



**State of New York
Department of State
Division of Code Enforcement & Administration**

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**Rules And Regulations - Department of State
TITLE 19 (NYCRR)
CHAPTER XXXIII - STATE FIRE PREVENTION & BUILDING CODE COUNCIL
SUBCHAPTER A - UNIFORM FIRE PREVENTION & BUILDING CODE**

PART 1220. RESIDENTIAL CODE

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PART 1220. RESIDENTIAL CODE

Section 1220.1 Residential code.

(a) The 2010 RCNYS. The construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of:

(1) detached one- and two- family dwellings not more than three stories in height above grade with a separate means of egress, and their accessory structures;

(2) multiple single-family dwellings (townhouses) not more than three stories in height above grade with a separate means of egress, and their accessory structures;

(3) one-family dwellings converted to bed and breakfast dwellings, and their accessory structures;
and

(4) buildings or premises which are under the custody, licensure, supervision, or jurisdiction of a department or agency of the State of New York and which are regulated as a one- or two-family dwelling or a multiple single-family dwelling (townhouse) in accordance with established laws or regulations of such department or agency, and their accessory structures,

shall comply with the requirements of the publication entitled "Residential Code of New York State"

(Publication Date: August 2010), published by International Code Council, Inc. Said publication

(hereinafter referred to as the 2010 RCNYS) is incorporated herein by reference. Copies of the 2010 RCNYS may be obtained from the publisher at the following address:

International Code Council, Inc.
500 New Jersey Avenue, NW, 6th Floor
Washington, D.C. 20001

The 2010 RCNYS is available for public inspection and copying at:

New York State Department of State
99 Washington Ave.
Albany, NY 12231-0001

(b) Referenced standards. Certain published standards are denoted in the 2010 RCNYS as incorporated by reference into 19 NYCRR Part 1220. Such standards are incorporated by reference into this Part 1220. Such standards are identified in the 2010 RCNYS, and the names and addresses of the publishers of such standards from which copies of such standards may be obtained are specified in the 2010 RCNYS. Such standards are available for public inspection and copying at the office of the New York State Department of State specified in subdivision (a) of this section.

(c) Changes to the text of the 2010 RCNYS. For the purposes of applying the 2010 RCNYS in this State, the 2010 RCNYS shall be deemed to be amended in the manner specified in this subdivision (c).

(1) 2010 RCNYS Section R313.2. Section R313.2 of the 2010 RCNYS shall be deemed to be amended by the addition of the following sentence at the end of that section: "Existing dwellings not undergoing repair, alteration, change of occupancy, addition or relocation shall be provided with smoke alarms as required by Section 704 of the Property Maintenance Code of New York State or Section 907 of the Fire Code of New York State, as applicable, and shall be provided with carbon monoxide alarms as required by Section 610 of the Fire Code of New York State."

(2) 2010 RCNYS Section R313.4. Section R313.4 of the 2010 RCNYS shall be deemed to be amended and restated in its entirety to read as follows:

"R313.4 Carbon monoxide alarms. This section covers the application, installation, performance and maintenance of carbon monoxide alarms and carbon monoxide detectors, and their components, in

new one- and two-family dwellings and new townhouses. New bed and breakfast dwellings and new buildings which are under the custody, licensure, supervision or jurisdiction of a department or agency of the State of New York and which are regulated as one- or two-family dwellings or townhouses in accordance with established laws or regulations of that department or agency shall comply with the stricter of this section or Section 610 of the Fire Code of New York State. Existing one- and two-family dwellings, existing townhouses, existing bed and breakfast dwellings, and existing buildings which are under the custody, licensure, supervision or jurisdiction of a department or agency of the State of New York and which are regulated as one- or two-family dwellings or townhouses in accordance with established laws or regulations of that department or agency shall comply with Section 610 of the Fire Code of New York State.

“R313.4.1 General. Carbon monoxide alarms (or, where permitted, carbon monoxide detectors) shall be installed, operated and maintained in accordance with the provisions of this section, or in accordance with the provisions of NFPA 720.

