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Painting: Exterior & Interior

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APPENDIX A: TEXT OF LAW

The following laws and regulations apply:

- NYC Administrative Code, §§27-2013 through 27-2016
- NYC Building Code §§202 and 1206.3.4
- NYC Mechanical Code §806.2
- NYC Plumbing Code §§606.5.4.3 and 608.11

Admin. Code, §27-2013: Painting of public parts and within dwellings

- a. In the public parts of a multiple dwelling, and in a tenant-occupied dwelling unit in a one- or two-family dwelling, the owner shall:
 - (1) Paint or cover the walls and ceilings with wallpaper or other acceptable wall covering; and
 - (2) Repaint or re-cover the walls and ceilings with wallpaper or other acceptable wall covering whenever necessary in the judgment of the department [of housing preservation and development] to keep such surfaces sanitary.
- b. In occupied dwelling units in a multiple dwelling, the owner shall:
 - (1) Paint or cover the walls and ceilings with wallpaper or other acceptable wall covering; and
 - (2) Repaint or re-cover the walls and ceilings with wallpaper or other acceptable wall covering every three years, and more often when required by contract or other provisions of law.
- c. The department may require a tenant of a dwelling unit in a multiple dwelling to repaint or re-cover the interior walls and ceilings of such tenant's dwelling unit with wallpaper or other acceptable wall covering if such walls and ceilings become unsanitary at any time within three years from the date of the last refinishing by the owner. However, if the tenant can

show, to the satisfaction of the department, that the walls and ceilings have become unsanitary through no act or neglect of his own or of such tenant's family or guests, the department may require the owner to repaint or re-cover the same. This subdivision does not relieve the owner from his duties under paragraph 2 of subdivision (b) of this section.

- d. The owner and tenant of any dwelling unit in a multiple dwelling may, by voluntary agreement, provide that the owner need not repaint in such unit as required by paragraph two of subdivision (b) of this section for such additional period, not to exceed two years, as may be agreed upon. Such an agreement to extend the time for repainting shall not be valid unless it has been entered into not earlier than one month prior to the expiration of the three-year period, and shall not form part of any agreement of lease. The department may prescribe the form of such agreements, require them to be filed, and may make such other regulations as may be necessary to avoid abuse, and to further the purposes of this article. Notwithstanding any agreement, the department may, during the period for which repainting is deferred by agreement order repainting by the owner in any dwelling unit when deemed necessary to keep the walls and ceilings of such unit sanitary. This subdivision shall not affect the applicability of subdivision (c) of this section during the three years after any repainting or re-covering.

- e. Neither the owner nor a tenant of a dwelling unit shall place wallpaper or wall covering upon a wall or ceiling in the public or tenant-occupied parts of a dwelling unless existing wallpaper or wall covering is first removed and such wall or ceiling is cleaned and repaired. However, if wallpaper or wall covering is in good condition, free from vermin and a coat of acceptable paint or sizing is applied, one additional layer of wallpaper or wall covering may be applied.
- f. Nothing contained in this section shall be deemed to require the owner of a dwelling to cover with wallpaper or other acceptable covering any wall or ceiling not previously so covered by such owner. When a wall or ceiling of a dwelling unit has been decorated with paper, wood paneling, or other material over which paint normally is not applied, the owner shall be relieved of his obligation to repaint or recover such wall or ceiling so long as the same remains in a sanitary condition, in the judgment of the department. When the department requires redecoration of such wall or ceiling, the tenant shall remove any paper, wall covering, wood paneling or other material which such tenant has applied before the owner is required to clean and repair and repaint or re-cover. However, if the owner or a former tenant has applied paper, wall covering, wood paneling or other material, the owner shall be responsible for its removal before redecoration.
- g. The owner of a multiple dwelling shall keep and maintain records relating to the refinishing of public parts and dwelling units showing when such parts were last painted or papered or covered with acceptable material and who performed the work. Such records shall be open to inspection by the department, and shall be submitted to the department upon request.

