



**BUILDINGS**  
**2023-007**  
**BULLETIN**  
**TECHNICAL**

**ISSUANCE DATE**  
August 15, 2023

**ISSUER:** Keith L. Wen, R.A.   
Assistant Commissioner  
Code & Zoning Interpretation

**PURPOSE:** This Bulletin rescinds 9 Directives, 78 Memoranda and 3 Letters, which were issued by the Department but are no longer applicable under current Codes and Local Laws.

**SUBJECT(S):** Rescinding Directives, Memoranda and Letters

## RESCINDED DOCUMENTS

Directive 1 of 1972, Directive 1 of 1975, Directive 4 of 1971, Directive 3 of 1973, Directive 12 of 1970, Directive 13 of 1971, Directive 11 of 1973, Directive 40 of 1970, Directive 9 of 1972

Memo 10-31-74, Memo 9-23-76, Memo 1-8-73, Memo 2-3-75, Memo 1-7-80, Memo 8-29-69, Memo 5-5-78, Memo 1-19-72, Memo 1-7-76, Memo 11-15-73, Memo 12-15-70, Memo 10-8-71, Memo 10-28-71, Memo 5-28-74, Memo 8-3-70, Memo 10-4-73, Memo 1-17-75, Memo 9-23-74, Memo 8-26-70, Memo 4-8-70, Memo 9-18-70, Memo 10-26-71, Memo 12-5-68, Memo 3-30-76, Memo 6-12-85, Memo 2-1-78, Memo 6-26-78, Memo 1-28-74, Memo 11-27-74, Memo 3-16-70, Memo 4-9-70, Memo 9-25-70, Memo 6-18-69, Memo 9-1-70, Memo 8-26-71, Memo 9-10-73, Memo 6-26-74, Memo 4-12-76, Memo 11-3-77, Memo 12-3-73, Memo 11-1-78, Memo 10-14-71, Memo 9-16-76, Memo 6-22-77, Memo 8-25-70, Memo 3-13-69, Memo 12-31-81, Memo 6-17-69, Memo 6-27-69, Memo 11-20-79, Memo 11-5-76, Memo 12-7-76, Memo 5-3-71, Memo 12-2-76, Memo 12-29-76, Memo 1-19-82, Memo 3-22-76, Memo 10-4-79, Memo 5-6-68, Memo 4-20-71, Memo 3-22-77, Memo 8-23-82, Memo 12-31-79, Memo 1-2-80, Memo 12-20-85, Memo 12-22-83, Memo 3-10-83, Memo 10-6-72, Memo 11-17-72, Memo 10-25-84, Memo 7-13-73, Memo 3-4-69, Memo 7-7-81, Memo 5-18-73, Memo 9-24-74, Memo 11-9-72, Memo 4-2-76, Memo 12-3-76

Letter 11-3-77, Letter 8-31-90, Letter 2-9-77

## BACKGROUND

The Department of Buildings periodically reviews published Buildings Bulletins (BB), Policy and Procedure Notices (Technical, Operational, Legal, Administrative, OTCR) and the various Directives, Executive Orders, Memoranda and Letters issued in the past to ensure their continued consistency with current Departmental practice and to verify that new laws and regulations are incorporated into these documents.

The above listed Memoranda are rescinded effective immediately and are attached therein.

The rescinded documents will appear on the Department's website with the watermark RESCINDED. Because this review is ongoing, documents not specifically listed in this Bulletin may be addressed in future bulletins. Watermarked Memoranda, Directives, Executive Orders and Letters may be accessed through the online version of this Bulletin at <https://www1.nyc.gov/site/buildings/codes/building-bulletins.page>.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: October 31, 1974

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Application for Equipment Use Permit - Form 25  
Equipment Use Permit - Form 25A

Attached herewith are revised forms 25 and 25A, which superceded the forms modified on June 26, 1974.

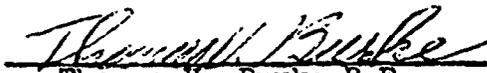
The major change in the newly revised form is the wording of the inspector's certification. Please discontinue the distribution of the old forms and their acceptance at the plan desk, and arrange for the collection and disposal of the old forms.

Processing of pending applications for equipment use permits:

1. The applicant shall not be required to file new application forms.
2. The inspector shall be required to sign the old application form. He is permitted to add the new wording which limits the degree of inspection. He shall also indicate that the equipment use permit card has been issued.
3. Old equipment use permit cards are not to be used and are not to be signed by the inspector. Only revised equipment use permits (10-74) are to be issued.

This procedure is to be implemented as of the date of this memorandum.

