

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2010**

No. 52

Introduced by Council Members Ulrich, Oddo, Brewer, James, Lander, Van Bramer, Williams, Lappin, Recchia Jr., Chin, Weprin, Gennaro, Jackson, Garodnick, Fidler, Mark-Viverito, Crowley, Koppell, Levin, Reyna, Rodriguez and Rose

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to improving lighting efficiency in dwellings and repealing sections 27-2038 and 27-2039 of such code in relation thereto.

Be it enacted by the Council as follows:

Section 1. Statement of findings and purpose. Certain current lighting requirements of the housing maintenance code are outdated and do not conform with other New York city codes, in particular the New York city energy conservation code. These requirements should be updated and revised in order to improve lighting efficiency in residential buildings, subject, where applicable, to any stricter requirements of the multiple dwelling law.

§2. Sections 27-2038 and 27-2039 of the administrative code of the city of New York are REPEALED and a new section 27-2038 is added to read as follows:

§ 27-2038 Electric lighting fixtures required in certain public parts of dwellings. a. Subject to any stricter minimum lighting requirement that may be applicable pursuant to the multiple dwelling law, in every multiple dwelling and tenant-occupied two-family dwelling light from electric lighting fixtures and daylight shall in the aggregate provide an illumination level of no less than one foot-candle, measured at the floor level, throughout all public hallways, stairs, fire stairs, and fire towers at all times of the day and night and throughout common laundry

rooms at all times that such rooms are occupied. The owner shall install, position, operate and maintain sufficient electric lighting fixtures to assure that the required illumination level is maintained.

b. The owner of a multiple dwelling shall keep electric lighting fixtures on continuously, during the day as well as at night, in every fire stair and fire tower and in every stairway and public hall with no window opening on a street, court, yard, space above a setback or shaft supplying sufficient illumination to maintain the required illumination level during the daylight hours.

c. Photosensor lighting controls may be used to control electric lighting fixtures in public halls and stairs according to the amount of daylight available provided that the level of illumination required by subdivision a of this section is maintained at all times and the switch controllers are equipped for fail-safe operation ensuring that if the sensor or control fails, the lighting levels will be at the levels required by subdivision a of this section.

d. Automatic, occupant sensor or photosensor lighting controls may be used to operate lighting fixtures in common laundry rooms, provided that all of the following conditions are satisfied:

1. the switch controllers are equipped for fail-safe operation ensuring that if the sensor or control fails, the lighting levels will be at the levels required by subdivision a of this section;

2. for occupant sensors, the illumination times are set for a maximum thirty minute duration; and

3. for occupant sensors, the sensor is activated by any occupant movement in the area served by the lighting fixtures.

e. For the purposes of this section the term “photosensor” means a device that detects

the presence of visible light and the term “occupant sensor” means a device that detects the presence or absence of people within an area and causes lighting to be regulated accordingly.

§3. This local law shall take effect on January 1, 2011, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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 onSeptember 29, 2010..... and approved by the Mayor onOctober 6, 2010.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 52 of 2010, Council Int. No. 277-A) contains the correct text and was passed by the New York City Council on September 29, 2010, approved by the Mayor on October 6, 2010 and returned to the City Clerk on October 6, 2010.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel