

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health
BUREAU/PROGRAM: Administration/Support
SUBJECT: Article 5: Mobile Food Vending Fees

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 5 of the NYC Health Code to update fees associated with mobile food vending permits in accordance with Local Law 18 of 2021.
- 2. State the reason(s) why action by the agency is being considered:**
Update Article 5 to align with Local Law 18 of 2021. Current mobile food vending fees were established almost 5 decades ago in 1978.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Update fees for full-term processing, temporary (seasonal) processing, and supervisory license-associated mobile food vending permits to align with Local Law 18 of 2021.
- 4. Provide a summary of the objectives of the proposed rule:**
Align with Local Law 18 of 2021 and ensure mobile food vending fees are up to date and do not exceed the cost to issue the permits.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
New York City Administrative Code 17-308.
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Mobile food vendors.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Administration
Contact Person: Jeffrey Hunter
Telephone: 646-632-6520
Email: Jhunter@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Environmental Sciences and Engineering

SUBJECT: Articles 5 and 175: Radiation installation fees, penalty schedule and code clarifications for radiation control

1. **Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 5 to update radiation installation fees and Article 175 of the NYC Health Code to revise fees for inspections conducted by the agency and to correct typographical errors and provide added clarification.
2. **State the reason(s) why action by the agency is being considered:**
The fee schedule for agency inspections has not been updated in over 20 years and is not reflective of program costs. Text revisions are proposed to provide added clarification and address typographical errors.
3. **Provide a summary of the anticipated contents of the proposed rule (if known):**
Radiation installation fees and inspection fees will be revised. The proposed text revisions address multiple areas pertaining to radiation-producing equipment and radioactive materials.
4. **Provide a summary of the objectives of the proposed rule:**
Radiation installation fees and inspection fees will be revised to be more equitable and reflective of program costs. The text revisions are intended to clarify the regulations, making it easier for owner/operators of facilities using radiation-producing equipment and radioactive materials to comply with Article 175.
5. **Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter Section 556(c)(11).
6. **List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
N/A
7. **Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Medical, academic and research facilities in New York City using radiation producing equipment.
8. **Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Spring 2025.
9. **Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Sciences and Engineering
Contact Person: Erik Finkelstein
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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Division of Disease Control
BUREAU/PROGRAM: Bureau of Communicable Disease and Public Health Laboratory
SUBJECT: Article 11: Candida Auris Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Laboratory reporting requirements for *Candida auris*
- 2. State the reason(s) why action by the agency is being considered:**
First identified in the United States in 2016, *C. auris* is a drug-resistant fungus that can spread in health care settings. *C. auris* is required to be reported to the New York State (NYS) Department of Health as an emerging pathogen. Including *C. auris* as reportable condition in NYC would align with NYS reporting requirements and ensure that *C. auris* surveillance continues should the pathogen no longer be classified as “emerging.”
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §11.03 to add requirements that clinical laboratories report suspect or confirmed *C. auris* isolates to the NYC Health Department.
- 4. Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with New York State reporting requirements for *C. auris*.
Allow the Department to monitor trends in disease incidence and evolving drug resistance, investigate reported cases to identify transmission patterns, and implement and evaluate disease control measures.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and laboratories, respectively.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
The Laboratory Reporting of Communicable Diseases 2020 Guidelines for NYC and NYS include *C. auris*. These guidelines are based on the authorities provided under NYC Health Code Articles 11 and 13 and New York State (NYS) Public Health Laws 2102 and 576-C, respectively.
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Laboratories
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Hepatitis, HIV, and Sexually Transmitted Infections
SUBJECT: Article 11: COVID-19 Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider and laboratory reporting of COVID-19
- 2. State the reason(s) why action by the agency is being considered:**
Under the New York City (NYC) Health Code, providers must immediately report all suspected and confirmed cases of COVID-19 by telephone. With the end of the COVID-19 public health emergency, widespread use of home testing, the availability of laboratory data, and COVID-19 epidemiology, immediate reporting of COVID-19 is no longer necessary. New York State no longer requires immediate reporting of COVID-19.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code § 11.03 to add COVID-19 to subdivision (a) (reportable within 24 hours) and remove COVID-19 from reporting under subdivision (b) (immediately reportable).
- 4. Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with New York State reporting requirements; remove unduly burdensome reporting requirements for COVID-19 while preserving immediate reporting for other novel and/or severe coronaviruses.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and to regulate clinical laboratories, respectively.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers and laboratories
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Communicable Diseases
SUBJECT: Article 11: Cronobacter Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider and laboratory reporting of *Cronobacter* spp. infection
- 2. State the reason(s) why action by the agency is being considered:**
The Centers for Disease Control and Prevention (CDC) made *Cronobacter* spp. infection among infants nationally notifiable and recommended that States and Territories enact laws to make this disease or condition reportable in their jurisdiction.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend New York City (NYC) Health Code §11.03 to require health care providers and laboratories to report cases of *Cronobacter* spp. infection among infants (under the age of 12 months) to the Department.
- 4. Provide a summary of the objectives of the proposed rule:**
Improve our understanding of the burden of invasive *Cronobacter* infection among infants in NYC; identify disparities in disease burden to target outreach and other public health interventions; and assist in cluster and outbreak detection and control and response activities, including recalls of contaminated products, as appropriate.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and to regulate clinical laboratories, respectively.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
N/A
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers and laboratories
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Communicable Diseases
SUBJECT: Article 11: Mpox Nomenclature

