

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2015**

No. 78

Introduced by Council Members Johnson, Vacca, Crowley, Arroyo, Chin, Constantinides, Eugene, Koo, Levine, Richards, Mendez, Espinal, Rosenthal, Cohen, Deutsch, Cornegy, Cumbo, Dromm, Gibson, Greenfield, King, Koslowitz, Levin, Maisel, Miller, Palma, Reynoso, Rodriguez, Rose, Torres, Vallone, Wills, Treyger, Lander, Menchaca, Lancman, Ferreras-Copeland, Van Bramer, Garodnick, Gentile, Kallos and Ulrich.

A LOCAL LAW

To amend the New York city building code, in relation to the installation of fire sprinklers in certain establishments that provide services for animals.

Be it enacted by the Council as follows:

Section 1. Article 315 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.2.3 to read as follows:

§ 28-315.2.3 Animal service facilities. *By December 31, 2016, animal service facilities shall comply with the retroactive requirements of section 903.2.2.2 of the New York city building code and owners of such facilities shall file with the department a report certifying either that sprinklers have been installed or that the facility is in compliance with one of the exceptions set forth in such section.*

§ 2. Section BC 202 of the New York city building is amended by adding a new definition for “ANIMAL SERVICE FACILITY” to read as follows:

ANIMAL SERVICE FACILITY. *The following facilities where animals are sheltered on a 24-hour basis: animal hospitals, kennels, pounds, veterinary clinics and pet shops.*

§ 3. Section 304.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

304.1 Business Group B. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional, service-type transactions, or for conducting public or civic services, including the incidental storage of records and accounts

and the incidental storage of limited quantities of stocks of goods for office use or purposes. Business Group B occupancies shall include, but not be limited to, the following:

Airport traffic control towers

Ambulatory health care facilities

Animal hospitals, kennels, [and] pounds, *veterinary clinics and pet shops*

Banks

Barber and beauty shops

Civic administration offices

Clinic—outpatient, including group medical centers, and neighborhood family care centers

Custodial care facilities with fewer than 75 persons, providing care to persons over the age of 2, where no more than four occupants are incapable of responding to an emergency situation without physical assistance from staff

Dry cleaning and laundries; pick-up and delivery stations and self-service

Educational occupancies for students above the 12th grade, where not classified in Group A. Such occupancy may be used occasionally for educational purposes offered to children through the 12th grade

Electronic data processing

Laboratories; nonproduction testing and research, as per Section 424

Libraries when not classified in Group E

Motor vehicle showrooms

Offices

Post offices

Photocopying and printing shops using electronic printing equipment

Professional services (architects, attorneys, dentists, physicians, engineers, etc.)

Radio and television stations not admitting an audience

Telephone exchanges

Training and skill development not within a school or academic program

§ 4. Section 903.2.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

903.2.2 Group B [ambulatory health care facilities]. An automatic sprinkler system shall be installed [throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self- preservation.
2. One or more care recipients who are incapable of self- preservation are located at other than the level of exit discharge serving such an occupancy.] *for Group B occupancies as provided in Sections 903.2.2.1 and 903.2.2.2.*

903.2.2.1 Ambulatory health care facilities. *An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exists at any time:*

1. *Four or more care recipients are incapable of self-preservation.*
2. *One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.*

903.2.2.2 Animal service facilities. *An automatic sprinkler system shall be provided for animal service facilities. This provision shall be retroactive and shall apply to all such facilities in existence on the effective date of this provision, and such facilities shall achieve compliance no later than December 31, 2016.*

Exceptions:

1. *Animal service facilities which provide 24 hour in-person supervision of animals sheltered therein and are equipped with smoke alarms.*
2. *Animal service facilities that were in operation on or before December 31, 2016, and are equipped with an automatic smoke detection system.*

§ 5. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on August 13, 2015 and approved by the Mayor on September 2, 2015.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 78 of 2015, Council Int. No. 145-A of 2014) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.