

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to amend its rules regarding referenced standards.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11am on 10/11/23.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://tinyurl.com/REFSTANDARDS101123>

Enter your name when prompted and click the **“Join now”** button. If you don't have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://tinyurl.com/REFSTANDARDS101123>

When prompted select **“Join meeting”**. Type your name and then select **“Join meeting”** again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

Alternatively, open the Teams app and select **“Join a meeting”**. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select **“Join meeting”**.

Meeting ID: 232 131 996 035

Passcode: nLjaxX (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101

Phone Conference ID: 686 352 508#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at 212-566-3843.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing dobrules@buildings.nyc.gov by 10/4/23 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit comments by 10/11/23.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at dobrules@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 9/27/23.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments

concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at dobrules@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter, and Section 28-103.19 of the City Administrative Code authorize DOB to make this proposed rule. This proposed rule was included in DOB's regulatory agenda for this Fiscal Year.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

Local Law 14 of 2020 amended the New York City Plumbing Code and Local Law 126 of 2021 amended the New York City Building Code, the New York City Mechanical Code and the New York City Fuel Gas Code.

The Department's Referenced Standards are found in Chapter 15 of the Plumbing Code, Chapter 35 of the Building Code, Chapter 15 of the Mechanical Code and Chapter 8 of the Fuel Gas Code. Local Laws 14 and 126 repealed those chapters and added new ones.

This proposed rule will correct errors in the years of various standards listed in those new chapters. The corrections will conform them to the existing editions of these standards.

In addition, sections 3500-01 and 3500-02 are being repealed, as the standards listed in those sections have been updated and are included in Chapter 35 of the Building Code, as amended by Local Law 126.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and Section 28-103.19 of the New York City Administrative Code.

New material is underlined.

Section 1. Sections 3500-01 and 3500-02 of Title 1 of the Rules of the City of New York relating to the following standards: ACI 318 for structural concrete and ANSI A10.4 for personnel hoists are REPEALED.

§2. Chapter 3500 of Title 1 of the Rules of the City of New York is amended by adding a new Section 3500-03 to read as follows:

§3500-03. Referenced Standards. Pursuant to Section 28-103.19 of the New York City Administrative Code, delete and replace the following reference standards as follows:

Reference standards ANSI A118.1 and ANSI A118.4 as added by Section BC 3502 of the New York City Building Code, are hereby deleted and new ANSI A118.1 and ANSI A118.4 are added to read as follows:

<u>ANSI</u>	<u>American National Standards Institute 25 West 43rd Street, Fourth Floor New York, NY 10036</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>A118.1—12</u>	<u>American National Standard Specifications for Dry-Set Cement Mortar</u>	<u>2103.2.3.1</u>
<u>A118.4—12</u>	<u>American National Standard Specifications for Modified Dry-Set Cement Mortar</u>	<u>2103.2.3.2, 2103.3.2.4</u>

Reference standard ASABE EP 559.1 as added by Section BC 3502 of the New York City Building Code, is hereby deleted and a new ASBE EP 559.1 is added to read as follows:

<u>ASABE</u>	<u>American Society of Agricultural and Biological Engineers 2950 Niles Road St. Joseph, MI 49085</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>EP 559.1-2010</u>	<u>Design Requirements and Bending Properties for Mechanically-Laminated Wood Assemblies</u>	<u>2306.1</u>

Reference standards ASCE/SEI 8, ASCE/SEI 29, and ASCE/SEI 32 as added by Section BC 3502 of the New York City Building Code, are hereby deleted and new ASCE/SEI 8, ASCE/SEI 29, and ASCE/SEI 32 are added to read as follows:

<u>ASCE/SEI</u>	<u>American Society of Civil Engineers Structural Engineering Institute 1801 Alexander Bell Drive Reston, VA 20191-4400</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>8—02</u>	<u>Specification for the Design of Cold-formed Stainless Steel Structural Members</u>	<u>1604.3.3, 2210.1, 2210.2</u>
<u>29—05</u>	<u>Standard Calculation Methods for Structural Fire Protection</u>	<u>722.1</u>
<u>32—01</u>	<u>Design and Construction of Frost-Protected Shallow Foundations</u>	<u>1809.3.1</u>

Reference standard ASME 17.5 as added by Section BC 3502 of the New York City Building Code, is hereby deleted and a new ASME 17.5 is added to read as follows:

<u>ASME</u>	<u>American Society of Mechanical Engineers Two Park Avenue New York, NY 10016-5990</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>A17.5—2011</u>	<u>Elevator and Escalator Electrical Equipment</u>	<u>3001.2</u>