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Updating Mpox nomenclature
- 2. State the reason(s) why action by the agency is being considered:**
The World Health Organization, Centers for Disease Control and Prevention, New York State Department of Health, and the Department have adopted “mpox” as the name of the disease formerly called “monkeypox.”
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §§ 11.03(a) and (b)(1), 11.17(a), and 11.25(a)(1) to replace references to “monkeypox” with “mpox.”
- 4. Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with the New York State Sanitary Code, Centers for Disease Control and Prevention, and the Department’s public- and provider-facing communications more broadly; and reduce stigma that may be associated with disease name “monkeypox.”
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter § 556(c)(2) and (4) provide the Department’s authority to supervise the reporting and control of communicable diseases and to regulate clinical laboratories, respectively.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers and laboratories
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Communicable Diseases
SUBJECT: Article 11: RSV Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider reporting of respiratory syncytial virus (RSV)
- 2. State the reason(s) why action by the agency is being considered:**
In December 2023, the New York State (NYS) Sanitary Code was amended to require laboratories to report positive tests for RSV, and health care providers to report deaths caused by laboratory confirmed RSV in persons younger than 18 years.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §11.03 to require health care providers to report cases of fatal RSV illness in pediatric patients younger than 18 years of age to the Department.
- 4. Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with the NYS Sanitary Code by adding a requirement for providers to report RSV deaths in persons younger than 18 years of age (laboratory reporting is already required); monitor the impact of RSV vaccination on the burden of disease and characterize and understand the epidemiology of severe RSV disease in children.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) provides the Department’s authority to supervise the reporting and control of communicable diseases.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Division of Disease Control
BUREAU/PROGRAM: Bureau of Communicable Disease and Public Health Laboratory
SUBJECT: Article 11: Trachoma Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider and laboratory reporting requirements for trachoma
- 2. State the reason(s) why action by the agency is being considered:**
Trachoma is a bacterial eye infection caused by the pathogen *Chlamydia trachomatis*. Advancements in health care, hygiene, and public health practices have resulted in a remarkable decline in the prevalence of trachoma, with no reported cases of trachoma in New York City in several decades. Continued reporting requirements for trachoma is no longer warranted.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §11.03 to remove the reporting requirement for trachoma.
- 4. Provide a summary of the objectives of the proposed rule:**
Reduce errant reporting for the sexually transmitted infection caused by the same pathogen (*Chlamydia trachomatis*) as cases of trachoma, a bacterial eye infection.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and laboratories, respectively.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
None
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers and laboratories
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Tuberculosis Control
SUBJECT: Article 11: Tuberculosis Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider reporting of tuberculosis (TB)
- 2. State the reason(s) why action by the agency is being considered:**
Submission and review of laboratory reports is labor intensive. Reducing the reports that must be submitted will reduce the burden on health care providers and the Department.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend New York City (NYC) Health Code §11.03 to narrow the scope of biopsy, pathology, or autopsy findings consistent with TB that must be reported.
- 4. Provide a summary of the objectives of the proposed rule:**
Make the reporting requirements more specific to findings that more highly correlate to active TB disease, reducing the burden on health care providers and Department staff.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) provides the Department’s jurisdiction to supervise the reporting and control of communicable diseases.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
Telephone: 347-396-7591
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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Immunization
SUBJECT: Article 11: Varicella Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider reporting of varicella
- 2. State the reason(s) why action by the agency is being considered:**
The New York State (NYS) Sanitary Code was recently amended to require health care provider and laboratory reporting of cases of varicella.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend the New York City (NYC) Health Code § 11.03 to require health care providers to report cases of varicella. Clinical laboratories are already required to report cases of varicella in NYC.
- 4. Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with the NYS Sanitary Code.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) provides the Department’s jurisdiction to supervise the reporting and control of communicable diseases.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control
Rulemaking Contact Person: Rima Oken
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Email: roken@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Child Care