ATTACHMENTS:

  
Thomas V. Burke, P.E.  
Director of Operations

TVB/LR/sc

CC: Commissioners  
Minkin  
Schneider  
Dwoskin  
Linker  
Office of Labor Relations, Mr. Watanabe & Vincent Sorge  
A.B.I., T. McLoughlin, President  
L. Beck  
Grossman

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DIRECTIVE NO. 1 OF 1972

TO: Borough Superintendents

Date: February 8, 1972

FROM: Director of Operations, T. V. Burke

SUBJECT: "REPAIR OF FIRE DAMAGE AND GENERAL MAINTENANCE"  
C26-104.0 and C26-109.0

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This directive is issued for the purpose of establishing uniform standards of procedure for the inspection of general maintenance work and repair of fire damaged structures and to expedite such repair work.

Under Chapter C26-104.2 of the Administrative Code "ordinary repairs shall mean replacements or renewals of existing work in a building, or parts of the service equipment therein, with the same or equivalent materials or equipment parts." Chapter C26-104.2 also states that "ordinary repairs shall not include work for which a permit is required under the provisions of Sub-Article 109.0 through 116.0."

1. Since general maintenance work and repair of fire damage to structures does not come within the scope of Sub-Articles 109.0 through 116.0, such repairs and work shall be considered to be "ordinary repairs" and shall be exempt from permit requirements except under the following conditions:-
  - a) more than 10 beams in any tier of beams are burnt out or require replacement in a non-fireproof building or any beam in a fireproof building.
  - b) dry wall construction is being substituted for plaster in water closet compartments or where rated partitions or ceilings are involved. In multiple dwellings, dry wall construction less than 5/8" in thickness shall not be permitted.
  - c) replacement or reconstruction differs from original construction materials or the equivalent.
  - d) reconstructed physical arrangement differs from original layout.
  - e) a Plumbing Repair Slip (PRS) or a Building Notice Application is required as indicated in 2 d. of this directive.
  - f) where there is structural damage to steel or concrete.

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2. The following additional guide lines shall be used by inspection personnel:-

- a) all charred beams shall be scraped down to good wood and if the char reduces the thickness or depth of beams or girder by more than  $\frac{1}{4}$ " , the inspector shall order such beams to be replaced.
- b) for the purpose of this directive, if any doubt exists that the material replaced is the equivalent of the original material, such doubt shall be resolved by the Borough Superintendent or Chief Engineer-Construction.
- c) where there is damage to elevator shafts or equipment, a referral slip form #64 shall be forwarded to the Elevator Section. Upon receipt of such referral, the premises shall be inspected by an elevator inspector who shall take appropriate action.
- d) where extensive replacement of plumbing fixtures or piping may be involved - a referral slip "Form #64," shall be forwarded to the Plumbing Section. Upon receipt of a referral that fixtures or piping require replacement - the premises shall be inspected by a plumbing inspector who shall file a violation covering the damage where damage is sufficiently extensive and the violation shall require replacement and that a PRS or a EN be filed.
- e) except for those items normally subject to a violation order by a Rent and Housing Maintenance Inspector under the Administrative Code, Chapter D-26 or the Multiple Dwelling Law, construction inspectors when noting poor maintenance conditions or when inspecting a building after a fire shall file violations listing all defective or damaged portions of the building and shall require replacement with similar material and construction as originally constructed. Where the replacement part or parts will be covered or concealed in its completed form, the remedy of the violation shall read "inspection must be called for before the covering of           (list items)           which in completed form will be concealed."
- f) upon request for inspection under 2 e, the inspection shall be made within one day whenever possible.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:JL:rar  
Distribution:  
Executive Staff  
Advisory Council  
Industry  
Allied Building Inspectors

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DIRECTIVE #1 of 1975

DATE: January 6, 1975

**TO:** Borough Superintendents

**FROM:** Thomas V. Burke, P.E., Director of Operations

**SUBJECT:** Procedure for Approval of Class E Fire Alarm Signal Systems - Local Law #5/73  
Section C26-1704.5(h), Reference Standard RS17-3A, and RS17-3B

This directive supersedes Directive #8/73 issued on September 4, 1973 on the same subject.

Forwarded herewith is a copy of the Administrative Order, dated December 26, 1974, from the First Deputy Mayor James A. Cavanagh, superseding Administrative Order #31, dated August 17, 1973, from the Deputy Mayor/City Administrator.

This new procedure, in essence, reverts back to the practice for the approval of fire alarm signal systems which was in effect prior to August 17, 1973. The change affects, principally, responsibilities of the Fire Department and the Bureau of Gas and Electricity. There is no substantial change in the responsibility or procedure of the Department of Buildings.

