



Issuance #563

DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013-3394

GASTON SILVA, R.A., Commissioner

(212) 312-8000
TTY (212) 312-8188

Richard C. Visconti, R.A.
Deputy Commissioner
(212) 312-8120
FAX: (212) 312-8088
E-mail address:
richardv@doblan.ci.nyc.ny.us

TECHNICAL
POLICY AND PROCEDURE NOTICE #7/99

TO: Distribution

FROM: Richard C. Visconti, R.A. *M*

DATE: March 24, 1999

SUBJECT: INSTALLATION OF SPRINKLER SYSTEMS IN RESIDENTIAL BUILDINGS
AND SPACES CLASSIFIED IN OCCUPANCY GROUP J1 AND J-2 --
LOCAL LAW # 10/99

EFFECTIVE: Immediately

PURPOSE: To establish a policy to exempt applications for approval of plans from
Local Law #10/99

SPECIFICS:

New Building applications for the construction of residential buildings three hundred (300) feet or less in height and alteration applications, including changes of occupancy or use, shall be exempt from the requirements of Local Law #10/99, provided a complete application for the approval of plans, pursuant to Article 9 of Subchapter 1, Chapter 1, Title 27 of the Administrative Code, has been filed no later than the date of enactment of this local law — March 24, 1999.

In the case of new construction of a residential building that exceeds three hundred (300) feet in height constructed pursuant to a valid permit issued by the Department, such building shall be exempt from compliance with Local Law # 10/99, provided general excavation is completed and construction of new foundations has commenced prior to February 24, 1999. New foundations shall be deemed to have been commenced if there is physical evidence of formwork erected or a portion of a footing, or a foundation wall poured, or the commencement of the delivery of a substantial number of the required piles at the job site, and conforming with the approved plans.

RESCINDED

Applicant:

A complete application is one in which the applicant has submitted architectural, structural and mechanical plans which are substantially complete, all of which are of sufficient clarity to indicate the entire nature and extent of the proposed construction or alteration work and its compliance with the provisions of the Code and other applicable laws and regulations and, at a minimum, contain the information required by §27-157(a), (b) and (c) of the Code or §27-162 if applicable.

All applications filed prior to or on the enactment date of Local Law # 10/99 for any new construction which seek an exemption from compliance with such local law are contingent upon submission of evidence as to the availability of a public sewer system (SD-1/SD-2); and in the event a public sewer system is not available, alternate provisions for the disposal of storm water and sanitary sewage.

Professionally certified applications and plans filed pursuant to Operations Policy & Procedure Notice #2/95 must be **complete** and accompanied by all items required for approval and permit.

Plan Examiner:

The plan examiner shall review the application for compliance with the Building Code, Zoning Resolution and all other applicable laws. Professionally certified applications will be audited pursuant to Operations Policy & Procedure Notice #2/95.

The application for a project requiring Board of Standards and Appeals, Landmarks Preservation Commission, City Planning Commission, Health Department (private sewage treatment plants), Department of Environmental Protection (private sewers) or the Department of Buildings Septic Unit approval or certification prior to the approval of plans will maintain its exempt status, provided these approvals or certifications are diligently pursued. If judicial or administrative proceedings affecting the exempt application or the validity of the building permit issued pursuant thereto have been instituted, the approval and permit will remain valid and the provisions of A.C. §27-155 and §27-196 will be tolled until the date of entry of the final order in such proceedings, including any and all appeals which are diligently pursued.

Exempt applications may be amended provided that the work proposed under the amendment(s) would not require compliance with Local Law # 10/99.

Borough Commissioner:

An exempt application will maintain its exempt status unless it expires by limitation or lack of prosecution as required by §27-155 or §27-196; borough commissioners shall be guided by Directive No. 17/71.

In the case of new construction of a residential building that exceeds three hundred (300) feet in height and is exempt from Local Law #10/99, as set forth herein, the borough commissioner shall provide, upon written request by the applicant for such building, confirmation of such exempt status after review of the available inspectors' reports and other substantiating information. Such confirmation shall be filed with the block and lot folder for the job.