SUBJECT: Article 43: School-based Child Care (SBCC)- Influenza Vaccine; Two-Year Renewal for Certificate of Filing

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 43 of the NYC Health Code to change the time period for requiring proof of influenza vaccine from July 1st to April 1st in light of the typical end to influenza season and to require the Certificate of Filing to be renewed every 2 years by a school-based child care program.
- 2. State the reason(s) why action by the agency is being considered:**
To better align Health Code requirements with the influenza season and maintain timely information of school-based child care programs.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend the time period when proof of influenza vaccine is required to end on April 1 instead of July 1 and to require the Certificate of Filing to be renewed every 2 years.
- 4. Provide a summary of the objectives of the proposed rule:**
Update the time period when proof of flu vaccine is required to align with influenza season and to require the Certificate of Filing to be renewed every 2 years.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter Sections 558 and 1043
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
N/A
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
School-based child care program operators and enrolled families.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Child Care
Contact Person: Renee Noel
Telephone: (646) 632-6157
Email: Rnoel-he@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Child Care

SUBJECT: Article 47: Group Child Care Programs; Staffing Requirements; Nutrition; Influenza Vaccine

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Align NYC Health Code Article 47 background check requirements with the requirements under the federal Child Care Development Block Grant; clarify requirements for professional qualifications; change the time period during when proof of influenza vaccine is required in order to better align with the influenza season, and to update nutrition requirements.
- 2. State the reason(s) why action by the agency is being considered:**
Propose changes regarding background check requirements to align with federal law, clarify professional qualifications, and revise dates when proof of influenza vaccination is required.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Update background checks requirements to align with federal requirements; clarify staff qualifications; amend the time period when proof of influenza vaccine is required to end on April 1 instead of July 1; update nutrition requirements to reflect the latest federal nutrition recommendations found in the 2020 Dietary Guidelines for Americans.
- 4. Provide a summary of the objectives of the proposed rule:**
Align Health Code staff requirements with federal requirements; update the time period when proof of flu vaccine is required to better align with influenza season; improve equity for our youngest New Yorkers in group childcare settings by more strongly aligning Health Code nutrition requirements with federal nutrition recommendations.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter Sections 558 and 1043
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
45 CFR Part 98
NYS Social Services Law
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
NYC child care programs and children in child care and their families.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Child Care
Contact Person: Renee Noel
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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health
BUREAU/PROGRAM: Bureau of Child Care
SUBJECT: Article 48: Summer Camps

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 48 of the NYC Health Code concerning the minimum age for children enrolling in summer camp and clarify staff qualifications and facility requirements.
- 2. State the reason(s) why action by the agency is being considered:**
Require a minimum age to participate in camp and clarify staff qualifications and facility requirements.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend minimum age to participate in camp and clarify staff qualifications and facility requirements.
- 4. Provide a summary of the objectives of the proposed rule:**
Promote the health and safety of children attending summer camp by clarifying requirements for attendance, staff qualifications and facilities.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §§ 558 and 1043
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
NYS Social Services Law
NYS Sanitary Code
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Child summer Camp operators regulated under Article 48, children in camp and their families.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**

