following terms shall have the following meanings:

COVERED BUILDING. As it appears in the records of the department of finance: (i) a building that exceeds 50,000 gross square feet (4645 m²), (ii) two or more buildings on the same tax lot that together exceed 100,000 gross square feet (9290 m²), or (iii) two or more buildings held in the condominium form of ownership that are governed by the same board of managers and that together exceed 100,000 gross square feet (9290 m²).

Exception: The term "covered building" shall not include real property classified as class one pursuant to subdivision one of section eighteen hundred two of the real property tax law.

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.

Source: Local Law 88 of 2009, effective December 28, 2009.

COVERED TENANT SPACE. (i) A tenant space larger than 10,000 gross square feet (929 m²) on one or more floors of a covered building let or sublet to the same person, or (ii) a floor of a covered building larger than 10,000 gross square feet (929 m²) consisting of tenant spaces let or sublet to two or more different persons.

Exception: The term "covered tenant space" shall not include dwelling units classified in occupancy group R-2 or R-3.

METER. A device installed by an electrical utility company or corporation that measures the flow of electricity supplied to a building or to a defined space within a building and used by the utility to bill consumers for electrical service.

SUB-METER. A device meeting the standards of the department or, where applicable, the public service commission, installed within a building's electrical distribution system that measures the flow of electricity within a defined space within the building and that may, but need not, be used for apportioning the cost of electricity among the building's tenants or subtenants.

TENANT SPACE. Space within a covered building that is let or sublet to another person by the owner or a lessee of such space.

§28-311.3 Sub-meters required for covered tenant spaces. On and after January 1, 2025, the electrical consumption of each covered tenant space shall be measured by one or more sub-meters. Sub-meters shall be installed in existing covered tenant spaces by the owner or the lessor of such space on or prior to January 1, 2025 and thereafter as new covered tenant spaces are created within the building. If the covered tenant space is a floor with multiple tenancies, each tenancy that is 10,000 gross square feet (929 m²) or less shall (i) have a separate sub-meter, (ii) share a sub-meter with other tenant spaces on the floor, or (iii) share a sub-meter covering the entire floor.

Exception: Covered tenant space for which the electrical consumption within such space is measured by a meter dedicated exclusively to that space.

§28-311.4 Monthly statements. Each tenant or subtenant within a covered tenant space that has a sub-meter or sub-meters to measure electrical consumption shall be provided with a monthly statement showing the amount of electricity measured by the sub-meter for such tenant or subtenant during the month, and any amount charged to the tenant or subtenant for electricity. If the covered tenant space is a floor with multiple tenancies and the tenant's sub-meter covers other tenant spaces, the statement for such tenant shall show the electrical consumption for the area covered by the sub-meter and the percentage of that area that is leased by the tenant.

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.

Source: Local Law 88 of 2009, effective December 28, 2009.

§28-311.5 Reports. The owner of each covered building shall file a report with the department on or prior to January 1, 2025 prepared by a registered design professional or a licensed master or special electrician certifying that sub-meters have been installed in all covered tenant spaces in such building as required by this article or that covered tenant spaces are subject to the exception set forth in section 28-311.3. The department may impose a fee for filing and processing such reports.