

Building Owner Obligations under recently-passed NYC laws and rules

PPUABA monthly meeting
Nov 20, 2024

Disclaimer

- The purpose of this presentation is to raise awareness of recently-passed NYC local laws and rules, and the obligations they impose upon property owners.
- The presenter is neither an engineer, an attorney, nor an employee of any NYC agency. The information in this presentation was gained primarily from internet searches of NYC agency websites, which in some cases are poorly organized and/or contain unclear or contradictory information. No representation is made as to the accuracy or completeness of the information presented, and the information presented here should not be taken as authoritative.

DSNY Trash Containerization rules

Applies to: Residential buildings with 1-9 units

Requirement: As of Nov 12, 2024, all properties with 1-9 residential units are required to use bins, 55 gallons or less, with secure lids for trash set out. If you already use a bin with a secure lid that is 55 gallons or less for trash set out, you may continue to use it until June 2026. After that, you must use the official “NYC Bin”.

More Information: NYC Bins can be purchased at <https://www.bins.nyc> or at Home Depot stores within NYC. Matching green and blue recycling bins are also available but are not mandatory. For more information, see <https://www.nyc.gov/nycbins>.

Enforcement: A warning period is in effect through Jan 2, 2025. After the warning period, failure to use a bin that is 55 gallons or less with a secure lid for trash set out will result in fines:

- \$50 for the first offense
- \$100 for the second offense
- \$200 for the third and subsequent offenses

Local Law 152 of 2016

Gas Piping Inspections

Applies to: Residential buildings with 3 or more units

Requirement: Gas piping must be inspected by a Licensed Master Plumber every 4 years. In Community Board 8, inspections must be done during calendar years 2022, 2026, 2030 etc. The LMP must file a report with DoB within 30 days. If unsafe conditions are found, the LMP must notify the property owner, DoB, and National Grid, and the building owner must take immediate action to correct the unsafe condition.

More Information: If the building has no gas piping, file an inspection report signed by a licensed professional engineer or registered architect stating that the building contains no gas piping.

Tip: Have inspections done outside of heating season.

More information here: <https://www.nyc.gov/site/buildings/property-or-business-owner/gas-piping-inspections.page>

Enforcement: Failure to file an inspection report by the end of the calendar year in each 4 year inspection cycle may result in a civil penalty of \$5,000.

Local Law 126 of 2021

Parapet Inspections

Applies to: All buildings with a parapet facing a public right-of-way except detached 1 or 2 family residential buildings or certain buildings with fences preventing access.

Requirement: Annual inspection of parapets by a “competent person” (as defined in the rules). The inspector must complete a detailed written report including photos, which the owner must retain for at least 6 years. If unsafe conditions are found, the inspector must immediately notify DoB, and the building owner must immediately install public protection (e.g. sidewalk shed, fencing, netting) and remedy the unsafe condition within 90 days.

More Information: Definition: A parapet is the part of any wall entirely above the roof line. In many (but not all) row houses, the roof line inclines upward and meets the front wall at the top of the wall. In those cases, there is not a parapet.

More information here: <https://www.nyc.gov/site/buildings/safety/parapets.page>

Enforcement: Unclear from the DoB website.

Local Law 157 of 2016 (rules effective 03/15/24)

Natural gas detection devices

Applies to: All residential units in all residential buildings.

Requirement: A natural gas detection device must be installed in each residential unit by May 1, 2025. The device must be located on the ceiling or on a wall within 1 foot of the ceiling between 3 feet and 10 feet horizontally from each gas device (e.g. stove, oven, gas dryer). The device may be hardwired, battery operated, or plug-in, and must comply with standards UL 1484 or UL 2075 and NFPA-715-2023.

More Information: The DoB website information about this law is disjointed and poorly organized. See the following:

https://www.nyc.gov/assets/buildings/newsletters/DOB_BN_022624.html and

<https://www.nyc.gov/site/buildings/property-or-business-owner/natural-gas-detector-faqs.page>

Enforcement: Unclear from the DoB website.

Local Law 31 of 2020

Lead-based paint detection

Applies to: Residential buildings built before 1960 with 3 or more units.

Requirement: Each apartment and building common areas must be tested for presence of lead-based paint by an EPA-certified inspector using X-Ray Fluorescence (“XRF”) equipment, by Aug 9, 2025. Owners must retain records of testing and all lead-based paint remediation activities for 10 years. Owners must monitor for and repair any peeling lead-based paint. Lead-based paint that is not peeling must be removed when apartments become vacant.

More Information: The rules regarding lead-based paint remediation are extensive and complicated. See: <https://www.nyc.gov/site/hpd/services-and-information/lead-based-paint.page>

Enforcement: Failure to complete the testing by the deadline may result in a civil penalty of up to \$1,500.



VIRTUAL CONSTITUENT SERVICE OFFICE HOURS

IN PARTNERSHIP WITH THE NYC DEPARTMENT OF BUILDINGS (DOB)

Tuesday, December 10th: 6:30pm - 8:30pm

Join the Office of Council Member Crystal Hudson and
The Department of Buildings to get assistance with:

- Building Codes Questions
- New Parapet Laws
- Stop Work/Vacate Orders
- DOB Violations
- Unaddressed Home Repairs
- General Housing Help

Register at the link below

<https://bit.ly/D35DOB>