Please furnish copies of this directive to the affected personnel in your office.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:JWS:ASR

CC: Commr. Walsh  
Deputy Commr. Jenkins  
Assistant Commr. Parascandola  
Executive Staff  
BCAC  
The Real Estate Board

Enc.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

DATE: September 23, 1976  
(Modified 3/19/80)

**TO:** Borough Superintendents  
**FROM:** Cornelius F. Dennis, P.E., Assistant Commissioner for Operations  
**SUBJECT:** Transfer of Applications for Plan Examination

Due to the staff attrition, and unpredictable increases in filing in different boroughs from time-to-time, it has been necessary to transfer applications to a borough other than the one in which they are filed for plan examination. Because of inquiries by department personnel and the public about this procedure, the following guidelines shall be adhered to, effective immediately:

1. Only New Building and Alteration applications may be transferred out-of-borough.
2. Such transfers are to be done only upon written request of the applicant, except as noted below in item #10.
3. The application and plans (and a Block and Lot records, if an Alt. application) are to be transferred to the borough requested within 3 days of receipt of the request, and a copy of the forwarding memorandum sent to this office.
4. The sending borough should note the transfer in the Plan Desk and Plan Examination assignment book.
5. All records should be retained in the receiving borough until ready for approval, at which time after the plan examiners have signed all plans, and relevant parts of the applications, all records are to be returned to the sending borough where the approval stamp is to be affixed, permit fees paid, permit issued, and all post-approval amendments processed (unless there is a major modification to the plans), and inspections scheduled.
6. The applicant or his representative may be authorized to transfer the records, provided all folders and plans are completely listed.

Continued.....

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Memo to Borough Superintendents

Re: Transfer of Applications for Plan Examination

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7. No review of the approval is to be initiated by the sending borough without a written complaint, unless a hazardous field condition is noted.
8. Upon receipt of a written complaint, the records are to be forwarded to the receiving borough for evaluation of the complaint and decision, subject to review only by the Executive office.
9. When there is a major modification, the records are to be sent to the receiving borough for review after consultation with this office, and my concurrence; and, after approval, be subject to all of the foregoing.
10. Temporarily, until rescinded by the Commissioner, the Manhattan borough office is to transfer all New Building applications not already reviewed in some depth to another borough for review. The applicants are to be requested as to their preference, but this involuntary transfer of New Building applications is to be made primarily on the relative capability of the receiving borough to timely accommodate the added workload. All other provisions in this memo shall apply to the transferred applications.



Cornelius F. Dennis, P. E.  
Assistant Commissioner

CFD:ap

cc:

Commissioner Fruchman

Deputy Commissioner Minkin

Deputy Commissioner Parascandola

Industry

Executive Staff

BLAC

File

1706

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: January 8, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Vacates of Residence Buildings  
Administrative Order No. 30 of 1972

The Deputy Mayor-City Administrator, Edward A. Morrison, has issued a new administrative order, No. 30 of 1972, concerning vacation of residence buildings.

The order changes slightly the procedure formerly established by Executive Order No. 32 of 1963.

Copies are enclosed for distribution to construction inspectors of the borough.

  
Thomas V. Burke  
Director of Operations

TVB/df  
Enclosures

CC: Comm. Stein  
Asst. Comm. Walsh  
Messrs. Clin  
Schneider  
Minkin  
Linker  
Beck

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BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DIRECTIVE NO. 4 of 1971

Superintendents

DATE: January 14, 1971

Director of Operations, Thomas V. Burke, P.E.

Related Agency Division - Department of Water Resources -  
Bureau of Water Pollution Control  
Sewage Disposal

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Guide for the Industry for Plan Examination and Certificate  
Occupancy - Department of Water Resources - Bureau of  
Water Pollution Control - Page 25.

Provisions of the Guide are hereby superseded and are replaced by  
this Directive.

Department of Water Resources - Bureau of Water Pollution

Sewage Disposal Information

Information for sewage disposal information for a proposed new build-  
ing or other proposed construction in a particular borough may  
be obtained in that borough through the Related Agency Division in  
each Borough Office of the Department of Buildings. Such information  
should be requested prior to the filing of a Department of Buildings  
Application. The request should be made on the Bureau of Water Pollu-  
tion Control of the Department of Water Resources form entitled "Re-  
quest for Sewer Information", Form SD 1-2, available at the Related  
Agency Division. The sewer information requested will be provided by  
the Bureau of Water Pollution Control of the Department of Water  
Resources on the same Form SD 1-2 and will be returned through the  
Related Agency Division. The sewer information provided will be suf-  
ficient to permit the applicant to continue the design of the build-  
ing cognizant of the existing sewer conditions available to the  
applicant under consideration. The sewer information provided, indic-  
ating an available sewer, does not constitute permission to perform  
work. Permits to make a new or reuse an existing connection will  
be issued by the Bureau of Water Pollution Control of the Department  
of Water Resources immediately prior to the actual performance of