Reference standard AWP A M4 as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new AWP A M4 is added to read as follows:

<u>AWPA</u>	<u>American Wood Protection Association P.O. Box 361784 Birmingham, AL 35236-1784</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>M4—15</u>	<u>Standard for the Care of Preservative-Treated Wood Products</u>	<u>1811.5.2, 2303.1.9</u>

Reference standard AWS D1.4/D1.4M as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new AWS D1.4/D1.4M is added to read as follows:

<u>AWS</u>	<u>American Welding Society</u> <u>8669 NW 36 Street, #130</u> <u>Doral, FL 33166</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referred in code section number</u>
<u>D1.4/D1.4M - 2018</u>	<u>Structural Welding Code— Steel Reinforcing Bars</u>	<u>Table 1705.2,</u> <u>1705.2.1.3, Table</u> <u>1705.3, 1903.6.2,</u> <u>2107.3</u>

Reference standard CPA A208.1 as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new CPA A208.1 is added to read as follows:

<u>CPA</u>	<u>Composite Panel Association</u> <u>19465 Deerfield Avenue, Suite 306</u> <u>Leesburg, VA 20176</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referred in code section number</u>
<u>A208.1- 16</u>	<u>Particleboard</u>	<u>2303.1.8,</u> <u>2303.1.8.1</u>

Reference standard DASMA 115 as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new DASMA 115 is added to read as follows:

<u>DASMA</u>	<u>Door and Access Systems Manufacturers Association</u> <u>International</u> <u>1300 Summer Avenue</u> <u>Cleveland, OH 44115-2851</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referred in code section number</u>
<u>115- 17</u>	<u>Standard Method for Testing Sectional Doors, Rolling</u> <u>Doors and Flexible Doors: Determination of Structural</u> <u>Performance Under Missile Impact and Cyclic Wind</u> <u>Pressure</u>	<u>1609.1.2.3</u>

Reference standard FM 4474 as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new FM 4474 is added to read as follows:

<u>FM</u>	<u>Factory Mutual Global Research Standards Laboratories Department 1301 Atwood Avenue, P.O. Box 7500 Johnston, RI 02919</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>4474- 2004 (R2010)</u>	<u>American National Standard for Evaluating the Simulated Wind Uplift Resistance of Roof Assemblies Using Static Positive and/or Negative Differential Pressures</u>	<u>1504.3.1, 1504.3.2</u>

Reference standard NAAMM FP 1001 as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new NAMM FP 1001 is added to read as follows:

<u>NAAMM</u>	<u>National Association of Architectural Metal Manufacturers 800 Roosevelt Road, Bldg. C, Suite 312 Glen Ellyn, IL 60137</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>FP 1001—07</u>	<u>Guide Specifications for Design of Metal Flagpoles</u>	<u>1609.1.1</u>

Reference standard TIA-222-H as added by Section BC 3502 of the New York City Building Code is hereby deleted and a new TIA-222-H is added to read as follows:

<u>TIA</u>	<u>Telecommunications Industry Association 1320 N. Courthouse Road Arlington, VA 22201-3834</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>TIA-222-H — 2017(R2018)</u>	<u>Structural Standard for Antenna Supporting Structures, Antennas and Small Wind Turbine Support Structures</u>	<u>1609.1.1, 3108.1, 3108.2, 3108.4</u>

Reference standard TMS 216 as added by Section BC 3502 of the New York City Building Code is hereby deleted.

§3. Chapter 6000 of Title 1 of the Rules of the City of New York is amended by adding a new Section 6008-02 to read as follows:

§6008-02. Referenced Standards. Pursuant to Section 28-103.19 of the New York City Administrative Code, delete and replace the following reference standards as follows:

Reference standards ANSI Z21.5.1/CSA 7.1, ANSI Z21.5.2/CSA 7.2, ANSI Z21.10.1/CSA 4.1, ANSI Z21. 13/CSA 4.9, ANSI Z21.18/CSA 6.3, ANSI Z21.40.1/CGA 2.9, ANSI Z21.40.2/CGA 2.92, ANSI Z21.42, ANSI Z21.54, ANSI Z21.58/CSA 1.6, and ANSI Z83.11/CSA 1.8 as added by Section FGC 802 of the New York City Fuel Gas Code are hereby deleted and new ANSI Z21.5.1/CSA 7.1, ANSI Z21.5.2/CSA 7.2, ANSI Z21.10.1/CSA 4.1, ANSI Z21. 13/CSA 4.9, ANSI Z21.18/CSA 6.3, ANSI Z21.40.1/CGA 2.9, ANSI Z21.40.2/CGA 2.92, ANSI Z21.42, ANSI Z21.54, ANSI Z21.58/CSA 1.6, and ANSI Z83.11/CSA 1.8 are added to read as follows:

<u>ANSI</u>	<u>American National Standards Institute 25 West 43rd Street, Fourth Floor New York, NY 10036</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>Z21.5.1/ CSA 7.1-2017</u>	<u>Gas Clothes Dryers, Volume I, Type 1 Clothes Dryers</u>	<u>613.1</u>
<u>Z21.5.2/ CSA 7.2-2016</u>	<u>Gas Clothes Dryers, Volume II, Type 2 Clothes Dryers</u>	<u>613.1, 614.3</u>
<u>Z21.10.1/CSA 4.1 - 2013</u>	<u>Gas Water Heaters - Volume I, Storage Water Heaters with Input Ratings Of 75,000 Btu Per Hour Or Less</u>	<u>624.1</u>
<u>Z21. 13/CSA 4.9-2014</u>	<u>Gas-Fired Low Pressure Steam And Hot Water Boilers</u>	<u>631.1</u>
<u>Z21.18/CSA 6.3-2007 (R2016)</u>	<u>Gas Appliance Pressure Regulators</u>	<u>410.3</u>
<u>Z21.40.1/CGA 2.9-96(R2017)</u>	<u>Gas-Fired, Heat Activated Air Conditioning and Heat Pump Appliances</u>	<u>627.1</u>
<u>Z21.40.2/CGA 2.92 - 96(R2017)</u>	<u>Gas-Fired, Work Activated Air-Conditioning and Heat Pump Appliances (Internal Combustion)</u>	<u>627.1</u>
<u>Z21.42 - 2013(R2018)</u>	<u>Gas-fired Illuminating Appliances</u>	<u>628.1</u>
<u>Z21.54 - 2002(R2007) & Addenda 2009</u>	<u>Gas Hose Connectors For Portable Outdoor Gas-Fired Appliances</u>	<u>411.1</u>
<u>Z21.58/CSA 1.6 - 2015</u>	<u>Outdoor Cooking Gas Appliances</u>	<u>623.1</u>
<u>Z83.11/CSA 1.8 - 2016</u>	<u>Gas Food Service Equipment</u>	<u>623.1</u>

§4. Chapter 7000 of Title 1 of the Rules of the City of New York is amended by adding a new Section 7015-01 to read as follows:

§7015-01. Referenced Standards. Pursuant to Section 28-103.19 of the New York City Administrative Code, delete and replace the following reference standards as follows:

Reference standard ACCA Manual D as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new ACCA Manual D is added to read as follows:

<u>ACCA</u>	<u>Air Conditioning Contractors of America</u> <u>2800 Shirlington Road, Suite 300</u> <u>Arlington, VA 22206</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>ANSI/ACCA 1 Manual D -2016</u>	<u>Residential Duct Systems</u>	<u>603.2</u>

Reference standard AHRI 700 as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new AHRI 700 is added to read as follows:

<u>AHRI</u>	<u>Air-Conditioning, Heating and Refrigeration Institute</u> <u>4100 North Fairfax Drive, Suite 200</u> <u>Arlington, VA 22203</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>700 -2019</u>	<u>Standard for Specifications for Refrigerants</u>	<u>1102.2.2.3</u>

Reference standard ASME CSD-1 as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new ASME CSD-1 is added to read as follows:

<u>ASME</u>	<u>American Society of Mechanical Engineers</u> <u>Three Park Avenue</u> <u>New York, NY 10016-5990</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>CSD-1-2012</u>	<u>Controls and Safety Devices for Automatically Fired Boilers</u>	<u>1004.1, 1004.1.1,</u> <u>1004.8, 1006.1,</u> <u>1006.2, 1006.3,</u> <u>1006.4, 1007.1,</u> <u>1007.2, 1007.3,</u> <u>1010.2.1, 1011.1</u>

Reference standard NFPA 54 as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new NFPA 54 is added to read as follows:

<u>NFPA</u>	<u>National Fire Protection Association</u> <u>1 Batterymarch Park</u> <u>Quincy, MA 02169-7471</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>54 -2018</u>	<u>National Fuel Gas Code</u>	<u>504.9, 901.2, 910.7</u>

Reference standard NSF 358-1 as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new NSF 358-1 is added to read as follows:

<u>NSF</u>	<u>NSF International</u> <u>789 Dixboro Road, P. O. Box 130140</u> <u>Ann Arbor, MI 48113-0140</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>NSF 358-1 -2014</u>	<u>Polyethylene Pipe and Fittings for Water-Based Ground-Source “Geothermal” Heat Pump Systems</u>	<u>Table1210.4,</u> <u>Table1210.5</u>