Agency:	NYC DOHMH
Bureau or Division:	Bureau of Child Care
Contact Person:	Renee Noel
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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Environmental Surveillance and Policy

SUBJECT: Article 131: Building Heating Requirements

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 131 of the NYC Health Code to update the heating requirements in buildings during the winter months in accordance with NYC Administrative Code §27-2029
- 2. State the reason(s) why action by the agency is being considered:**
Update Article 131 of the NYC Health Code to align with NYC Administrative Code §27-2029
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend Article 131 of the NYC Health Code to increase the minimum temperature between the hours of 10pm to 6am to 62 degrees from 55 degrees and delete the outside temperature language.
- 4. Provide a summary of the objectives of the proposed rule:**
Amend Article 131 of the NYC Health Code to align with NYC Administrative Code §27-2029.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
NYC Administrative Code §27-2029
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Building owners.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Environmental Surveillance and Policy
Contact Person: Jean-Baptiste Rudatsikira
Telephone: 646-632-6951
Email: jrudatsikira@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Food Safety and Community Sanitation

SUBJECT: Non-Retail Food Processing Establishments (Commissaries)

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Non-Retail Food Processing Establishments (NRFPs), also called commissaries, prepare ready-to-eat foods and supplies them to food service establishments that, in turn, offer them to consumers. These establishments may supply food offered by mobile food vendors, restaurants, vending machines, and operate as a “shared kitchen,” also called “incubators”.
- 2. State the reason(s) why action by the agency is being considered:**
To consolidate and update rules for the permitting and operation of a NFRP.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Create a new article of the New York City Health Code to consolidate and update requirements specific to NFRP, such as adding procedures for providing standard operation and facility plans where multiple independent users operate from the facility.
- 4. Provide a summary of the objectives of the proposed rule:**
Consolidate and update NFRP rules to be consistent with current best practices in the industry.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
10 NYCRR Subpart 14-1, 14-4, and 14-5
Subchapter 2 of Chapter 3 of Title 17 of the Administrative Code
Articles 81 and 89 of the New York City Health Code
Chapter 6 of Title 24 of the Rules of the City of NY
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Entities operating NRFPs, including shared kitchens, mobile food vending commissaries, and vending machine commissaries.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Spring 2025.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Food Safety and Community Sanitation
Contact Person: Michelle Robinson
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Email: mrobins1@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Veterinary and Pest Control Services

SUBJECT: Chapter 5: Pet Shops and Article 161 of the Health Code

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 5 of Title 24 of the Rules of the City and Article 161 of the NYC Health Code to prohibit the sale of dogs, cats, and rabbits in a retail pet shop.
- 2. State the reason(s) why action by the agency is being considered:**
To align with New York State law prohibiting of dogs, cats, and rabbits in a retail pet shop.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Terminate the permitting process to sell dog, cats, and rabbits in a pet shop and specify the penalty associated with violating the law.
- 4. Provide a summary of the objectives of the proposed rule:**
Update Department rules to align with State law regarding the prohibition of sale of dogs, cats, and rabbits in pet shops.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
NY General Business Law 753-f
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
NYC-permitted pet shops.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Winter 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Veterinary and Pest Control Services
Contact Person: Mario Merlino
Telephone: 646-364-1740
Email: mmerlino@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health
BUREAU/PROGRAM: Administration/Support
SUBJECT: Chapter 6: Mobile Food Vending Tax Certificates

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 6 of Title 24 of the Rules of the City and Article 89 of the NYC Health Code to remove the requirements to obtain a New York State Certificate of Sales Tax Authority and tax clearance certificate in accordance with Local Law 52 of 2024.
- 2. State the reason(s) why action by the agency is being considered:**
To provide consistency with Local Law 52 of 2024.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Update relevant sections of Chapter 6 and NYC Health Code Article 89 to align with Local Law 52 of 2024.
- 4. Provide a summary of the objectives of the proposed rule:**
Propose to amend Article 89 of the NYC Health Code and Chapter 6 to align with Local Law 52.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Local Law 52 of 2024.
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Mobile Food Vendors.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Administration
Contact Person: Jeffrey Hunter
Telephone: 646-632-6520
Email: Jhunter@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Environmental Sciences and Engineering