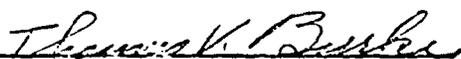
"Request for Sewer Information" Form SD 1-2 must be filed in  
advance. One copy is to be retained by the applicant. The  
original and two copies of the request are to be submitted, recorded and  
indexed by the Related Agency Division to the Bureau of Water  
Pollution Control of the Department of Water Resources where they  
are completed and the two copies returned to the Related Agency  
Division for transmittal to the applicant. The Related Agency Divi-  
sion will record the receiving of the two copies of the completed  
Form SD 1-2 and its transmittal to the applicant.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

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- b. The Form SD 1-2 must be properly completed by the applicant. Improperly completed forms will be returned and must be resubmitted. If additional information is required by the Bureau of Water Pollution Control, this will be noted on line 7 of the Form SD 1-2. The form requires that a plot plan be shown. Such plot plan should locate the property accurately and, if possible, the location of the structure relative to the property lines should be given. In addition, certain information such as present surface elevations, size and number of spurs required, etc., if known, should be indicated. Copies of the property survey may be submitted.
- c. When the request for sewer information has been completed by the Bureau of Water Pollution Control and returned to the applicant, one copy is to be filed by the applicant with the Department of Buildings application. The sewer data on the Department of Buildings "Plumbing, Mechanical Equipment and Tank Installation" application (form 8) need not be completed.
- d. Where sewer information is required for a number of adjacent buildings, one set of request forms will be acceptable. However, upon receipt of the sewer information, the applicant will be required to reproduce such information and file one copy with each application filed with the Department of Buildings.
- e. Where any of the sewers available for direct connection are privately owned, consent from the owners must be obtained before permits for connections can be issued. The sewer information furnished on line 3 of the Form SD 1-2 gives the name of the owner of record of the sewer and his address as recorded on his sewer plan. If the owners whereabouts are unknown, as attested by a registered letter addressed to the owner and returned unopened by the post office, this unopened letter must be sent to the Bureau of Water Pollution Control with a letter requesting the computation of a bond for posting when a permit for house connection is to be issued.
- f. When it has been determined that private sewer construction will be required to serve the property under consideration, prior to the approval by the Department of Buildings of the Plumbing, Mechanical Equipment and Tank Installation application (Form 8) the applicant is required to file, for preliminary approval, plans for the proposed private sewer construction with the Bureau of Water Pollution Control. These plans for the proposed private sewer to be constructed in a mapped street must be prepared by a licensed Professional Engineer and submitted to the Bureau of Water Pollution Control of the Department of Water Resources for approval.
- g. Where re-use of an existing house connections is requested, Form SD 1-2 shall be filed for the purpose.

TVB/HN/WCK/sl  
cc: Exec. Staff  
Industry

  
Thomas V. Burke, P.E.  
Director of Operations

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**

DEPARTMENT OF BUILDINGS  
DIRECTIVE NO. 3/1973

DEPARTMENTAL MEMORANDUM

DATE: February 9, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Sidewalk Vaults; Section C26-408.2

All plans for sidewalk vault construction shall have the following notation thereon:

"A vault license is required to be obtained from the Commissioner of Highways prior to commencement of construction of the sidewalk vaults".

Generally, approval of plans and issuance of permits shall not be withheld from applications and plans indicating vaults conforming with Section C26-408.2 (c), provided the above-mentioned note is shown on the plans.

However, applicants should be advised that Highways Department Rules require a variance to be granted by them before they will issue a license for vaults within seven feet of the curb line.

Further, the Transit Authority has requested the cooperation of this department in dealing with possible conflicts between proposed sidewalk vaults and proposed subway routes. Accordingly, have a subscript (noted "VLT") noted on docket entries of building notices involving vaults, and forward copies of all building notice dockets to the Transit Authority in the same manner as new building dockets are now being sent.

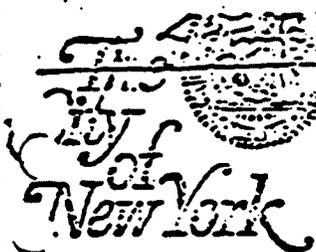
When notification is received from the Transit Authority that a proposed vault may interfere with proposed subway routes, a Highways Department license will be required prior to approval of any plans indicating proposed vault construction, regardless of the category of applications in which the proposed vault construction is indicated.

Proposed sidewalk vaults along the route of existing subways or elevated lines shall be required to be approved by the Transit Authority as to their effect on the subway or elevated structure prior to approval by this department in accordance with present procedures for all construction along such existing routes.

TVB:IEM:njk  
cc: Comm. Stein  
Dep. Comm. Cooke  
Exec. Staff - Transit Authority

  
Thomas V. Burke, P.E.  
Director of Operations **72**

RESCINDED BY  
BUILDINGS BULLETIN 2023-007



HOUSING AND DEVELOPMENT ADMINISTRATION  
ROGER STARR, Administrator

Department of Buildings  
100 GOLD STREET, NEW YORK, N. Y. 10038

JEREMIAH T. WALSH, P.E., Commissioner

February 3, 1975

N.Y. City Conciliation & Appeals Board  
665 Fifth Avenue  
New York, N.Y., 10019

Att: Mr. Melvin H. Rosenblatt  
Chief Accountant

RE: *Compactors - Ordinary  
Repairs*

Gentlemen:

Your letter to Commissioner Walsh has been referred to this office for reply.

