

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

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**No. 47**

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

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to reducing unnecessary artificial lighting in lobbies and hallways.**

*Be it enacted by the Council as follows:*

Section 1. Statement of findings and purpose. The Council finds that current egress illumination requirements for lobbies and hallways under the New York city building code result in the electric lighting of egress spaces that are either sufficiently lit by daylight or that are unoccupied. The Council therefore finds that energy could be saved by reducing such excessive lighting requirements for such spaces.

§2. Section BC 202 of the New York city building code is amended by adding certain definitions to be placed in appropriate alphabetical order to read as follows:

***OCCUPANT SENSOR.*** *A device that detects the presence or absence of people within an area and causes lighting, equipment, or appliances to be regulated accordingly.*

***PHOTOSENSOR.*** *A device that detects the presence of visible light.*

§3. Sections BC 1006.1 and BC 1006.2 of the New York city building code, as added by local law number 33 for the year 2007, are amended to read as follows:

**1006.1 Illumination Required.** Exits, exit discharges, and public corridors shall be illuminated

at all times *by either daylight or electric lighting fixtures*. Exit access components shall be illuminated *by either daylight or electric lighting fixtures* at all times [during occupancy] *that the space served by the exit access component is occupied*.

**Exceptions:**

1. Occupancies in Group U.
2. Aisle accessways in Group A.
3. Dwelling units and sleeping units in Groups I-1, R-1, R-2 and R-3.
4. Sleeping units of Group I occupancies.

**1006.2 Illumination level.** The means of egress illumination level shall not be less than [2 foot-candles (22 lux) at the floor level in exits, at exit discharges, and in public corridors, and shall not be less than 1 foot-candle (11 lux) at the floor level in exit access components other than public corridors] *1 foot-candle (11 lux) at the walking surface level*.

**Exceptions:**

1. For auditoriums, theaters, concert or opera halls and similar assembly occupancies, the illumination at the floor level is permitted to be reduced during performances to not less than 0.5 foot-candle (5.38 lux) for aisles and cross aisles, and 0.2 foot-candle (2.15 lux) for other portions of the space, provided that the required illumination is automatically restored upon activation of a premise's fire alarm system where such system is provided. Step lights shall be provided in accordance with Section 1024.11.4.
2. Safe areas in assembly occupancies shall be illuminated in accordance with Section 1024.17.3.2.
3. Open exterior spaces used to receive occupants as Class 1 or 2 exits in assembly occupancies shall be illuminated in accordance with Section 1024.17.4.

4. *In exits in buildings that contain photoluminescent exit path markings tested in laboratory conditions with 2 foot-candles (22 lux) of activating illumination, the illumination level shall not be less than 2 foot-candles (22 lux).*

§4. Section BC 1006 of the New York city building code is amended by adding a new section 1006.2.1 to read as follows:

***1006.2.1 Sensors and Controls.*** *Automatic, occupant sensor or photosensor lighting controls shall be permitted within means of egress, provided that the illumination level is not reduced to a level below the minimum requirements of section 1006.2 of this code, 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 1006.2 of this code.*

§5. This local law shall take effect on January 1, 2011, 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 on .....September 29, 2010..... and approved by the Mayor on .....October 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 47 of 2010, Council Int. No. 262-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