“Exception: Carbon monoxide alarms and/or carbon monoxide detectors shall not be required in a building or structure that contains no carbon monoxide source.

“R313.4.2 Required locations. Carbon monoxide alarms shall be provided at each of the following locations within each dwelling unit:

“1. On each story containing a sleeping area, within 15 feet of the sleeping area. More than one carbon monoxide alarm shall be provided where necessary to assure that no sleeping area on such story is more than 15 feet away from a carbon monoxide alarm.

“2. On each story that contains a carbon monoxide source.

“Exceptions.

“1. Where coverage at a location is required by more than one provision of this section, providing one carbon monoxide alarm at such location shall be deemed to satisfy all such provisions.

“2. In lieu of a carbon monoxide alarm, a carbon monoxide detector may be provided at any location where coverage is required, provided that such carbon monoxide detector is part of a system that causes an alarm to sound at such location when carbon monoxide is detected at such location.

“R313.4.3 Power source. Carbon monoxide alarms, carbon monoxide detectors and the alarm control units to which carbon monoxide detectors are connected shall receive their primary power from the building wiring, and shall be equipped with a battery backup system that automatically provides power from one or more batteries when primary power is interrupted. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

“Exceptions.

“1. Carbon monoxide alarms and carbon monoxide detectors installed in a building or structure without an electrical power source shall be battery operated.

“2. In buildings that undergo repair, alteration, change of occupancy, addition or relocation in accordance with Appendix J, carbon monoxide alarms may be battery operated, cord-type or direct plug.

“R313.4.4 Equipment. Carbon monoxide alarms shall be listed and labeled as complying with UL 2034 or CAN/CSA 6.19. Carbon monoxide detectors shall be listed and labeled as complying with UL 2975 and shall meet the sensitivity testing and alarm thresholds of UL 2034 or CSA 6.19. Carbon monoxide alarms and carbon monoxide detectors shall be installed in accordance with this section and the manufacturer's installation instructions.

“R313.4.4.1 Maintenance and testing. Carbon monoxide alarms, carbon monoxide detectors, and alarm control units shall be maintained in an operative condition at all times. Carbon monoxide alarms, carbon monoxide detectors, and alarm control units shall be periodically tested in accordance with the manufacturer's instructions. The battery or batteries used as the primary or backup power source shall be replaced when low or when otherwise required by the manufacturer's instructions. Carbon monoxide alarms, carbon monoxide detectors, and alarm control units shall be replaced or repaired when defective, and shall be replaced when they cease to operate as intended.

“R313.4.4.2 Disabling of alarms. No carbon monoxide alarm, carbon monoxide detector, or alarm control unit shall be removed or disabled, except for service, repair or replacement purposes.

“R313.4.5 Interconnection of carbon monoxide alarms. When more than one carbon monoxide alarm or carbon monoxide detector is required to be installed within an individual dwelling unit, sleeping unit or sleeping area, all carbon monoxide alarms and all carbon monoxide detectors in such dwelling unit, sleeping unit or sleeping area shall be interconnected.

“Exception: Interconnection is not required where battery operated, cord-type or direct plug carbon monoxide alarms and carbon monoxide detectors are permitted.”

(3) 2010 RCNYS Section 2411.2.2. The second sentence of Section 2411.2.2 of the 2010 RCNYS shall be deemed to be amended and restated in its entirety to read as follows: “The bonding clamp shall be attached to the gas piping system on the down-stream side of the gas meter or regulator, in an unconcealed and readily accessible space, and as close as practicable to the point where the bonding jumper is connected to the electrical service grounding electrode system.”

(4) 2010 RCNYS Section 3509.7. Section 3509.7 of the 2010 RCNYS shall be deemed to be amended by the addition of the following exception: “EXCEPTION: Gas piping systems that contain corrugated stainless steel tubing (CSST) shall be installed and bonded in accordance with Section G2411.2 of this code.”