A positive yes or no answer to your question "where an existing compactor installation has been replaced with a new compactor installation, does the replacement require the approval of your department?" is not possible.

In general, the replacement of a previous legally installed compactor with another Department of Sanitation listed compactor in the same location can be considered ordinary repairs under C26-104.2, if there is no additional cutting away of any wall, floor, roof; no cutting, removal or modification of beams or structural supports; no removal, change or closing of required means of egress. Minor piping, changes for sprinkler head relocation is permitted. Filing of an application and inspection by this department is not required.

Any electrical work is subject to rules and regulations of the Bureau of Gas and Electricity.

Alternately, the replacement of a non-legally installed compactor requires filing with, and inspection by this department. Also, any additional work not constituting minor alterations or ordinary repairs also requires filing with and inspection by the Department of Buildings. (C26-104.3)

Very truly yours,

*Thomas V. Burke*  
Thomas V. Burke, P. E.  
Director of Operations

TVB:LR:ah  
cc: Staff  
Buro Supts.

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

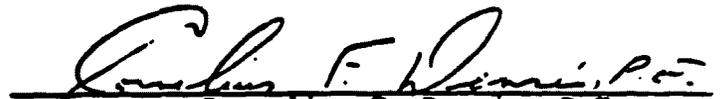
**DEPARTMENTAL MEMORANDUM**

**DATE:** January 7, 1980

**TO:** BOROUGH SUPERINTENDENTS  
**FROM:** Cornelius F. Dennis, P.E., Assistant Commissioner-Operations  
**SUBJECT:** CONTROLLED INSPECTION - SECTION C26-106.3 (a)

The above referenced Section of the New York City Building Code mandates that items subject to controlled inspection shall be made and witnessed by or under the direct supervision of an architect or engineer retained by or on behalf of the owner or lessee, who shall be, or shall be acceptable to, the architect or engineer who prepared or supervised the preparation of the plans;

The licensed professional responsible for controlled inspection shall prepare and submit to the architect or engineer who prepared or supervised the preparation of the plans a copy of a procedure proposal for conducting the controlled inspection. This procedure shall be approved by the architect or engineer who prepared the plans prior to his acceptance of the other professional's degree of responsibility.

  
Cornelius F. Dennis, P.E.  
Assistant Commissioner - Operations

CPD:rmr

cc: Technical Staff  
Industry  
Professional Societies

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

C O P Y

The City of New York  
DEPARTMENT OF BUILDINGS

Departmental Memorandum

House Numbers  
AC-Title C- Part II Sec.  
C26-108.2

To: Borough Superintendents

Date: August 29, 1969

From: Thomas V. Burke, Director of Operations

Subject: Requirement of House Numbers on New Building Applications  
Section C26-108.2 Admin. Code

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In his memorandum of August 15, 1969, Acting Borough Superintendent Lauria questioned whether there was a legal basis for requiring that house numbers be shown upon new building applications where a building was shown as located on a street which had not been mapped. Also, he questioned whether a permit could be withheld until the house numbers were verified by the Borough President's office.

Under the provisions of section C26-108.2, concerning applications for approval of plans, it is stated, "The application shall contain a general description of the proposed work, its location, and such other pertinent information as the commissioner may require."

House numbers are included as pertinent information required by the Commissioner. Without such house numbers and without certification of such numbers, a new building application may not be approved and a permit may not be issued.

This procedure will conform to the letter of the Deputy Mayor, City Administrator, dated May 28, 1968, addressed to Borough President Robert T. Connor.

(Signed) \_\_\_\_\_

Thomas V. Burke  
Director of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

REV 6/27/78

DEPARTMENTAL MEMORANDUM

DATE: May 5, 1978

TO: Borough Superintendents  
FROM: Acting Director of Operations Philip E. Olin, P.E.  
SUBJECT: ADMINISTRATIVE CODE - SECTION C26-108.3

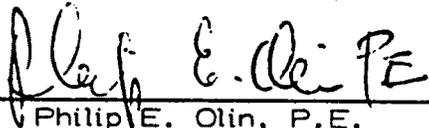
Section C26-108.3 states "The full names and addresses of the owner, lessee, and applicant, and the principal officers thereof of a corporation, shall be set forth in the application."

INTERPRETATION

In addition to any other business or home addresses which may be indicated, a New York City address must also be given for the owner and lessee so that service of departmental orders (should this become necessary) may be readily accomplished. Business addresses at a New Building construction site or at an Alteration construction site which is required to be vacated during the course of the work, shall not be accepted as being in compliance with Section C26-108.3.

