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## BUILDINGS BULLETIN 2015-016

### OTCR

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**Supersedes:** None

**Issuer:** Alan Price, P.E.  
Director, Office of Technical Certification and Research

**Issuance Date:** June 2, 2015

**Purpose:** This document establishes acceptance criteria for outdoor decorative gas appliances connected to a fixed fuel piping system, as an alternative material under the NYC Construction Codes.

<b>Related Code/Zoning Section(s):</b>	AC 28-113	FC 313.6	TPPN 2/07
	AC 28-407	1 RCNY 101-06	
	BC 1704.14	3 RCNY 404-03	
	FC 105.6		

**Subject(s):** Outdoor decorative gas appliance; Fire pit, outdoor; Gas appliance, outdoor

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**Background:** The NYC Construction Codes do not recognize outdoor decorative gas appliances. This bulletin establishes criteria for the acceptance of outdoor decorative gas appliances as an alternative material.

**Description:** Outdoor decorative gas appliances are stationary or built-in appliances connected to a fixed fuel piping system for use in outdoor spaces only and do not incorporate a venting system. The primary function of this appliance lies in the aesthetic effect of the flame.

**Evaluation Scope:** NYC Construction Codes

**Evaluation Criteria:** Pursuant to AC 28-113, the Office of Technical Certification and Research (OTCR) recognizes outdoor decorative gas appliances designed, installed and labeled in accordance with NYC Construction Codes and ANSI Z21.97-2012 "*Outdoor decorative gas appliances*". Acceptable outdoor decorative gas appliances shall be listed and labeled by an approved agency in accordance Section AC 28-113.2.3.

**Uses:** Outdoor decorative gas appliances, including outdoor fire pits, etc. are used as decorative appliances.

**Restriction:**  
This Buildings Bulletin does not include appliances listed in Section 1.2 (b) of ANSI Z21.97-2012.

**Conditions of Acceptance:** Outdoor decorative gas appliances shall be designed, installed, inspected and labeled in accordance with the NYC Construction Codes, ANSI Z21.97, and the following conditions:

## **A. Design**

1. Outdoor decorative gas appliances and associated fuel gas systems shall be designed in accordance with NYC Construction Codes including applicable provisions of the NYC Fuel Gas Code, the NYC Fire Code, FDNY Rule 3 RCNY 404-03 and manufacturer instructions.
2. If the outdoor decorative gas appliance is installed such that it is accessible by the public then the appliance must be surrounded with 2 layers of tempered glass, with a 2-inch gap separating the glass layers to prevent exposure to hot surfaces and potential for burning. The construction of outdoor decorative gas appliances shall be in accordance with reasonable concepts of safety, substantiality and durability as per section 4 of ANSI Z21.97. Consideration must be given to surface temperatures of the remaining exposed accessible surfaces so that they do not present a safety hazard.
3. An emergency shut off gas valve shall be installed with outdoor decorative gas appliances in accordance with TPPN 2/07 and any applicable requirement from a valid FDNY permit.
4. Outdoor decorative gas appliances shall be located outdoors and at least 5 feet from any building or structure.
5. Outdoor decorative gas appliances shall not be located beneath, or closer than 5 feet to combustible decorations and combustible overhangs, awnings, sun control devices or similar combustible attachments to buildings or structures.
6. Outdoor decorative gas appliances shall not be located within 5 feet of exits or exit discharges.
7. Outdoor decorative gas appliances shall be installed in such a manner so that the area surrounding the pilot is permanently protected so as to prevent accidental contact by persons or material.

## **B. Installation**

1. Installation of outdoor decorative gas appliances shall comply with NYC Construction Codes and manufacturers published instructions.
2. A valid FDNY permit shall be obtained for the use of outdoor decorative gas appliances with an open flame in accordance with NYC FC Section 105.6 and applicable sections of TPPN 2/07. The installation must comply with the conditions listed on the permit.
3. Installation of any associated fuel gas piping shall be performed by a NYC licensed master plumber in accordance with AC 28-407.
4. Fire extinguishers shall be installed in accordance with TPPN 2/07, a valid FDNY permit (see (B)(2) above), and 3 RCNY 404-03 as applicable. Fire extinguishers shall be installed at a minimum of 10 feet and a maximum of 20 feet from the outdoor decorative gas appliance.
5. Furniture within 5 feet from the fire-pit shall comply with the California Bureau of Home Furnishings Technical Bulletin 133. Additional fire loads shall not be permitted.
6. The installation of outdoor decorative gas appliances shall be performed in accordance with manufacturer's instructions.

## **C. Special Inspection**

Pursuant to section BC 1704.14, the installation of outdoor decorative gas appliances shall be subject to special inspection requirements of Chapter 17 of the NYC Building Code and Department Rules covering special inspection. Special inspectors of outdoor decorative gas appliances shall:

- a. Maintain the same qualification requirements for the "Mechanical systems" special inspection categories defined in 1 RCNY section 101-06, Appendix A.
- b. Have duties and responsibilities in accordance with, but not limited to, 1 RCNY section 101-06, and the following:
  1. Check for 2 layers of glass if required by (A) (2),

2. Check for emergency shut-off gas valve, and
  3. Verify proper listing for the installed appliance.
- c. Complete the statement of special inspection by referencing this Bulletin under the Special Inspection Item for "Alternative Materials" in section 3.0 of the TR1 form.

<input type="checkbox"/>	<input type="checkbox"/>	Wall Panels, Curtain Walls, and Veneers	BC 1704.10			
<input type="checkbox"/>	<input type="checkbox"/>	Sprayed fire-resistant materials	BC 1704.11			
<input type="checkbox"/>	<input type="checkbox"/>	Mastic and Intumescent Fire-resistant Coatings	BC 1704.12			
<input type="checkbox"/>	<input type="checkbox"/>	Exterior Insulation and Finish Systems (EIFS)	BC 1704.13			
<input type="checkbox"/>	<input type="checkbox"/>	Alternative Materials - OTCR Buildings Bulletin # 2015-016	BC 1704.14			
<input type="checkbox"/>	<input type="checkbox"/>	Smoke Control Systems	BC 1704.15			
<input type="checkbox"/>	<input type="checkbox"/>	Mechanical Systems	BC 1704.16			

**D. Labeling**

Outdoor decorative gas appliances shall be labeled as per Section AC 28-113.2.3 and ANSI Z21.97 section 4.19. All shipments and deliveries of materials shall be accompanied by a certificate or label certifying that the materials shipped or delivered are equivalent to those tested and approved.

**Referenced Standards:**

1. ANSI Z21.97-2012 "Outdoor decorative gas appliances"