



BUILDINGS
2022-007
BULLETIN
OPERATIONAL

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PURPOSE: This Bulletin clarifies when to apply the 2014 Construction Codes or the 2022 Construction Codes to new buildings, alterations, partial demolition, and full demolition, including the applicable provisions of Chapter BC 33 (Safeguards During Construction or Demolition).

SUBJECT(S): Construction documents, permit, application, approval, new building, alteration, partial demolition, full demolition, safeguards, applicability, effective date, site safety plan

RELATED CODE SECTIONS & RESOURCES:
AC 28-101.4, BC 3310, LOCAL LAW 126 OF 2021

I. BACKGROUND

Local Law 126 of 2021 enacted the 2022 NYC Construction Codes, which go into effect on November 7, 2022. Except as provided below, the 2022 Construction Codes apply to all projects filed on or after November 7, 2022.

II. APPLICATIONS FOR NEW BUILDING AND ALTERATION PERMITS

Except as provided in Sections III, IV, and V of this Bulletin, the 2014 Construction Codes apply to applications for permits when the application for construction document approval is submitted before November 7, 2022. This includes, but is not limited to, applications for permits for New Buildings (NB) and Alterations (ALT), Alteration permits that impact Certificates of Occupancy (ALT-CO), Alteration permits that include partial demolition work, and permits for Foundation, Earthwork, Plumbing, Signs, Service Equipment, Fire Protection and Fire Suppression Systems, Temporary Structures, Temporary Uses, and Limited Alteration Applications (LAA), when the conditions below are met:

- the construction documents submitted meet the minimum requirements for completeness under the Department's **Plan Examination Guidelines - Minimum Requirement for Review of Design Drawings** (see https://www1.nyc.gov/assets/buildings/pdf/plan_exam_user_guide.pdf for details)
- for a new building application, the construction documents submitted include complete architectural, structural, and foundation drawings
- for an alteration application for an enlargement, the construction documents submitted include complete architectural and structural drawings, and as applicable, complete foundation drawings
- the application is diligently pursued to completion

Reviews and approvals from other agencies (e.g., Transit Authority, Department of Transportation, Fire Department, Board of Standards and Appeals, Department of Environmental Protection, Parks Department) need not be submitted prior to November 7, 2022, in order for the application to be subject to the 2014 Construction Codes.

With respect to new building applications, the 2014 Construction Codes shall apply to the entire new building, including but not limited to any additional construction filings related to the new building, such as fire alarms or mechanical filings, submitted on or after November 7, 2022.

Any alteration or new building filed in accordance with the 2014 Construction Codes that has a substantial increase in work scope related to the overall size or footprint of such building after November 7, 2022 must fully comply with the 2022 Construction Codes by re-filing all applications in accordance with the requirements of those Codes, unless otherwise authorized by the appropriate borough office.

III. BC CHAPTER 33 PROVISIONS

A. *Construction and alteration work **not requiring** a Site Safety Plan to be filed*

When a Site Safety Plan is **not required** to be filed for the work and the application for construction document approval is subject to the 2014 Code in accordance with Section II of this Bulletin, the 2014 version of BC Chapter 33 and Article 110 of Title 28 of the Administrative Code shall apply for the duration of the work, including any subsequent filings related to BC Chapter 33.

B. *Construction and alteration work **requiring** a Site Safety Plan to be filed*

When a Site Safety Plan **is required** to be filed for the work, the 2014 version of BC Chapter 33 and Article 110 of Title 28 shall apply for the duration of the work, including any subsequent filings related to BC Chapter 33 or the Site Safety Plan, when the Site Safety Plan is approved before November 7, 2022, and the conditions below are met:

- the Site Safety Plan filed meets the minimum requirements for completeness under the Department's **Minimum Content of Site Safety Plan Submissions** (see https://www1.nyc.gov/assets/buildings/pdf/cs_industry_notice_site_safety_plan_min_content.pdf for details);
- the Site Safety Plan covers all anticipated work and aspects of the site for at least one phase of the construction or alteration project, including but not limited to earth and foundation work. An approved Site Safety Plan solely encompassing full demolition work at the site is not sufficient; and
- the application is diligently pursued to completion.

C. *Full demolition work*

For a full demolition which is subject to the 2014 Code in accordance with Section IV of this Bulletin, the 2014 version of BC Chapter 33 and Article 110 of Title 28 of the Administrative Code shall apply for the duration of the work, including any subsequent filings related to BC Chapter 33 and the Site Safety Plan.

D. *Applications for temporary construction installation permits and crane, derrick and mast climber permits*

Notwithstanding the provisions of this section above, applications for temporary construction installation permits and crane, derrick and mast climber permits shall be subject to the provisions of Section V of this Bulletin.

IV. APPLICATIONS FOR FULL DEMOLITION PERMITS

A. Full demolition work *not requiring* a Site Safety Plan to be filed but *requiring* submittal documents per Section BC 3306.5

The 2014 Construction Codes apply to applications for full demolition permits that **do not require** a Site Safety Plan to be filed for the work, but **require** submittal documents per Section BC 3306.5, when the submittal documents for the demolition are submitted before November 7, 2022, and the conditions below are met:

- the submittal documents submitted meet the minimum requirements for completeness under the Department's **Plan Examination Guidelines - Minimum Requirement for Review of Design Drawings** (see https://www1.nyc.gov/assets/buildings/pdf/plan_exam_user_guide.pdf for details)
- the application is diligently pursued to completion

B. Full demolition work *not requiring* a Site Safety Plan to be filed and *not requiring* submittal documents per Section BC 3306.5

The 2014 Construction Codes apply to applications for full demolition permits that **do not require** a Site Safety Plan to be filed for the work, and **do not require** submittal documents per Section BC 3306.5, when the pre-demolition inspection package is submitted before November 7, 2022, and the conditions below are met:

- the pre-demolition inspection package submitted is complete, with all required reports, statements, documents, photographs, and signatures, and, as applicable, professional seals, included
- the application is diligently pursued to completion

C. Full demolition work *requiring* a Site Safety Plan to be filed

The 2014 Construction Codes apply to applications for full demolition permits that **require** a Site Safety Plan to be filed for the work when the Site Safety Plan is approved before November 7, 2022, and the conditions below are met:

- the Site Safety Plan filed meets the minimum requirements for completeness under the Department's **Minimum Content of Site Safety Plan Submissions** (see https://www1.nyc.gov/assets/buildings/pdf/cs_industry_notice_site_safety_plan_min_content.pdf for details)
- the Site Safety Plan covers all anticipated work and aspects of the site for at least one phase of the demolition
- the application is diligently pursued to completion

D. Applications for temporary construction installation permits and crane, derrick and mast climber permits

Notwithstanding the provisions of this section above, applications for temporary construction installation permits and crane, derrick and mast climber permits shall be subject to the provisions of Section V of this Bulletin.

V. APPLICATIONS FOR TEMPORARY CONSTRUCTION INSTALLATION PERMITS AND CRANE, DERRICK AND MAST CLIMBER PERMITS

Applications for permits for temporary construction installations (including but not limited to sidewalk sheds, fences, and scaffolding) or for the use of a crane, derrick, or mast climber, submitted before November 7, 2022, shall comply with the requirements of the 2014 Construction Codes for the respective installation or equipment, when the conditions below are met:

- the construction documents submitted meet the minimum requirements for completeness under the Department's **Plan Examination Guidelines - Minimum Requirement for Review of Design Drawings** (see https://www1.nyc.gov/assets/buildings/pdf/plan_exam_user_guide.pdf for details); and
- the application is diligently pursued to completion.

TABLES OF 2014 & 2022 CONSTRUCTION CODES APPLICABILITY

Table 1: APPLICATIONS FOR CONSTRUCTION, ALTERATION, OR DEMOLITION WORK
(EXCEPT BC CHAPTER 33 WORK & PERMITS FOR TEMPORARY CONSTRUCTION INSTALLATIONS, CRANES, DERRICKS, AND MAST CLIMBERS)

WORK TYPE	TRIGGER	DATE	2014 Code	2022 Code
New Buildings	Application for construction document approval submitted	Before November 7, 2022 ^{a, b}	✓	
		On or after November 7, 2022		✓
Alterations to Existing Buildings (incl. Partial Demolitions) ^c	Application for construction document approval submitted	Before November 7, 2022 ^{b, d}	✓	
		On or after November 7, 2022		✓
Full Demolitions - Site Safety Plan Filing Not Required^e	Submittal documents submitted; or if submittal documents not required, pre-demolition inspection package submitted	Before November 7, 2022 ^b	✓	
		On or after November 7, 2022		✓
Full Demolitions - Site Safety Plan Filing Required^e	Site safety plan approved	Before November 7, 2022 ^{b, f}	✓	
		On or after November 7, 2022		✓

Table 2: APPLICABILITY OF BC CHAPTER 33 TO THE WORK

(EXCEPT PERMITS FOR TEMPORARY CONSTRUCTION INSTALLATIONS, CRANES, DERRICKS, AND MAST CLIMBERS)

WORK TYPE	TRIGGER	DATE	2014 Code BC 33	2022 Code BC 33
New Buildings & Alterations to Existing Buildings (incl. Partial Demolitions) Site Safety Plan Filing Required^e	Site safety plan approved	Before November 7, 2022 ^{b, g}	✓	
		On or after November 7, 2022		✓
Full Demolitions - Site Safety Plan Filing Required^e	Site safety plan approved	Before November 7, 2022 ^{b, f}	✓	
		On or after November 7, 2022		✓
New Buildings & Alterations to Existing Buildings (incl. Partial Demolitions) - Site Safety Plan Filing Not Required^e	Application for construction document approval submitted	Before November 7, 2022 ^{a, b}	✓	
		On or after November 7, 2022		✓
Full Demolitions - Site Safety Plan Filing Not Required^e	Application for approval submitted	Before November 7, 2022 ^b	✓	
		On or after November 7, 2022		✓

Table 3: PERMITS THAT AUTHORIZE THE INSTALLATION OF TEMPORARY CONSTRUCTION INSTALLATIONS, OR THE USE OF CRANES, DERRICKS, AND MAST CLIMBERS

WORK TYPE	TRIGGER	DATE	2014 Code	2022 Code
All	Application for approval submitted	Before November 7, 2022 ^b	✓	
		On or after November 7, 2022		✓

- a. *New Building applications must include complete architectural, structural, and foundation drawings. Subsequent related filings can be submitted after November 7, 2022 but must follow the same year Code as the original application.*
- b. *Such applications must have been submitted and complete. See Sections II through V of the Bulletin for further detail.*
- c. *Alterations are subject to the applicable provisions in either the 2014 or 2022 edition of §28-101.4 of the Administrative Code.*
- d. *Alteration applications that authorize an enlargement must include complete architectural and structural drawings, and as applicable, complete foundation drawings.*
- e. *Jobs requiring a Site Safety Plan to be filed are outlined in either the 2014 or 2022 edition of BC Section 3310.*
- f. *The Site Safety Plan must cover all anticipated work and aspects of the site for at least one phase of the demolition.*
- g. *The Site Safety Plan must cover all anticipated work and aspects of the site for at least one phase of the construction or alteration project, including but not limited to earth and foundation work. An approved Site Safety Plan solely encompassing full demolition work at the site does not qualify.*