EFFECTIVE DATE

Applications received commencing June 1, 1978.

  
Philip E. Olin, P.E.  
Acting Director of Operations

PEO/df

CC: Exec. Staff  
Prof. Societies  
Real Estate Associations

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: January 19, 1972

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: APPROVAL OF APPLICATIONS AND PLANS C26-108.7 Administrative Code  
APPROVAL OF PERMIT APPLICATIONS C26-118.1 Administrative Code

BACKGROUND:

Local Law No. 51/1971 to amend the New Building Code in relation to approval of permit applications by the Department of Buildings was recently enacted.

Sections C26-108.7 and C26-118.1 of the New Building Code now requires the Department of Buildings to approve or reject plans and applications no later than 40 calendar days after they are submitted except that on or before the 40th day, the Commissioner, upon notification to the applicant, may extend the time for the additional 20 day

THE PROBLEM:

Recent weekly reports of Plan Examination activities have shown a backlog of as much as 52 calendar days from the date of filing to the date of "1st action" by a plan examiner. An interval of 3 weeks (21 calendar days) from the date of filing to receipt by a plan examiner is not uncommon. While measures are being taken to reduce the "backlog" the Department is confronted with the provisions of Local Law/1971 with its "40 days" provision.

REQUIRED ACTION:

When the 35th calendar day has been reached on any application where written notice of approval or rejection has not been sent to the applicant, the Borough Superintendent shall so notify the Director of Operations by telephone. A review will be made at that time to determine whether good cause exists to extend the time of plan examination for an additional 20 days.

If it has been determined that the application can not be approved or disapproved within 40 days and there is good cause to extend the time plan examination for an additional 20 days, the applicant shall be so notified, in writing, that same day. The notification shall be made the Borough Superintendent directly to the applicant with a copy of such notification to the Director of Operations.

Please review weekly reports of plan examination backlog with the "40 day" provisions of Local Law 51/1971 in mind.

TVB/PEO/sl  
cc: Executive staff

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*Thomas V. Burke*

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: January 7,

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

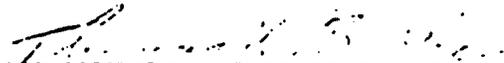
SUBJECT: Article 10 of the Labor Law, Industrial Code Rules 23, and Article 19 of  
the Building Code

Although Article 10 of the Labor Law, relating to protection of workmen employed in construction and demolition work and rules issued thereunder is enforced exclusively by the Industrial Commissioner, the Director of the Occupational Safety and Health Division of the N.Y.S. Department of Labor has recently informed this office that the provisions of Industrial Code Rules 23 (rules issued pursuant to Article 10 of the Labor Law) pertaining to the protection of employees engaged in construction are no longer applicable in New York State or enforced by his Division, inasmuch as he has relinquished all enforcement authority to the Federal Occupational Safety and Health Administration.

Such transfer of authority does not diminish our responsibility for the safety of the public and property during construction work, as set forth in Article 19 of the Building Code and elsewhere in said code, as noted in the accompanying legal opinions.

Accordingly, enforcement of Article 19 of the Building Code and related relevant code provisions by this department shall continue in accordance with all present procedures.

TVH:llm:ajk  
cc: Comm. Walsh  
Dep. Comm. Jenkins  
Asst. Comm. Parascandola  
Exec. Staff

  
Thomas V. Burke, P.E.  
Director of Operations

1142

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: November 15, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Department of Air Resources Rules and Regulations  
for Fuel Burning Equipment

New Rules and Regulations, issued by the Department of Air Resources concerning engineering criteria for fuel burning equipment, are effective July 1, 1973.

Said rules impose additional requirements or differ from the Building Code and Reference Standards. Accordingly, Plan Examiners shall require applicants filing fuel oil applications to note on plans the following:

1. The applicant is aware of discrepancies between the rules and regulations of the Department of Air Resources and the Building Code and Reference Standards.
2. Installations approved by this Department or equipment approval by the Board of Standards and Appeals or accepted by the M.E.A. Division may or may not be in conformance with said rules or regulations.
3. Approval by the Department of Buildings shall not be presumed to be an indication of compliance with the above-mentioned rules and regulations.
4. The owner has been made aware of these differing requirements, and of the need to obtain necessary approvals and permits from the Department of Air Resources.

TVB:IEM:ASR

cc: Comm. Karagheuzoff  
Deputy Comm. Cooke  
Assistant Comm. Stulz  
Exec. Engineer Minkin

  
Thomas V. Burke, P.E.  
Director of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

*16/1/70*

DEPARTMENTAL MEMORANDUM

DATE: December 15, 1970

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Local Law No.14 of 1966 and Local Law No.14 of 1968-  
In Relation to Air Pollution Control

This memorandum supplements Directive 5 of 1968 (Revised) August 6, 1969, and voids memoranda on the above subject dated December 19, 1969, and August 11, 1970.

