



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, N.Y. 10013

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Issuance # 323

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OPERATIONS  
POLICY AND PROCEDURE NOTICE # 20/91  
AMENDED

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To: Distribution  
From: Barry G. Cox  
Date: 6 November 1991  
Subject: Sidewalk Shed Permits

Purpose:

To specify what information must be filed with this agency to secure or renew a permit issued to erect a sidewalk shed and to establish when a civil penalty shall be imposed for failure to renew.

Reference:

Section 26-214, 26-252, 27-1021, and 26-126.1 of the Administrative Code; Local Law 33/91.

Effective: August 23, 1991

Amended: PPN 20/91

Applicant/Permit Holder:

Any application for a sidewalk shed permit must indicate the reason the shed is required.

Except for new buildings under construction, any application to renew a sidewalk shed permit must include a signed/sealed statement from a professional engineer or registered architect indicating:

- the condition of the building or portion of building and the amount of work performed since the issuance of the shed permit
- an estimate of the amount of time needed to complete the work

This statement may be in any form acceptable to the Deputy Borough Commissioner/Superintendent.

When a shed permit is issued, the permit holder must post a 25 sq. ft. sign on the shed indicating the following information:

- his/her name, address, telephone number and permit number
- the date the permit expires

#### Borough Office

A sidewalk shed permit shall expire one (1) year from the date of issuance or at the expiration date of the insurance coverage of the permit holder - if less than one year.

For new buildings under construction, a permit may be continually renewed upon receipt of the required application and payment of the appropriate fee.

For all other work requiring the erection of a sidewalk shed, the statement required to be filed by a professional engineer or registered architect shall be reviewed by the Deputy Borough Commissioner/Superintendent who shall determine whether the permit should be renewed.

#### Inspectors:

Violations issued for an expired sidewalk shed permit shall be written as an ECB violation with a code number B05 (Work Without a Permit: Expired Permit).

#### Penalty Determination

At the time a renewal permit for a sidewalk shed is requested, the Permit Clerk must identify when the shed permit expired. If the shed permit expired within 30 days of the date of renewal then no civil penalty shall be imposed.

If a C of O is subsequently filed for, then the C of O clerk shall check if any outstanding penalties are due for sidewalk shed permit violations.

The civil penalty shall start to accrue on the thirty-first day following the expiration of the sidewalk shed permit. The penalty imposed to the owner or permit holder shall be the equivalent of \$100/day up to a maximum of \$10,000.

The fee estimator shall determine the penalty with the following computation:

$$\begin{aligned} & \text{(Total number of days shed is without permit - 30) x} \\ & \quad \$100 = \text{Penalty.} \end{aligned}$$

The "Total number of days shed is without a permit" shall be determined by identifying how many days the shed was in place from the date of shed permit expiration to the date of shed permit renewal or certification of removal.

This penalty is to be paid in addition to regular fees due the Department of Buildings and must be paid in full prior to the issuance of a permit or Certificate of Occupancy. The total fee due the Department of Buildings, therefore, is equal to the filing fee plus the penalty.

JMc:mh