The Rules of the New York City Department of Buildings are authorized pursuant to Section 643 of the New York City Charter and are found in Title 1 of the Rules of the City of New York. The Rules are supplementary and include interpretive technical rulings as well as administrative procedure necessary to carry out the law.

Promulgation of the following rules and regulations of the Department of Buildings is anticipated by the first day of July 2021:

1. **Rule(s) relating to the Loft Board.**
   
   A. **Reason:** To simplify navigation, language, and processes, to add rules pertaining to amendments to the Loft Law and to address issues raised by tenants and owners within the Loft community.
   
   B. **Anticipated contents:** Add an entirely new Chapter 1 governing the Loft Board’s functions and amend some rules contained in Chapter 2 to address community concerns.
   
   C. **Objectives:** Repeal and reenact the Loft Board procedural rules in order to simplify navigation, language, and processes and to address community concerns.
   
   D. **Legal basis:** Section 643 of the New York City Charter; NYS Multiple Dwelling Law 282(d).
   
   E. **Types of individuals and entities likely to be affected:** Owners and tenants of interim multiple dwellings and those who work with them to legalize these spaces (architects, contractors, etc.)
   
   F. **Other relevant laws:** NYS Multiple Dwelling Law §282.
   
   G. **Approximate schedule:** First half of FY’21.
   
   **Contact person** – Helaine Balsam, Executive Director, Loft Board, (212) 393-2616

2. **Rule relating to approved fabricators.**
   
   A. **Reason:** The Department currently has a process in place for the temporary approval of fabricators and guidelines with which they must comply in connection with the design, fabrication, inspection and installation of fabricated items. The proposed rule will formalize the process and establish comprehensive requirements.
   
   B. **Anticipated contents:** Create new rule to address approval guidelines, establish registration requirements and duties and responsibilities of fabricators, quality assurance agencies and quality assurance certification agencies.
C. Objectives: To establish uniform requirements for the approval of fabricators, quality assurance agencies and quality assurance certification agencies.

D. Legal basis: Section 643 of the New York City Charter; BC 1704.2.2.

E. Types of individuals and entities likely to be affected: Existing approved fabricators who were issued temporary approvals.

F. Other relevant laws: None

G. Approximate schedule: First half of FY’21.

Contact person – Alan Price, Director, Office of Technical Certification and Research (212) 393-2626

3. Rule relating to lighting system upgrades, and the installation of sub-meters

A. Reason: Local Law 88/09, which was subsequently amended by Local Laws 132/16 and 134/16, mandates lighting systems in covered buildings to be upgraded, and electrical sub-meters to be installed in covered tenant spaces within a covered building by January 1, 2025.

B. Anticipated contents: Create new rule(s) to clarify methodologies for demonstrating compliance, establish technical requirements, and address enforcement measures.

C. Objectives: To establish procedures and plan criteria.

D. Legal basis: Section 643 of the New York City Charter; Section 28-310 and 28-311 of the New York City Administrative Code.

E. Types of individuals and entities likely to be affected: Building owners, registered design professionals, licensed plumbers, and licensed master and special electricians.


G. Approximate schedule: Second half of FY’21.

Contact person – Holly Savoia, Director, Sustainability Enforcement (212) 323-7911

4. Rule relating to the design and maintenance of wind turbines.

A. Reason: Local Law 105/18 (small wind turbines) and Local Law 98/19 (large wind turbines) require the promulgation of rules regarding the design and maintenance

B. Anticipated contents: Acceptance criteria for wind turbine installation, maintenance requirements, current and retroactive registration requirements

C. Objectives: Create a new rule to include acceptance criteria, and maintenance and requirements and registration for wind turbines.
D. **Legal basis:** Section 643 of the New York City Charter; Sections 28-113.2, 28-319.1 and 28-322.1 of the New York City Administrative Code.

E. **Types of individuals and entities likely to be affected:** Building owners and wind turbine manufacturers.

F. **Other relevant laws:** None

G. **Approximate schedule:** Second half of FY ‘21.

**Contact person** – Alan Price, Director, Office of Technical Certification and Research (212) 393-2626

5. **Rules relating to greenhouse gas emissions**

   A. **Reason:** Local Law 97/19, which was subsequently amended by Local Law 147/19, mandates certain reductions in greenhouse gas emissions by 2050. As such, the Department must establish various requirements, calculation methodology and other criteria.