Herewith forwarded are copies of amended form letters (B FORM CR-1) to be used to notify the Department of Air Resources and the Department of Sanitation of the filing of applications for installation of refuse compacting systems. Please destroy the previous form letters used for this purpose, and use the attached forms hereafter.

Please have the information called for filled in at the time of filing if such information is readily available from the application of record. In the event this is not the case, the plan examiner is to fill in the missing pertinent data from the application and plans and Form 100, at the time of first examination and forward the letters to the appropriate clerk for mailing.

Also forwarded herewith are copies of amended form letters (B FORM CR-1A) to be used to notify the Department of Air Resources, the Department of Sanitation and the owner of the premises that the application which includes upgrading of refuse burning equipment or refuse chutes and refuse compacting equipment has been completed to this department's satisfaction. Please destroy the previous form letters used for this purpose and use the attached forms hereafter.

The above requirement of notification is in accordance with Directive 5 of 1968 (Revised) dated August 6, 1969. Apparently, there has been laxity in the sending of these notifications by this department. Please verify that the sending of these notifications are receiving prompt attention.

Copies of permits issued to install compactors are no longer required to be sent to the Department of Air Resources. The memorandum dated August 11, 1970 is voided.

Permission has been granted to representatives of the Department of Air Resources, upon proper identification, to review department records in order to obtain such information as may be necessary for that agency.

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

VB/WCK/sl

Enclosures:

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: October 8, 1971

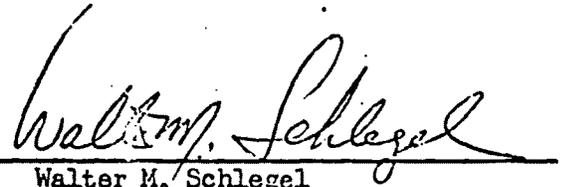
TO: Borough Office Managers

FROM: Assistant to Director of Operations, Walter M. Schlegel

SUBJECT: Changes in Use of Department of Air Resources Forms

The enclosed Public Notice concerning changes in the use of Air Resources forms is to be posted at the Plan Desk, easily visible for interested applicants.

Plan Desk Clerks will accept the Air Resources applications without examining them for correctness and transmit them daily to the Department of Buildings, Operation Division, 100 Gold Street, Manhattan - Room 8210.



Walter M. Schlegel  
Assistant to Director of Operations

WMS:rmr  
encls.

-574-

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: October 26, 1971

TO: Borough Superintendents

FROM: Director of Operations, T. V. Burke

SUBJECT: LOCAL LAW NO. 49 - AIR POLLUTION CONTROL CODE

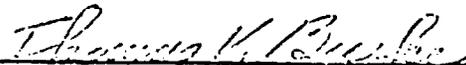
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Since the enactment of Local Law No. 49 "Air Pollution Control Code," inspectors of the Department of Air Resources have been checking demolition sites for compliance with the requirements calling for registration with Air Resources of all demolition work except (demolitions under Chapter 22 or Article 8 of Part 1 of Title C of Chapter 26 of the Administrative Code) those demolitions being performed pursuant to an unsafe building order.

When visiting demolition sites where demolition has not been registered, the Air Resources inspector will telephone the borough office Unsafe Building Section to ascertain whether or not an unsafe building order is pending. The inspector will identify himself and give his badge number. The information requested shall be given to the inspector on the telephone.

When calling, the Air Resources inspector will advise the U.B. Clerk where no Department of Buildings Demolition Permit is displayed. The U.B. Clerk shall check the records and if no demolition permit has been issued, the Chief Inspector of Construction shall be so advised.

The Chief Inspector of Construction shall in such cases cause an inspection to be made and appropriate action taken.



Thomas V. Burke  
Director of Operations

TVB:JL:rmr

cc: Executive Staff  
Chief Construction Inspectors  
Unsafe Building Section Heads  
Mr. Arbuckle - Dept. of Air Resources

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

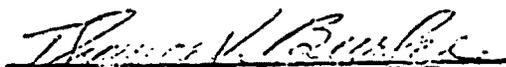
DATE: May 28, 1974

TO: Borough Superintendents  
FROM: Thomas V. Burke, Director of Operations  
SUBJECT: BLOCK AND LOT CERTIFICATIONS

This memorandum supplements the memorandum dated October 4, 1973 on the same subject. (\*Page 800)

Because of the hiring freeze and shortage of personnel in various city departments, certification of block and lot numbers shall no longer be required by the Department of Buildings except as indicated below:

1. Where examination of the application and comparison to previous plot diagrams in the department records indicate a discrepancy.
2. Where the index card for the premises shows no demolition on the site. (New Buildings)
3. Where there is no index card or records for the site.
4. For Demolition of Unsafe Buildings where there is a discrepancy in the application and department records.
5. Where tract of land is being subdivided for housing, etc., primarily in Richmond and Queens.



