



## CONSTRUCTION CODES UPDATE PAGES

Attached are Construction Codes Update Pages. These pages reflect local laws enacted and ministerial administrative corrections made after July 1, 2008. Please note that the source of a particular update, the local law number, and year is indicated on each page. Please visit our [webpage](#) to ensure that your codes are complete and up to date as the City Council may periodically pass Local Laws that affect the Construction Codes.

### **Instructions:**

Please place each page, according to its page number found on the bottom right hand corner, into your Construction Codes books. The pages contain letters after the page number and should be placed in alphabetical order following the number, i.e. 5, 6, 6a, 6b, etc.

- Place Title Pages in the front of your Code books for easy reference.
- Note: If you have all four Construction Codes (Building, Mechanical, Plumbing & Fuel Gas), please make sure to insert updates made to the Administrative Provisions into each of the four Code books.

# CONSTRUCTION CODES UPDATE PAGES

## UPDATE # 2

Source: Local Law 24 of 2008, effective July 1, 2008.

This update includes the following pages:

<b>GENERAL ADMINISTRATIVE PROVISIONS (PRECEDING THE BUILDING, FUEL GAS, MECHANICAL AND PLUMBING CODES)</b>	
<b><u>Section</u></b>	<b><u>Page Number</u></b>
28-201.2.1	A-38a

<b>BUILDING CODE</b>	
<b><u>Section</u></b>	<b><u>Page Number</u></b>
3314.4.5 – 3314.4.8	618a - c

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Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.  
**Source:** Local Law 24 of 2008, effective July 1, 2008.

## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages A-38 and A-39 of your bound volumes of the NYC Building Code, NYC Plumbing Code, NYC Mechanical Code and NYC Fuel Gas Code.*

Add the following new item 14 to section 28-201.2.1 to read as follows:

14. Any person who knowingly permits or causes a violation of paragraph 3314.4.5 or paragraph 3314.4.6 of subdivision 3314.4 of section BC 3314 of the building code.

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## BUILDING CODE

*Insert between pages 618 and 619 of your bound volumes.*

Sections 3314.4.5 and 3314.4.6 are amended, and section 3314.4.7 is renumbered 3314.4.8, and a new Section 3314.4.7 is added to read as follows:

**3314.4.5 Requirements for workers who erect, repair, maintain, modify or remove supported scaffolds.** Only workers with experience in erecting, repairing, maintaining, modifying, or removing supported scaffolds and with the training required by this paragraph shall be employed to perform this work. They shall be supervised by a designated superintendent or foreman who shall enforce such measures as necessary for the protection of the public and property.

No person shall knowingly permit or cause an individual who does not have the experience and training required by this paragraph to perform any of the work described in this paragraph.

Workers who erect, repair, maintain, modify ~~and~~ or remove supported scaffolds 40 feet (12 192 mm) or more in height ~~must~~ shall, at a minimum, have completed a department-approved training program or course that is at least 32 hours long, and ~~must~~ shall complete ~~an~~ a department-approved 8-hour refresher program or course every 4 years thereafter. The training program or course shall be based on the United States Department of Labor Occupational Safety and Health Department (“OSHA”) scaffold safety and training guidelines and the scaffold requirements of this chapter. The training program or course shall be conducted by a registered New York State Department of Labor apprenticeship training program or by an educational institution or school chartered, licensed or registered by the New York State Department of Education or by a provider approved by the department and presented by an instructor(s) ~~authorized under the applicable provisions established by OSHA for construction safety~~ deemed qualified and competent in accordance with OSHA regulations.

Successful completion of the training program or course shall be evidenced by a dated scaffold certificate of completion issued by the provider of the training program or course. The certificate ~~or a copy thereof~~, or a valid wallet card version of the certificate shall be readily available to the commissioner upon request, and shall be deemed valid for four years from its date of issuance.

Workers who erect, repair, maintain, modify, or remove a sidewalk shed that provides a base for a scaffold 40 feet (12 192 mm) or more in height are subject to the above requirements.

**3314.4.6 Requirements for workers who use a supported scaffold.** Every worker who uses a supported scaffold to perform his or her job tasks shall complete a department-approved four-hour training program or course, and a department-approved four-hour

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refresher program or course every four years thereafter, that includes instruction on the nature of electrical hazards, fall and falling object hazards, material handling on scaffolds, personal protection equipment, the nature of braces and tiebacks and their safe removal and the maximum intended load and load-handling capacities of scaffolds. The training program or course shall be conducted by a registered New York State Department of Labor apprenticeship training program or by an educational institution or school chartered, licensed or registered by the New York State Department of Education or by a provider approved by the department, and presented by an instructor(s) ~~authorized under the applicable provisions established by OSHA for construction safety~~ deemed qualified and competent in accordance with OSHA regulations.

Successful completion of the training program or course shall be evidenced by a dated scaffold user certificate issued by the provider of the training program or course. The certificate ~~, or a copy thereof,~~ or a valid wallet card version of the certificate shall be readily available to the commissioner upon request, and shall be deemed valid for four years from its date of issuance.

The requirement that a refresher program or course be completed every four years shall apply retroactively to individuals who satisfied such requirements prior to the effective date of this code.

No person shall knowingly permit or cause an individual who does not have the training required by this paragraph to use a supported scaffold.

**3314.4.7 Exemptions.** The provisions of paragraphs 3314.4.5 and 3314.4.6 of this subdivision shall not apply to:

1. the erection, dismantling, repair, maintenance or modification of any supported scaffold performed by an employee of a public utility when such supported scaffold is located within the interior of a building or structure owned or operated by such utility and when such utility has a safety training program of not less than 32 hours for its employees who erect, dismantle, repair, maintain or modify such scaffolds; or
2. employees of a public utility performing work while using a supported scaffold, provided that such employees are trained, pursuant to the United States department of labor occupational safety and health administration's requirements, to be able to recognize the hazards associated with the type of supported scaffold being used, and to understand the procedures to control those hazards; or
3. the erection, dismantling, repair, maintenance or modification of stand alone, one story sidewalk sheds; or

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4. a registered architect or professional engineer who is using a supported scaffold to perform inspections, as long as the architect or engineer does not perform work from or participate in the erection, dismantling, repair, maintenance or modification of any building or structure, including the supported scaffold.

**3314.4.78 Requirements for workers who erect or use suspension scaffolds.** Workers who erect, repair, maintain, modify, remove or use suspension scaffolds shall meet the requirements set forth in rules promulgated by the commissioner.