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New York State Division of Housing and Community Renewal
25 Beaver Street
New York, NY 10004

HOUSING MANAGEMENT BUREAU MEMORANDUM # 2004-C-4

To: New York City Housing Company Owners, Managing Agents, and Managers; and New York City Housing Authority Executive Director/Manager

From: Jane I. Berrie, Director
Housing Management Bureau

Date: October 25, 2004

Subject: Carbon Monoxide Detector Law in New York City - Local Law 7 of 2004

The New York City Council recently enacted Local Law 7 of 2004 requiring the installation of carbon monoxide detectors (CO alarms) in certain multiple dwellings. As this law will take effect on November 1, 2004, owners should take steps to ensure that they are in compliance with its requirements by that date.

Pursuant to Local Law 7, owners must install at least one carbon monoxide detector in every dwelling unit in a building which has a fossil fuel-burning furnace, boiler or water heater, or which is located in close proximity to a source of carbon monoxide, as such proximity is established by the Commissioner of Buildings. Fossil fuel means coal, kerosene, oil, wood, fuel gases and other petroleum products.

An operational detector must be installed within fifteen feet of the primary entrance to each room lawfully used for sleeping purposes. Detectors may be combined carbon monoxide/smoke detectors; may be battery operated, plug-in type with a battery backup, or hard wired to the building with a battery backup; and must be approved by the New York City Department of Buildings. Reference standards for the types of CO alarms that may be installed and the required method of installation have been set by the Department of Buildings (DOB) and are available on the DOB page of the New York City website: www.nyc.gov.

Under rules promulgated by the Department of Housing Preservation and Development (HPD), owners are responsible for installing the CO alarms, and occupants are responsible for maintaining and repairing them. However, if a device becomes inoperable within one year of installation due to a manufacturing defect and through no fault of the occupant, owners have a duty to replace the device within thirty calendar days after having received written notice. Owners may charge occupants \$25 to install a detector or to replace a detector which is missing, damaged, or becomes inoperable due to the occupant's failure to maintain the device. The fee is payable within one year from the date of installation.

Owners must file a certification of satisfactory installation of the detectors within ten days after completion with the HPD Borough Division of Code Enforcement in the borough where the building is located. A sample certification form is attached and may also be found at each HPD Borough Office and on HPD's website.

Local Law 7 also requires that owners post a notice in a common area, in a form approved by HPD, indicating the duties of owners and occupants under the law. The HPD rule, which includes a sample form, is attached, and may also be found on HPD's website. In addition, owners must give to at least one adult occupant of each dwelling unit written information regarding carbon monoxide poisoning, the testing and maintenance of carbon monoxide detectors, and what to do if a carbon monoxide alarm goes off.

Owners must keep records relating to these requirements and make such records available to various City agencies upon request. Such records include the date the common area notice was posted; the date of installation of each device; the power source of each device; the apartment number and location where each device was installed; the date each device was tested to determine if it is in operable condition; maintenance work on each device; and the date on which an occupant requested replacement or repair. Records must be kept on the premises unless another location is approved by HPD.

The complete text of Local Law 7 may be found on the City Council's website at www.nycouncil.info. The text of HPD's rules implementing the local law, as well as additional material relating to it, may be found on HPD's website at www.nyc.gov/html/hpd/html/for-owners/owners-publications.html.

Please see the attached "Carbon Monoxide Fact Sheet" for your use.

A handwritten signature in black ink that reads "Jane I. Berrie". The signature is written in a cursive, flowing style.

Jane I. Berrie

CARBON MONOXIDE FACT SHEET

A. Hazards

CO is a colorless, odorless, toxic gas. It is produced by the incomplete combustion of solid, liquid and gaseous fuels. Appliances fueled with gas, oil, kerosene, or wood may produce CO. If such appliances are not installed, maintained, and used properly, CO may accumulate to dangerous levels.

Breathing CO causes symptoms such as headaches, dizziness, and weakness in healthy people. CO also causes sleepiness, nausea, vomiting, confusion and disorientation. At very high levels, it causes loss of consciousness and death.

The presence of CO is dangerous because its effects often are not recognized. CO is odorless and some of the symptoms of CO poisoning are similar to the flu or other common illnesses.

CO exposures especially affect unborn babies, infants, and people with anemia or a history of heart disease. Breathing low levels of the chemical can cause fatigue and increase chest pain in people with chronic heart disease.

B. Causes

1. Improper connections or rust on vents and chimneys.
2. Use of a range or oven to heat the living areas.
3. Use of a charcoal grill or hibachi in enclosed spaces.

C. Prevention

Dangerous levels of CO can be prevented by proper appliance installation, maintenance, and use as follows:

1. Appliances should be vented properly, according to manufacturer's instructions.
2. Adequate combustion air should be provided to assure complete combustion.
3. Chimneys and flues should be checked for blockages, corrosion, and loose connections.
4. Individual appliances should be inspected once a year and maintained as required.
5. Manufacturer's installation instructions should be followed exactly.
6. Manufacturer's directions for safe operation should be strictly followed.