Reference standard SMACNA as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new SMACNA is added to read as follows:

<u>SMACNA</u>	<u>Sheet Metal & Air-Conditioning Contractors National Assoc., Inc.</u> <u>4201 Lafayette Center Drive</u> <u>Chantilly, VA 20151-1209</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>SMACNA -2021</u>	<u>Fibrous Glass Duct Construction Standards</u>	<u>603.5</u>

Reference standard UL 2158A as added by Section MC 1502 of the New York City Mechanical Code is hereby deleted and a new UL 2158A is added to read as follows:

<u>UL</u>	<u>UL LLC</u> <u>333 Pfingsten Road</u> <u>Northbrook, IL 60062-2096</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>2158A -2017</u>	<u>Standard for Clothes Dryer Transition Duct</u>	<u>504.8.3</u>

§5. Chapter 8000 of Title 1 of the Rules of the City of New York is amended by adding a new Section 8015-01 to read as follows:

§8015-01. Referenced Standards. Pursuant to Section 28-103.19 of the New York City Administrative Code, delete and replace the following reference standards as follows:

Reference standards ASME A112.4.14, ASME A112.6.2, and ASME A112.6.9 as added by Section PC 1502 of the New York City Plumbing Code are hereby deleted and new ASME A112.4.14, ASME A112.6.2, and ASME A112.6.9 are added to read as follows:

<u>ASME</u>	<u>American Society of Mechanical Engineers</u> <u>Three Park Avenue</u> <u>New York, NY 10016-5990</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>A112.4.14 -2017</u>	<u>Manually operated valves for use in plumbing systems</u>	<u>Table 605.7</u>
<u>A112.6.2 -2017</u>	<u>Framing-Affixed Supports (Carriers) for Off-the-Floor Plumbing Fixtures</u>	<u>405.4.3</u>
<u>A112.6.9 - 2005(R2015)</u>	<u>Siphonic Roof Drains</u>	<u>1107.1</u>

Reference standards ASSE 1017, ASSE 1018, ASSE 1019, ASSE 1056, ASSE 1061, and ASSE 1066 as added by Section PC 1502 of the New York City Plumbing Code are hereby deleted and new ASSE 1017, ASSE 1018, ASSE 1019, ASSE 1056, ASSE 1061, and ASSE 1066 are added to read as follows:

<u>ASSE</u>	<u>American Society of Mechanical Engineers</u> <u>901 Canterbury Road, Suite A</u> <u>Westlake, OH 44145</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>1017-2009</u>	<u>Performance Requirements for Temperature Actuated Mixing Valves for Hot Water Distribution Systems</u>	<u>501.2.3, 613.1</u>
<u>1018-2001 (R2021)</u>	<u>Performance Requirements for Trap Seal Primer Valves - Potable Water Supplied</u>	<u>1002.4.1.1,</u> <u>1002.4.1.2</u>
<u>1019-2011(R2016)</u>	<u>Performance Requirements for Wall Hydrant with Backflow Protection and Freeze Resistance</u>	<u>Table 608.1,</u> <u>608.13.6</u>
<u>1056-2013</u>	<u>Performance Requirements for Spill Resistant Vacuum Breaker Assemblies</u>	<u>Table 608.1,</u> <u>608.13.5, 608.13.8</u>
<u>1061-2015</u>	<u>Performance Requirements for Push-Fit Fitting</u>	<u>Table 605.5,</u> <u>605.14.4</u>

<u>ASSE</u>	<u>American Society of Mechanical Engineers</u> <u>901 Canterbury Road, Suite A</u> <u>Westlake, OH 44145</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>1066-1997</u>	<u>Performance Requirements for Individual Pressure Balancing In-Line Valves for Individual Fixture Fittings</u>	<u>604.11</u>

Reference standard CSA B483.1 as added by Section PC 1502 of the New York City Plumbing Code is hereby deleted and a new CSA B483.1 is added to read as follows:

<u>CSA</u>	<u>CSA Group</u> <u>8501 East Pleasant Valley</u> <u>Cleveland, OH 44131-5516</u>	
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>CSA B483.1 - 2007 (R2012)</u>	<u>Drinking Water Treatment Systems</u>	<u>705.2.1, 705.4.3,</u> <u>705.5, 705.11.1,</u> <u>705.12, 705.13.2,</u> <u>705.16</u>

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to Referenced Standards

REFERENCE NUMBER: DOB-171

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

August 24, 2023
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to Referenced Standards

REFERENCE NUMBER: 2023 RG 068

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: August 24, 2023