

2025 Property Maintenance Code of New York State

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NEW YORK STATE DEPARTMENT OF STATE

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PREFACE

ABOUT THE NYS CODES

In 1978, the State Legislature added Article 11 to the Energy Law to provide for a comprehensive energy conservation construction code applicable to all public and private buildings in New York State (including buildings located in the City of New York). Article 11, consisting of sections 11-101 through 11-110 of the Energy Law, sets forth the process by which the State Energy Conservation Construction Code (“Energy Code”) is to be developed, maintained, administered, and enforced for the conservation of energy in buildings in New York State. Both State government and local governments are participants in this process.

In 1981, the New York State Legislature enacted legislation directing the development and implementation of an integrated, Statewide building and fire prevention code. Prior to the adoption of this legislation, the decision as to whether to adopt and enforce a building and/or fire prevention code was left to the discretion of local governments in New York State. Many municipalities, primarily in the more developed and densely populated areas of the State, had adopted building and/or fire prevention codes. However, there were also many communities, mostly rural in nature, where no building or fire prevention code was in effect.

In light of the perils posed by fire and inadequate building construction, the State Legislature adopted a new Article 18 of the Executive Law to provide for an integrated and comprehensive building and fire prevention code. Article 18, consisting of sections 370 through 383 of the Executive Law, sets forth the process by which the code is to be developed, maintained, administered, and enforced for the protection of all New Yorkers. Both State government and local governments are participants in this process. The code, called the New York State Uniform Fire Prevention and Building Code (“Uniform Code”), took effect January 1, 1984 and prescribed minimum standards for both fire prevention and building construction. It is applicable in every municipality of the State except the City of New York, which was permitted to retain its own code.

Although the Uniform Code took effect in 1984, its antecedents are much older. Beginning in the late 1940's, New York State began developing a code known as the State Building Construction Code, which provided standards for the construction of buildings and the installation of equipment therein. Developing and maintaining the State Building Construction Code eventually became the responsibility of the New York State Division of Housing and Community Renewal (DHCR). In the 1960's, DHCR began developing a second code, the State Building Conservation and Fire Prevention Code, to address fire safety practices in buildings. Both of these codes were applicable in a municipality only when affirmatively adopted by the governing body. The State Building Construction Code and the State Building Conservation and Fire Prevention Code were repealed effective January 1, 1984 when they were replaced by the Uniform Code.

Code Development Process

Responsibility for developing and maintaining the Uniform Code and the Energy Code is vested in the State Fire Prevention and Building Code Council (the “Code Council”), a seventeen-member body chaired by the Secretary of State and composed of the Secretary of State, the State Fire Administrator, and fifteen other members appointed by the Governor (seven with consent of the Senate). The Code Council is required to meet at least quarterly but additional meetings may be called by the chair or by petition of five members of the Code Council.

Periodically both the Uniform Code and the Energy Code require amendment. The Uniform Code and the Energy Code are implemented via regulations, and any amendment of either code must be adopted pursuant to the rule making process set forth in the State Administrative Procedure Act (“SAPA”). In most situations, that process includes publishing a notice of proposed rule making in the New York State Register, specifying a period during which the public may submit comments on the proposed amendment (which, unless a different time frame is specified in statute, shall be at least sixty days) holding at least one hearing at which the public may present input regarding the proposed amendment, reviewing and assessing the comments received, and publishing a notice of adoption in the New York State Register. Generally, any amendment of the Uniform Code will become effective 90 days after publication of the notice of adoption; however, the Code Council has the authority to designate an earlier effective date if necessary to protect health, safety and security. An amendment of the Energy Code can be effective as early as the date of publication of the notice of adoption. However, when both the Uniform Code and Energy Code are amended at the same time, the effective dates are typically coordinated with each other. In addition, either code can be amended by adoption of an emergency rule, which can be effective as early as the date of filing of the notice of emergency adoption. New York's emergency rule making process allows an agency to adopt a rule on a temporary basis for a maximum of 90 days, at which time the emergency may be re-adopted, but each such re-adoption will be effective for a maximum of 60 days and to file for re-adoption the agency must also take action to initiate the proposal process to formally adopt the rule on a permanent basis. All rule-making activity is published on the website of the Division of Building Standards and Codes.

Coordination of the NYS Codes

The coordination of technical provisions allows the NYS Codes to be used as a complete set of complementary documents. Individual codes can also be used in subsets or as stand-alone documents. Some technical provisions that are relevant to more than one subject area are duplicated in multiple code books.

