

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 152

Introduced by Council Members Espinal, Williams, Levine, Palma, Rose, Richards, Rodriguez, Crowley, Constantinides, Rosenthal, Mendez, Torres, Salamanca, Menchaca, Cohen, Van Bramer, Levin, Kallos, Ulrich and Borelli.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to periodic inspections of gas piping systems

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 318 to read as follows:

ARTICLE 318

PERIODIC INSPECTION OF GAS PIPING SYSTEMS

§ 28-318.1 General. *Commencing January 1, 2019, building gas piping systems, other than gas piping systems of buildings classified in occupancy group R-3, shall be periodically inspected in accordance with this article.*

Exception: *A building that contains no gas piping and for which the owner of such building has submitted to the commissioner, in a form and manner determined by the commissioner, a certificate of a registered design professional, or a person satisfying other qualifications that the commissioner may establish, that such building contains no gas piping.*

§ 28-318.2 Frequency of inspection. *An inspection of a building's gas piping system shall be conducted at periodic intervals as set forth by rule of the commissioner, but such inspection shall be conducted at least once every five years.*

Exceptions:

1. *If the New York state public service commission adopts a rule or other requirement for periodic inspections of service lines, as defined in section 255.3 of title 16 of the New York codes, rules and regulations, with a frequency other than five years, the commissioner may, by rule, require that the periodic inspections required by this article be conducted with such frequency.*
2. *The initial inspection for a new building shall be conducted in the tenth year after the earlier of (i) the issuance by the department of a letter of completion or, if applicable, a temporary or final certificate of occupancy for such building or (ii) the date such building was completed as determined by department rule.*

§ 28-318.3 Inspection process. *Gas piping systems shall be inspected and tested in accordance with sections 28-318.3.1 through 28-318.3.4.*

§ 28-318.3.1 Inspection entity. *Inspections of gas piping systems shall be conducted on behalf of the building owner by a licensed master plumber or by an individual under the direct and continuing supervision of a licensed master plumber, with appropriate qualifications as prescribed by department rule.*

§ 28-318.3.2 Scope. *At each inspection, in addition to the requirements prescribed by this article or by the commissioner, all exposed gas lines from point of entry of gas piping into a building, including building service meters, up to individual tenant spaces shall be inspected for evidence of excessive atmospheric corrosion or piping deterioration that has resulted in a dangerous condition, illegal connections, and non-code compliant installations. The inspection entity shall also test public spaces, hallways, corridors, and mechanical and boiler rooms with a portable combustible gas detector to determine if there is any gas leak, provided*

that such testing need only include public spaces, hallways and corridors on floors that contain gas piping or gas utilization equipment.

§ 28-318.3.3 Report and certificate of inspection. *The inspection entity conducting an inspection of a building pursuant to this article and the owner of such building shall comply with the following requirements:*

- 1. No later than 30 days after such inspection, such inspection entity shall submit to such owner (i) a report of such inspection, on a form and in a manner determined by the department, and (ii) a certification of the licensed master plumber who performed or exercised direct and continuing supervision over such inspection that an inspection pursuant to this article has been completed for such building. Such report shall be certified by such licensed master plumber and, where applicable, by any individual who performed such inspections under the direct and continuing supervision of such licensed master plumber, and shall include, for each gas piping system inspected, a list of conditions including instances where a part or parts of such system is worn to such an extent that the safe and reliable operation of such system may be affected, gas leaks, any observed non-code compliant installations or illegal connections, any conditions described in section 28-318.3.4 and any additional information required by the department.*
- 2. No later than the due date for such inspection, in accordance with department rules, and no earlier than 60 days before such due date, such owner shall submit a certification from a licensed master plumber that an inspection pursuant to this article has been completed by such licensed master plumber for such building, provided that the department may by rule establish an alternative timeframe for such submissions.*
- 3. No later than 90 days after the due date for such inspection, in accordance with department rules, such owner shall electronically submit, or cause to be submitted by such inspection entity, such report to the utility company providing gas service to such building. Such submission shall only be required if, before the date that such submission would be required, the department has determined and set forth in a rule that such utility company will accept such electronic submission at no cost to such owner.*

4. *No later than 120 days after the due date for such inspection, in accordance with department rules, such owner shall submit to the department, in a form and manner determined by the department, (i) a certification from a licensed master plumber that all conditions that were identified in the inspection report for which a certification was submitted pursuant to item 2 of this section have been corrected, except that such certification may note that correction of one or more conditions identified in such report, other than conditions referred to in section 28-318.3.4, will reasonably take additional time to complete and (ii) a certification from such owner that such owner is in compliance with item 3 of this section. If such certification notes that one or more conditions will take additional time to complete, such owner shall, no later than 180 days after the due date for such inspection, submit to the department, in a form and manner determined by the department, a certification from a licensed master plumber that all conditions identified in such report have been corrected.*

5. *All reports and certifications required by this section shall be kept on file by the inspection entity and the building owner for at least eight years after the date of inspection and made available to the department at the department's request.*

§ 28-318.3.4 Reporting and correction of unsafe or hazardous condition. *If an inspection reveals any of the following conditions, the inspection entity shall notify the building owner, the utility and the department immediately and the building owner shall immediately take action to correct such condition in compliance with the New York city construction codes:*

1. *A gas leak;*

2. *Evidence of illegal connections or non-code compliant installations; or*

3. *Any other condition which (i) if verified by a utility company or utility corporation, would constitute a class A condition as described in part 261 of title 16 of the New York codes, rules and regulations or (ii) constitutes an imminently dangerous condition.*

§ 28-318.4 Fees. The department may charge filing fees for the certifications required by section 28-318.3.3, as set forth in the rules of the department.

§ 28-318.5 Enforcement. Failure to submit a certification required by this article shall be classified as a major violation.

§ 2. This local law takes effect immediately.

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 November 16, 2016 and approved by the Mayor on December 6, 2016.

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. 152 of 2016, Council Int. No. 1088-A of 2016) 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