

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 99

Introduced by Council Members González, Chin, Comrie, James, Koo, Lander, Mendez, Richards, Rose, Gennaro, Van Bramer, Recchia, Rodriguez, Barron, Jackson and Williams. Passed under a Message of Necessity from the Mayor.

A LOCAL LAW

To amend the administrative code of the city of New York, the New York city building code and the New York city mechanical code, in relation to cabling for certain building systems and fuel-oil storage in flood-prone areas.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 27-3003.1 to read as follows:

§ 27-3003.1 Areas of special flood hazard and shaded X-Zones. *Electrical work performed on structures located in areas of special flood hazard and shaded X-Zones, as defined in section G201.2 of the New York city building code, shall also comply with the provisions of appendix G of the New York city building code. Where, in any specific case, the provisions of this code conflict with the provisions of appendix G of the New York city building code, the more restrictive shall govern.*

§2. The New York city amendments to subsection 770.48(A) of the National Electrical Code as set forth in section 27-3025 of the administrative code of the city of New York are REPEALED and new amendments are added to read as follows:

Subsection 770.48(A) - Revise subsection 770.48(A) to read as follows:

(A) Conductive and Nonconductive Cables. *Unlisted conductive and nonconductive outside plant optical fiber cables shall be permitted to be installed in locations as described in 770.154(C), where the length of the cable within the building, measured from its point of entrance does not exceed 15 m (50 ft) and the cable enters the building from the outside and is terminated in an enclosure. All other cables shall be considered to be within the building.*

Exception No. 1: In areas of special flood hazard, as defined in Section G201.2 of Appendix G of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 1.52 m (5 ft) above the design flood elevation specified in Section 7.1 (Table 7-1) of Section G501.1 of Appendix G of the New York City Building Code, provided that:

(1) Such cabling shall not extend more than 3 m (10 ft) beyond the lowest story having its floor above the design flood elevation; and

(2) Such cabling shall not be installed in ducts used for environmental air or in plenums used for environmental air.

Exception No. 2: In areas designated within a shaded X-Zone, as defined in Section G201.2 of Appendix G of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 1.52 m (5 ft) above the 500-year flood elevation, as defined in Section G201.2 of Appendix G of the New York City Building Code, provided that:

(1) Such cabling shall not extend more than 3 m (10 ft) beyond the lowest story having its floor above the design flood elevation; and

(2) Such cabling shall not be installed in ducts used for environmental air or in plenums used for environmental air.

FPN No. 1: Splice cases or terminal boxes, both metallic and plastic types, typically are used as enclosures for splicing or terminating optical fiber cables.

FPN No. 2: See 770.2 for the definition of Point of Entrance.

§3. Section 27-3025 of the administrative code of the city of New York is amended by adding a new New York city amendment to section 800.48 of the National Electrical Code to read as follows:

SECTION 800.48

Section 800.48 - Add two exceptions to the end of section 800.48 to read as follows:

Exception No. 1: In areas of special flood hazard, as defined in Section G201.2 of Appendix G of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 1.52 m (5 ft) above the design flood elevation specified in Section 7.1 (Table 7-1) of Section G501.1 of Appendix G of the New York City Building Code, provided that:

(1) Such cabling shall not extend more than 3 m (10 ft) beyond the lowest story having its

floor above the design flood elevation; and

(2) Such cabling shall not be installed in ducts used for environmental air or in plenums used for environmental air.

Exception No. 2: In areas designated within a shaded X-Zone, as defined in Section G201.2 of Appendix G of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 1.52 m (5 ft) above the 500-year flood elevation, as defined in Section G201.2 of Appendix G of the New York City Building Code, provided that:

(1) Such cabling shall not extend more than 3 m (10 ft) beyond the lowest story having its floor above the design flood elevation; and

(2) Such cabling shall not be installed in ducts used for environmental air or in plenums used for environmental air.