INTRODUCTION TO THE PROPERTY MAINTENANCE CODE OF NEW YORK STATE

The Property Maintenance Code of New York State (PMCNYS) establishes minimum requirements for the maintenance of existing buildings through regulations that contain clear and specific property maintenance and property improvement provisions. The

PREFACE

PMCNYS is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The PMCNYS provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community. This 2025 edition was developed as a derivative work of the 2024 edition of the International Property Maintenance Code® (IPMC®) published by the International Code Council® (ICC®).

The PMCNYS is intended to establish provisions that adequately protect public health, safety and welfare; that do not unnecessarily increase construction costs; that do not restrict the use of new materials, products or methods of construction; and that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

LETTER DESIGNATIONS IN FRONT OF SECTION NUMBERS

The bracketed letter designations for the party responsible for portions of this code are as follows:

ICC Code Development Committee

- [A] =Administrative Code Development Committee
- [BE] =IBC—Egress Code Development Committee
- [BF] =IBC—Fire Safety Code Development Committee
- [BG] =IBC—General Code Development Committee
- [BS] =IBC—Structural Code Development Committee
- [E] =Developed under the ICC’s Standard Development Process
- [EB] =International Existing Building Code Development Committee
- [F] =International Fire Code Development Committee
- [FG] =International Fuel Gas Code Development Committee
- [M] =International Mechanical Code Development Committee
- [P] =International Plumbing Code Development Committee
- [SP] =International Swimming Pool and Spa Code Development Committee

New York State Code Development

- [NY] =New York State Department of State

ARRANGEMENT AND FORMAT OF THE 2025 PMCNYS

Before applying the requirements of the PMCNYS, it is beneficial to understand its arrangement and format. The PMCNYS, like other codes published by the ICC, is arranged and organized to follow sequential steps that generally occur during a plan review or inspection.

The following table shows how the PMCNYS is divided. The chapter synopses detail the scope and intent of the provisions of the PMCNYS.

CHAPTER TOPICS	
CHAPTERS	SUBJECTS
1	Scope and Administration
2	Definitions
3	General Requirements
4	Light, Ventilation and Occupancy Limitations
5	Plumbing Facilities and Fixture Requirements
6	Mechanical and Electrical Requirements
7	Fire Safety Requirements
8	Referenced Standards
Appendix A	Boarding Standard
Appendix B	Reserved
Appendix C	Parking Garage Condition Assessments

Chapter 1 Scope and Administration.

Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the design professional, contractor and property owner.

Chapter 2 Definitions.

Chapter 2 is the repository of the definitions of terms used in the body of the code. The user of the code should be familiar with and consult this chapter because the definitions are essential to the correct interpretation of the code and because the user may not be aware that a term is defined.

Chapter 3 General Requirements.

Chapter 3 includes a variety of requirements for the exterior property areas as well as the interior and exterior elements of the structure that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure. Chapter 3 provides specific criteria for regulating the maintenance of specific building components; vacant structures and land; interior and exterior of structures and all exterior property areas; and accessory structures. This chapter also contains requirements for protective barriers, and gates therein, for swimming pools, spas and hot tubs.

Chapter 4 Light, Ventilation and Occupancy Limitations.

Chapter 4 establishes the minimum environment for occupiable and habitable buildings through light and ventilation criteria and occupancy limitations based on room width, area and ceiling height.

Chapter 5 Plumbing Facilities and Fixture Requirements.

Chapter 5 establishes requirements for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal system and related plumbing fixtures. Chapter 5 establishes these minimum criteria to verify that sanitary and clean conditions related to plumbing systems and facilities are maintained throughout the life of a building.

Chapter 6 Mechanical and Electrical Requirements.

Chapter 6 establishes minimum criteria for the installation and maintenance of the following components and systems within existing buildings: heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

Chapter 7 Fire Safety Requirements.

Chapter 7 addresses fire hazards associated with a building's occupancy and provides minimum requirements for fire safety issues most likely to arise in older buildings. This chapter also contains requirements for means of egress in existing buildings, including path of travel, required egress width, means of egress doors and emergency escape openings.

Chapter 8 Referenced Standards.

Chapter 8 lists all of the product and installation standards and codes that are referenced throughout Chapters 1 through 7 and includes identification of the promulgators and the section numbers in which the standards and codes are referenced. As stated in Section 102.8, these standards and codes become an enforceable part of the code (to the prescribed extent of the reference) as if printed in the body of the code.

Appendix A Boarding Standard.

The provisions in Appendix A are not mandatory unless specifically referenced in the adopting ordinance. This appendix provides minimum specifications for boarding a structure. This can be utilized by a jurisdiction as a set of minimum requirements in order to result in consistent boarding quality.

Appendix B Reserved.**Appendix C Parking Garage Condition Assessments**

Appendix C provides requirements for parking garage condition assessments, including both initial condition assessments and periodic condition assessments.

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