



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 # 6

Source: Local Law 33 of 2008, effective February 9, 2008.

This update includes the following pages:

GENERAL ADMINISTRATIVE PROVISIONS (PRECEDING THE BUILDING, FUEL GAS, MECHANICAL AND PLUMBING CODES)	
<u>Section</u>	<u>Page Number</u>
Table 28-112.7.2	A-26a
28-201.2.2	A-38b
28-216.12	A-50a - b

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Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.
Source: Local Law 33 of 2008, effective February 9, 2009.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages A-26 and A-27 of your bound volumes of the NYC Building Code, NYC Plumbing Code, NYC Mechanical Code and NYC Fuel Gas Code.

Table 28-112.7.2 is amended to read as follows:

Table 28-112.7.2

Inspection Type	Initial Fee	Renewal Fee	Comments
Filing fee for report of critical examination of exterior walls and appurtenances thereof.	As provided by rule.		
<u>Filing fee for inspection of potentially compromised buildings or structures.</u>	<u>As provided by rule.</u>		
Filing fee for periodic boiler inspection report.	\$30 for each boiler.		
Equipment inspection fee: • High-pressure boiler periodically inspected as provided by section 28-116.4. • Reinspection fee following a violation. • Filing fee for report of periodic inspection of elevator and other devices. • Equipment inspection fee: Each elevator or other device regulated by this code.	\$65 for each inspection, for each boiler. As provided by rule. \$30 for each device. \$65 for each inspection, for each device.		

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Source: Local Law 33 of 2008, effective February 9, 2009.

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.

Item 2 of section 28-201.2.2 is amended to read as follows:

2. Failure to perform required façade, elevator and boiler inspections, structural inspections of buildings and structures that are potentially compromised as defined in section 28-216.12, and to file required reports within the applicable time period.

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GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages A-50 and A-51 of your bound volumes of the NYC Building Code, NYC Plumbing Code, NYC Mechanical Code and NYC Fuel Gas Code.

Add the following new section:

§28-216.12 Buildings and structures that are potentially compromised. For purposes of this section 28-216.12, “potentially compromised” shall include a building or structure that has had an open roof for sixty days or longer, that has been shored and braced or repaired pursuant to an emergency declaration issued by the commissioner, that has been subject to a precept as a compromised structure under Article 216 of this code or that may have suffered structural damage by fire or other cause as determined by the commissioner.

§28-216.12.1 Structural inspections of potentially compromised buildings or structures. When a building or structure has become potentially compromised, the owner shall cause a structural inspection of such building or structure to be performed. Such inspection shall be performed within sixty days of the opening of the roof, within sixty days of the shoring and bracing or repair work, or within sixty days of a determination by the commissioner that the building has suffered structural damage by fire or other cause. A report of such inspection shall be filed with the department within thirty days thereafter in such form and detail and with provision for periodic monitoring of the building or structure as the commissioner may require.

§28-216.12.2. Structural inspections shall only be performed by a registered design professional in good standing with the New York state department of education.

§28-216.12.3. If a violation of any applicable statute, law, rule or regulation or any unsafe condition that poses a threat to the structural integrity of the building or to the public is found during the course of such inspection, the registered design professional performing the inspection shall immediately notify the department and the owner of such violation or unsafe condition by calling 311 and in writing.

§28-216.12.4. An inspection of the buildings and structures subject to the inspection and filing requirements of section 28-216.12 shall be performed every year or, for a specified building or structure, within such other period as determined by the commissioner but not longer than two years, and shall continue until such time as the registered design professional documents and certifies that the building or structure is no longer potentially compromised and such certification is accepted by the commissioner.

§28-216.12.5. The owner shall hire a registered design professional to perform a structural inspection of buildings and structures subject to section 28-216.12 prior to

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the issuance of a permit to alter, repair, demolish or enlarge such building or structure, except that the commissioner may waive such inspection if a structural inspection of the entire building or structure has been performed within the prior year.

§28-216.12.6. Any owner of a building or structure shall notify the department in writing that such building or structure has become potentially compromised immediately after such owner knows or should have known of the condition. Such notice shall contain the name and business address of the owner of record of such building or structure and shall identify the building or structure by street address and tax block and lot. The notices required by this subdivision shall be in such form and manner as established by the commissioner by rule.

§28-216.12.7. If an owner subject to the inspection and filing requirements of this section fails to file such report, the owner shall be liable for a civil penalty in an amount not less than two thousand dollars. In such a case, the department may cause a structural inspection to be conducted and a report filed.