

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2011**

No. 72

Introduced by Council Members Chin, Gentile, James, Koppell, Lander, Rose, Williams, Jackson, Arroyo, Levin, Van Bramer, Barron, Eugene, Mark-Viverito, Brewer, Rodriguez, Ulrich, Crowley and Gennaro

A LOCAL LAW

To amend the New York city mechanical code, in relation to filtering soot from incoming air in buildings.

Be it enacted by the Council as follows:

Section 1. Section MC 605 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended by adding a new subsection 605.2.1 to read as follows:

605.2.1 Standards for air-handling units. *Air-handling units of mechanical ventilation systems, any portion of which provide outdoor air ventilation, shall be equipped with a particulate matter filtration system in accordance with ASHRAE 62.1 or ASHRAE 62.2 and shall have a minimum efficiency reporting value (MERV) of 11 or greater in accordance with ASHRAE 52.2.*

Exceptions:

- 1. This section shall not apply to the alteration or repair of a mechanical ventilation system that was installed prior to January 1, 2013 unless such alteration or repair includes the replacement or addition of an air-handling unit in such system.*
- 2. This section shall not apply to the replacement of an air handling unit in a mechanical ventilation system installed prior to January 1, 2013 if the department determines that the design of such replacement air-handling unit cannot be made to comply with the*

allowable fan system power limitations of the New York City Energy Conservation Code or ASHRAE 90.1.

3. *This section shall not apply to any air-handling unit with a design capacity of less than 5,000 cfm.*

§2. The list of referenced standards of ASHRAE (American Society of Heating, Refrigerating and Air-Conditioning Engineers) as set forth in chapter 15 of the New York city mechanical code is amended by adding three new standards to read as follows:

ASHRAE

American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.
1791 Tullie Circle, NE
Atlanta, GA 30329-2305

| Standard Reference Number | Title |
|---------------------------|---|
| 52.2 - 2007 | <i>Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size</i> |
| 62.1 - 2010 | <i>Ventilation for Acceptable Indoor Air Quality</i> |
| 62.2 - 2010 | <i>Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings</i> |

§3. This local law shall take effect January 1, 2013, except that the commissioner of buildings shall take such actions 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 onDecember 8, 2011..... and approved by the Mayor
onDecember 27, 2011.....

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 72 of 2011, Council Int. No. 592-A) contains the correct text and was passed by the New York City Council on December 8, 2011 approved by the Mayor on December 27, 2011 and returned to the City Clerk on December 27, 2011.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.