

1 RCNY §103-18

CHAPTER 100

Subchapter C Maintenance of Buildings

§ 103-18 Upgrades of lighting systems and installation of electrical sub-meters in tenant spaces.

- (a) **Definitions.** Terms defined in Article 310 and 311 of Title 28 of the Administrative Code have the same meanings in this section.
- (b) **Report for required upgrades of lighting systems.** No later than May 1, 2025, the owner of a covered building must submit a report, in a form and manner determined by the Department, in accordance with section 28-310.3 of the Administrative Code. Such report must include an attestation by a registered design professional, a licensed master electrician, or a licensed special electrician certifying that the lighting system of the entire building has been inspected and upgrades have been implemented, pursuant to lighting power allowances and controls requirements for each of the spaces, in compliance with the New York City Energy Conservation Code that was in effect at the time of such implementation, provided that the lighting system must comply with a version of the New York City Energy Conservation Code in effect on or after July 1, 2010.
- (c) **Penalty for failure to file a lighting upgrade report.** An owner of a covered building shall be liable for a civil penalty in the amount of \$1,500 for failing to file a report in accordance with section 28-310.3 of the Administrative Code and subdivision (b) of this section. Such penalty will be assessed annually until the compliance report is filed.
- (d) **Report for required installation of electrical sub-meters in tenant spaces.** No later than May 1, 2025, the owner of a covered building must submit a report, in a form and manner determined by the Department, in accordance with section 28-311.5 of the Administrative Code. Such report must include:
- (1) A list of all covered tenant spaces in such covered building; and
 - (2) An attestation by a registered design professional, a licensed master electrician, or a licensed special electrician certifying that sub-meters have been installed for all covered tenant spaces in accordance with Article 311 of Title 28 of the Administrative Code; and
 - (3) A sample monthly statement in accordance with section 28-311.4 of the Administrative Code.
- (e) **Penalty for failure to demonstrate installation of electrical sub-meters in tenant spaces.**
- (1) An owner of a covered building shall be liable for a civil penalty in the amount of \$1,500 for failing to file a report in accordance with section 28-311.5 of the Administrative Code and subdivision (d) of this section. Such penalty will be assessed annually until the compliance report is filed.
 - (2) Failing to install a sub-meter in a covered tenant space in accordance with section 28-311.3 of the Administrative Code and subdivision (d) of this section shall be classified as a lesser violation. An owner of a covered building shall be liable for a civil penalty for such violation. Such penalty will be in the amount of \$500 for each covered tenant space where a sub-meter has not been installed as required and will be assessed annually until all required sub-meters are installed.
- (f) **Procedures for penalties imposed under this section.**
- (1) Where a civil penalty is imposed for failure to file a report required by subdivision (b) or (d) of this section, the owner may request review of such determination by the department. A request for such review shall be submitted in writing within 30 days in a form and manner determined by the Department. The Department shall review such request and provide a response within 60 days.
 - (2) A civil penalty imposed for failing to install a sub-meter pursuant to paragraph (2) of subdivision (e) of this section will be processed in accordance with section 102-01.