(5) 2010 RCNYS Appendix J, Section J102. Section J102 in Appendix J of the 2010 RCNYS shall be deemed to be amended by the addition of a new section J102.6, to read as follows:

“Section J102.6. Lead-based paint. In addition to requirements of this code, 40 CFR 745 (titled “Lead-based Paint Poisoning Prevention in Certain Residential Structures”), a regulation issued and enforced by the Federal Environmental Protection Agency, applies to certain activities in buildings that may contain lead-based paint, including renovations performed for compensation in “target housing” and “child-occupied facilities,” “abatement” of lead-based paint hazards and other “lead-based paint activities” (as those terms are defined in 40 CFR Part 745).”

(6) 2010 RCNYS Appendix J, Section AJ704. Appendix J of the 2010 RCNYS shall be deemed to be amended by the addition of a new section AJ704 (to include sections AJ704.1, AJ704.2, AJ704.3 and AJ704.4), to read as follows:

“Section RAJ704. BED AND BREAKFAST DWELLINGS

“RAJ704.1 Scope. Owner-occupied one-family dwellings converted for use as bed and breakfast dwellings as defined in Section RAJ202 shall comply with this section.

“RAJ704.2 Occupancy. A residence converted to a bed and breakfast dwelling shall have no more than five sleeping rooms for accommodating up to 10 transient lodgers.

“RAJ704.3 Special conditions. A one-family dwelling is permitted to be converted for use as a bed and breakfast dwelling under the following conditions:

“1. No sleeping rooms for transient use shall be located above the second story.

“2. A fire-safety notice shall be affixed to the occupied side of the entrance door of each bedroom for transient use indicating:

“1. Means of egress;

“2. Location of means for transmitting fire alarms, if any; and

“3. Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.

“RAJ704.4 Means of egress. Means of egress shall include at least one of the following alternatives:

“1. A limited area sprinkler system installed in conformance with NFPA 13D protecting all interior stairs serving as a means of egress;

“2. An exterior stair conforming to the requirements of §RR311.1 and §RR311.5 of this code, providing a second means of egress from all above grade stories or levels; or

“3. An opening for emergency use conforming to the requirements of Section R310 of this code within each bedroom for transient use, such opening to have a sill not more than 14 feet above level grade directly below and, as permanent equipment, a portable escape ladder that attaches securely to such sill. Such ladder shall be constructed with rigid rungs designed to stand off from the building wall, shall be capable of sustaining a minimum load of 1,000 pounds, and shall extend to and provide unobstructed egress to open space at grade.”

(7) 2010 RCNYS Appendix J, Sections AJ401.3, AJ501.3, AJ601.5, AJ803.2, AJ901.3 and AJ1001.4. Sections AJ401.3, AJ501.3, AJ601.5, AJ803.2, AJ901.3 and AJ1001.4 in Appendix J of the 2010 RCNYS shall be deemed to be amended and restated in their entirety to read as follows:

“§AJ401.3 Flood hazard areas. In flood hazard areas, repairs that constitute substantial improvement shall require that the building comply with Section R324 of this code.”

“§AJ501.3 Flood hazard areas. In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Section R324 of this code.”

“§AJ601.5 Flood hazard areas. In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Section R324 of this code.”

“§AJ803.2 Flood hazard areas. Additions and foundations in flood hazard areas shall comply with the following requirements:

“1. For horizontal additions that are structurally interconnected to the existing building:

“1.1. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section R324 of this code.

“1.2. If the addition constitutes substantial improvement, the existing building and the addition shall comply with Section R324.

“2. For horizontal additions that are not structurally interconnected to the existing building:

“2.1. The addition shall comply with Section R324.

“2.2. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section R324.

“3. For vertical additions and all other proposed work that, when combined, constitute substantial improvement, the existing building shall comply with Section R324.

“4. For a new, replacement, raised, or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with Section R324.”

“§AJ901.3 Flood hazard areas. In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with Section R324.”

“§AJ1001.4 Flood hazard areas. If relocated or moved into a flood hazard area, buildings shall comply with Section R324.”