Admin. Code, §27-2014: Window frames and fire escapes

- a. At least once every five years, the owner of a dwelling shall paint all exterior window frames and sashes with one coat of an exterior paint. The department may require a more frequent repainting of any window frame or sash, as it deems necessary. This subdivision shall not apply to window frames and sashes of approved atmospheric corrosion resistant metal.
- b. The owner of a dwelling shall paint every fire escape with two coats of paint of contrasting colors. The owner shall paint the first coat before and the second after erection of a new fire escape, except that this shall not apply to fire escapes constructed of approved atmospheric corrosion resistant metal. Whenever a fire escape becomes corroded, the owner

shall scrape and remove the corrosion products and repaint it with two coats of paint of contrasting colors.

Admin. Code, §27-2015: Courts and shafts

- a. The owner of a multiple dwelling shall whitewash the walls enclosing all courts and shafts not made of light colored brick or stone or shall paint such walls a light color, and shall maintain them in a clean condition.
- b. As often as it deems necessary, the department may require the owner of a multiple dwelling:
 - (1) To whitewash or repaint the walls enclosing courts and shafts not made of a light-colored brick or stone; and
 - (2) To clean the walls enclosing courts and shafts made of a light colored brick or stone.
- c. This section does not apply to:
 - (1) Outer courts which open on a street; or
 - (2) Courts which exceed the minimum dimensions set forth in §26 of the multiple dwelling law by at least 50 percent.

Admin. Code, §27-2016: Departmental regulations concerning paint and wall covering and quality and frequency of repainting or recovering

- a. The department may by regulation prescribe or approve the kind and quality of paints or wall covering which may be used to satisfy the requirements of this article.
- b. The department may by regulation extend the time for repainting when in its judgment the particular kind and quality of paint or wall covering used is designed to wear for considerably longer periods of time than the time set for repainting in this article. An owner who uses such long-wearing paints or wall covering shall inform the department prior to his doing so in accordance with departmental regulations.

Building Code §202: Definitions—Court

An open, uncovered space, unobstructed to the sky, bounded on three or more sides by exterior building walls or other enclosing devices.

Building Code, §1206.3.4: Court walls for multiple dwellings

All walls enclosing courts of multiple dwellings shall be of light colored materials or shall be painted a light color.

Exceptions:

1. Outer courts that open to a street
2. Courts that exceed the minimum dimension set forth in the Zoning Resolution of the City of New York by at least 50 percent.

Mechanical Code, §806.2: Exterior metal chimneys

Exterior metal chimneys shall be stainless steel.

Plumbing Code, §606.5.4.3: Methods of connecting overflow from gravity house and suction water supply tanks—cleaning or painting

Water tanks shall be cleaned and painted in accordance with the following:

Plumbing Code, §606.5.4.3.1: Prohibited materials

No water tank of any kind that is part of a building water supply system used for potable purposes shall be cleaned with any material or painted on the inside with any material that will have a toxic or otherwise objectionable effect on the potability of the water supply when the tank is put into service. No lead paint shall be used. The water supply connections to and from a tank shall be disconnected or plugged while the tank is being cleaned or painted to prevent any foreign fluid or substance from entering the distribution piping. Where the air in a tank may be insufficient to sustain human life, or may contain an injurious gas, adequate measures shall be taken for the protection of the workers.

Plumbing Code, §606.5.4.3.2: Disinfection

After the tank has been cleaned or painted, it shall be disinfected according to the following procedure before it is put back in service:

1. The underside of the top, the bottom, and the walls shall be washed with a hypochlorite solution containing 100 or more parts per million of available chlorine.
2. The tank shall be filled with water to which hypochlorite solution is added during the filling in sufficient quantity so that the treated water in the tank will contain at least 10 parts per million of available chlorine.
3. The chlorinated water shall be allowed to remain in the tank for two hours.
4. Finally, the tank shall be drained completely before refilling.

Plumbing Code, §606.5.4.3.3: Maintenance schedule

House and suction tanks shall be drained and cleaned at least once a year.

Plumbing Code, §608.11: Painting of water tanks

The interior surface of a potable water tank shall not be lined, painted or repaired with any material that changes the taste, odor, color or potability of the water supply when the tank is placed in, or returned to, service.