

# 1 RCNY §105-06

## CHAPTER 100

### Subchapter E Miscellaneous Provisions

#### §105-06 Petitions for Rulemaking.

##### (a) Definitions.

- (1) Person. "Person" means a natural person or a business entity, including but not limited to a corporation, trust, estate, partnership, cooperative, association, firm, club or society.
- (2) Petition. "Petition" means a written request or application for the Department to adopt a Rule.
- (3) Petitioner. "Petitioner" means the person who files a Petition.
- (4) Rule. "Rule" has the meaning set forth in § 1041 of the City Administrative Procedure Act.

##### (b) Procedures for Submitting Petitions.

- (1) Any Person may petition the Department to consider the adoption of a Rule. The Petition may be denied if it fails to include the following information:
  - (i) The Rule to be considered, with proposed language for adoption;
  - (ii) Petitioner's arguments in support of adoption of the Rule;
  - (iii) Petitioner's proposal for the time period the Rule should be in effect, if applicable;
  - (iv) Responses to any questions posed on a form provided by the Department for such Petitions;
  - (v) The name, address, telephone number, and email address of the Petitioner or his or her authorized representative;
  - (vi) The signature of Petitioner or his or her representative.
- (2) Any change in the name, address or telephone number of the Petitioner or his or her authorized representative must be reported to the Department.
- (3) All Petitions should be typewritten, if possible, but handwritten Petitions will be accepted provided they are legible.
- (4) Petitions must be submitted via [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov) or by mailing the Petition to the Department of Buildings, Regulatory Matters Unit, Office of the General Counsel, 280 Broadway, 7th Fl., New York, NY 10007.

**(c) Procedures for Consideration of and Responses to Petitions.** If a Petition is submitted in proper form, the Department will deny or approve the Petition within 60 days from the date it was received. The Department will either deny such Petition in a written statement or state in writing the Department's intention to initiate rulemaking by a specified date. The Department is not required to grant the entirety of a Petition and is not bound by the language proposed by Petitioner but may amend or modify such proposed language at the Department's discretion.