SUBJECT: Chapter 7: Penalty Schedules

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 7 of Title 24 of the Rules of the City of New York to update certain penalties for Department rule violations.
- 2. State the reason(s) why action by the agency is being considered:**
To provide consistency in civil penalties for violations cited by the Department.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Add penalty amounts for violations of rules concerning water supply, bathing beaches, bathing establishments, rental horses, radioactive materials and equipment.
- 4. Provide a summary of the objectives of the proposed rule:**
Propose to add a fixed penalty schedule for certain violations of Articles 141, 143, 165, 167, 175 and 177 of the NYC Health Code and other provisions enforced by the Department related to rental horses in Chapter 4 of Title 24 of the Rules of the City of NY.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
N/A
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
NYC-permitted bathing establishments, permitted bathing beaches, registered radiation equipment, licensed radioactive material and rental horse operators.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Sciences and Engineering
Contact Person: Diane Fung
Telephone: 718-786-5574
Email: dfung@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Environmental Disease and Injury Prevention

SUBJECT: Chapter 12: Window Guards

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Chapter 12 of Title 24 of the Rules of the City of New York will be updated to reflect technical advancements in window design and structure and to streamline the Department's approval process for window fall prevention devices (window guards and limiting devices).
- 2. State the reason(s) why action by the agency is being considered:**
Update Department regulations to reflect technical advancements.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Repeal and reenact rules in Chapter 12 of Title 24 of the Rules of the City of New York to update specifications for window guards and other limiting devices, and procedures for obtaining Department approval of window guards and limiting devices; update lease notice and annual notice provided to tenants.
- 4. Provide a summary of the objectives of the proposed rule:**
Update Department regulations to reflect technical advancements.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 556 and 1043 of the NYC Charter
Section 17-123 of the NYC Administrative Code
Section 131.15 of the NYC Health Code
Section 2043.1 of Title 27 of the NYC Housing Maintenance Code
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
N/A
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Building owners, condominium owners and cooperative boards of directors of multiple dwellings and units in such dwellings where children 10 years of age or younger reside.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Disease and Injury Prevention
Contact Person: Andrew Faciano
Telephone: 646-632-6086
Email: afaciano@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Food Safety and Community Sanitation

SUBJECT: Chapter 23: Food Service Establishments

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 23 of Title 24 of the Rules of the City of New York concerning the requirements and procedures for the sanitary inspections of food service establishments.
- 2. State the reason(s) why action by the agency is being considered:**
Update Appendices A, B, and C of Chapter 23.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Chapter 23 is being amended to both update requirements for reduced-oxygen packaged (“ROP”) food, and revise the penalty schedule to align with Local Law 151 of 2023 requirements.
- 4. Provide a summary of the objectives of the proposed rule:**
Amend certain requirements related to ROP and update penalties.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Local Law 151 of 2023
Article 81 of the New York City Health Code
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Permitted-food service establishments.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2025.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Food Safety and Community Sanitation
Contact Person: Michelle Robinson
Telephone: 646-632-6174
Email: mrobins1@health.nyc.gov

**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2025 REGULATORY AGENDA**

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Food Safety and Community Sanitation

SUBJECT: Chapter 32: Dogs in Outdoor Dining Areas

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 32 of Title 24 of the Rules of the City of New to align with Local Law 121 of 2023.
- 2. State the reason(s) why action by the agency is being considered:**
To make required changes to align with Local Law 121 of 2023.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend the definition of outdoor dining to remove references to the sections of the NYC Administrative Code that have been repealed.
- 4. Provide a summary of the objectives of the proposed rule:**
Update the definition of outdoor dining in accordance with Local Law 121 of 2023.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Local Law 121 of 2023.
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Food Service Establishments.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2025.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Food Safety and Community Sanitation
Contact Person: Michelle Robinson
Telephone: 646-632-6174
Email: mrobins1@health.nyc.gov