   B. **Anticipated contents:** Create rules to provide methodology for calculating annual building emissions limits and authorized deductions, establish criteria for greenhouse gas offsets, establish fees, and address reporting and other requirements.

   C. **Objectives:** Establish criteria, and procedures for compliance with mandates for greenhouse gas emissions reduction.

   D. **Legal basis:** Section 643 of the New York City Charter; Section 28-320 of the New York City Administrative Code.

   E. **Types of individuals and entities likely to be affected:** Building owners, registered design professionals, licensed plumbers, and licensed master and special electricians.

   F. **Other relevant laws:** New York City Energy Conservation Code.

   G. **Approximate schedule:** Throughout FY ‘21.

**Contact person** – Gina Bocra, Chief Sustainability Officer, Sustainability/Energy Code (212) 393-2086

6. **Rule relating to energy storage systems.**

   A. **Reason:** To establish requirements to address the installation of outdoor installations of Energy Storage Systems (ESS).

   B. **Anticipated contents:** Acceptance criteria, and maintenance and registration requirements.
C. Objectives: Provide members of the Energy Storage System (ESS) industry with requirements for design, installation, inspection, and maintenance of energy storage systems.

D. Legal basis: Section 643 of the New York City Charter; Section 28-113.2 of the New York City Administrative Code.

E. Types of individuals and entities likely to be affected: ESS manufacturers, ESS integrators, fire protection engineers, utility providers, and the Fire Department of the City of New York.

F. Other relevant laws: None

G. Approximate schedule: First half of FY’21.

Contact person – Alan Price, Director, Office of Technical Certification and Research (212) 393-2626

7. Rules necessary to add or amend penalties and violation classifications.

A. Reason: Various local laws adopted by the City Council may require adding violation classifications and penalties or amending existing ones.

B. Anticipated contents: Amend 1 RCNY § 102-01 to add or amend penalties and violation classifications for violations of code and rules as needed.

C. Objectives: To be able to impose penalties for violation of new local laws.

D. Legal basis: Section 643 of the New York City Charter; Article 201 of the NYC Administrative Code.

E. Types of individuals and entities likely to be affected: Building owners; registered design professionals, licensees, contractors.

F. Other relevant laws: NYC Administrative and Construction Codes, as amended.

G. Approximate schedule: First half of FY’21.

Contact person - Shamonda Graham, Executive Director, Administrative Enforcement, (212) 393-2783

8. Rule regarding procedures for petitioning the agency to adopt a rule.

A. Reason: The City Administrative Procedure Act requires each agency to establish procedures by which the public may petition the agency to promulgate a rule.

B. Anticipated contents: Procedure by which a member of the public may petition the Department of Buildings to promulgate a rule.

C. Objectives: Establish requirements for submission, consideration and disposition of petitions by the public for the promulgation of a rule.
D. **Legal basis:** Section 643 of the New York City Charter; Chapter 45 of the City Administrative Procedure Act.

E. **Types of individuals and entities likely to be affected:** Members of the public.

F. **Other relevant laws:** None

G. **Approximate schedule:** First half of FY’21.

**Contact person:** Dorecia A. Phillip, Executive Director, Regulatory Matters (212) 393-2734.

9. **Rule pertaining to property tax abatement for solar electric generating system and electric energy storage system.**

A. **Reason:** Applicable state law was amended to allow property owners to seek a property tax abatement for electric energy storage systems.

B. **Anticipated contents:** Amend 1 RCNY §105-02 to address the application of the property tax abatement process to electric energy storage systems.

C. **Objectives:** To address the application, review and approval process as it applies to electric energy storage equipment.

D. **Legal basis:** Section 643 of the New York City Charter; Title 4-C of Article 4 of the New York State Real Property Tax Law

E. **Types of individuals and entities likely to be affected:** Building owners.

F. **Other relevant laws:** None

G. **Approximate schedule:** First half of FY’21.

**Contact person:** Laura Grieco, Director, Engineering (212) 393-2674