§4. Section BC 202 of the New York city building code is amended by adding new definitions of “500-YEAR FLOOD ELEVATION” and “SHADED X-ZONE” in appropriate alphabetical order to read as follows:

500-YEAR FLOOD ELEVATION. *See Section G201.2.*

SHADED X-ZONE. *See Section G201.2.*

§5. Section G102.1 of the New York city building code, as added by local law number 33 of the year 2007, is amended to read as follows:

G102.1 General. This appendix, in conjunction with the *New York City Construction Codes*, provides minimum requirements for development located, *in whole or in part*, in areas of special flood hazard *and shaded X-Zones* within the jurisdiction of New York City, including:

§6. Appendix G of the New York city building code is amended by adding a new section G103.3.1 to read as follows:

G103.3.1 Determination of 500-year flood elevations. *Where 500-year flood elevations are not specified in the FEMA FIRMs 360497 or FEMA FIS 360497, such elevations shall be determined by a registered design professional using modeling based on generally accepted engineering methods or a review of available data from city, state and federal agencies.*

§7. Section G201.2 of the New York city building code is amended by adding new

definitions of “500-YEAR FLOOD ELEVATION” and “SHADED X-ZONE” in appropriate alphabetical order to read as follows:

500-YEAR FLOOD ELEVATION. *The elevation of the flood having a 0.2-percent chance of being equaled or exceeded in any given year, as specified on FEMA FIRM 360497 or FEMA FIS 360497.*

SHADED X-ZONE. *The land in the floodplain delineated as subject to a 0.2-percent or greater chance of flooding, but less than one percent chance of flooding, in any given year. Such areas are designated on the Flood Insurance Rate Map (FIRM) as shaded X-Zones.*

§8. Appendix G of the New York city building code is amended by adding a new section G307.4 to read as follows:

G307.4 Additional fuel-oil storage capacity. *Fuel-oil storage capacity in areas of special flood hazard and shaded X-Zones shall comply with the following:*

- 1. In areas of special flood hazard, fuel oil on the lowest story having its floor above the applicable design flood elevation shall be limited to 3,000 gallons (11 356 L) and no storage tank may exceed the lesser of 1,500 gallons (5678 L) or the quantity of fuel-oil needed to operate the emergency or standby generator(s) served by such tank for 24 hours and*
- 2. In shaded X-Zones, fuel oil on the lowest story having its floor above the 500-year flood elevation shall be limited to 3,000 gallons (11 356 L) and no storage tank may exceed the lesser of 1,500 gallons (5678 L) or the quantity of fuel-oil needed to operate the emergency or standby generator(s) served by such tank for 24 hours.*

G307.4.1 Additional requirements. *Where fuel-oil storage capacity exceeds the quantity set forth in Section 1305.11.1.3 of the New York City Mechanical Code, the fuel-oil storage shall comply with Sections G307.4.1.1 and G307.4.1.2 in addition to Section 1305 of the New York City Mechanical Code.*

G307.4.1.1 Vault. *Each fuel-oil storage tank shall be separately enclosed in a vault complying with the following requirements:*

- 1. The walls, floor, and top of such vault shall have a fire resistance rating of not less than 3 hours;*
- 2. The walls of such vault shall be bonded to the floor of such vault;*
- 3. The top and walls of such vault shall be independent of the building structure;*

4. An exterior building wall having a fire resistance rating of not less than 3 hours shall be permitted to serve as a wall of such vault and

5. The vault shall be located in a dedicated room or area of the building that is separated vertically and horizontally from other areas of the building by construction having a fire resistance rating of not less than 2 hours.

G307.4.1.2 Extinguishing system. Fuel-oil storage shall be protected with an alternative automatic fire-extinguishing system complying with Section 904.

§9. Section 1305.11.1.3 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

1305.11.1.3 Inside of buildings; above the lower floor. Fuel-oil above the lowest floor inside of a building shall be limited to 330 gallons (1249 L) per story. The maximum quantity shall include oversized piping as described in 1305.9.12. Piping installations shall comply with the requirements of Section 1305.9.

Exception: Fuel-oil storage capacity in areas of special flood hazard and shaded X-Zones, as defined in Section G201.2 of Appendix G of the New York City Building Code, shall comply with Section G307.4 of Appendix G of the New York City Building Code.

§10. This local law shall take effect immediately.

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 on October 30, 2013 and approved by the Mayor on November 19, 2013.

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

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 99 of 2013, Council Int. No. 1089-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.