



DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013
RUDOLPH J. RINALDI, Commissioner

BARRY G. COX
Assistant Commissioner
Borough Operations
(212) 312-8004

OPERATIONS
POLICY AND PROCEDURE NOTICE # 6/93

To: Distribution
From: Barry G. Cox
Date: 2 April 1993
Subject: Temporary, Amended and Final Certificates of Occupancy

Purpose:

To formalize the Department's existing policy with respect to issuing Temporary, Amended, or Final Certificates of Occupancy for New or Existing Buildings.

Superseded:

PPN 16/92 (New items in bold)

Effective:

Immediately

Reference:

Sections 26-222, 27-218, and 27-222 of the Administrative Code.

Section 645 of the City Charter

Specifics:

No Temporary, Amended or Final Certificate of Occupancy (CO) shall be issued for a building with outstanding Local Law 5/73, 10/80, 10/81, 16/84, **33/91 (sidewalk shed legislation)** or **62/91 (boiler professional certification legislation)** violations.

At the Borough Commissioner's discretion, a Temporary CO may be issued for a new or altered building, or portion of a new or altered building, with outstanding non-hazardous violations as long as those violations are not written for conditions existing on the floor(s) or space(s) which will receive the TCO.

At the Borough Commissioner's discretion, an Amended CO may be issued for a building with outstanding non-hazardous violations as long as those violations are not written for conditions existing on the floor(s) or space(s) being altered.

No Demolition Permit shall be issued for any building with outstanding Local Law 10/80, 10/81 33/91, or 62/91 violations.

The clerk issuing the Temporary, Amended or Final Certificate of Occupancy or demolition permit shall verify on the BIS system that no DOB violations with the following codes in the body of the violation exist:

- LL5 - Local Law 5/73
- LL1080 - Local Law 10/80
- LL1081 - Local Law 10/81
- LL16 - Local Law 16/84
- LL6291 - Local Law 62/91

To identify the sidewalk shed violations the clerk must verify the open ECB violations listed for the premises. The violation description will indicate that it is for a sidewalk shed with an expired permit.

BGC:mh