Thomas V. Burke, P.E.  
Director of Operations

TVB/LR/sc

REFERENCE:

One Stop Service of the Related Agency - (Page 33)  
Section 11 Department of Real Property Assessment

7-15-70 T.V. Burke - Block & Lot Certifications \*Page 385  
New Buildings & Alterations

8-7-70 J.T. Walsh - Block & Lot Certifications \*Page 390  
Include demolitions

8-4-73 T.V. Burke - Block & Lot Certifications \*Page 300  
No longer required in Brooklyn  
and Queens.

\* See bound volumes of memorandums and directives

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 3, 1970

TO: Superintendent S. Pinsker, Brooklyn

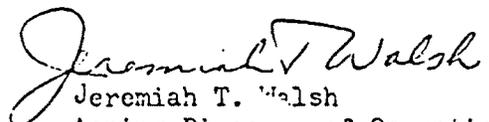
FROM: Jeremiah T. Walsh, P.E., Acting Director of Operations

SUBJECT: Block and Lot Certifications

(1) Reference is made to recent telephone conversation between your office and the Director of Operations, and memorandum from this office dated July 15, 1970 relative to the subject matter.

(2) This office approves the certification of Block and Lot Numbers for New Buildings and Altered Buildings to include Demolitions.

JTW:HEN:kl  
Enclosure (1)

  
Jeremiah T. Walsh  
Acting Director of Operations

cc: COMM. Ferro  
Dep. Comm. Padavan  
Dir. of Opers. Burke  
Dir. of Spec. Proj. Schneider  
Ch. Engr. Kupfer ✓  
Proj. Coord. Nelson  
Boro Off. Mgr. Stock  
Supervisor RAD Maxwell

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: October 4, 1973

TO: Borough Superintendents H. I. Sigman, Queens; John J. Walsh, Bklyn

FROM: Thomas V. Burke, Director of Operations

SUBJECT: CERTIFICATION OF BLOCK, LOT AND HOUSE NUMBERS IN  
THE BOROUGHS OF QUEENS AND BROOKLYN

1. Block and Lot Numbers

- A. Certification of block and lot numbers for applications filed in Brooklyn and Queens shall no longer be required.
- B. Block and lot numbers shall be shown on both preliminary and final surveys, as required by sections C26-110.2(a)(1) and C26-121.7 and by section C26-110.4 of the Building Code. Block and lot numbers may also be checked with Bromley or Sanborn atlases.

2. House Numbers

House number certification by the office of the Borough President shall no longer be required in such boroughs.

3. The effective date of this memorandum shall be Tuesday, October 9, 1973.

  
Thomas V. Burke  
Director of Operations

TVB/df

CC: Exec. Staff  
N.Y. Society of Architects  
Brooklyn Chapter of American Inst. of Architects  
N.Y. Chapter of American Inst. of Architects  
Queens Chapter of American Inst. of Architects  
N.Y. Assoc. of Consulting Engrs.

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: January 17, 1975

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations.

SUBJECT: BOARD OF STANDARDS AND APPEALS APPROVALS:  
MATERIAL AND EQUIPMENT ACCEPTANCE

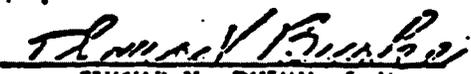
When plan examiners are required to determine that materials, assemblies or equipment are approved by the Board of Standards and Appeals, or accepted by the Material and Equipment Acceptance Division, and that they are to be used in accordance with such approvals, the examiner may request the B.S.A. calendar number and the corresponding volume, bulletin and page number be shown, or that the M.E.A. acceptance number be noted. This will permit the examiner to consult the borough office copy of the approvals and acceptances. Where the applicant has not supplied the volume, bulletin and page number of B.S.A. approvals, the examiner, when necessary, shall call and obtain the information from the Application Division of the Board -- 566-5174, 5175.

In no case shall the applicant be required to purchase or supply copies of the B.S.A. resolution or M.E.A. acceptance, either for the application file or for the inspector.

Each borough office shall maintain in numerical sequence, for use by the examiners, files of B.S.A. resolutions and M.E.A. acceptances. In case of the Board resolution, use the green sheet; for the M.E.A. acceptance, use copies forwarded to the borough office.

TVB/LE/ah

cc: Boro Supts.  
Staff

  
THOMAS V. BURKE, P.E.  
Director of Operations

101E

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: September 23, 1974

TO: Chief Boiler Inspector, Patrick Dillon

FROM: Director of Operations, Thomas V. Burke, P.E.

SUBJECT: High Pressure Boiler Operating Engineer License and Fire Department  
Certificate of Fitness

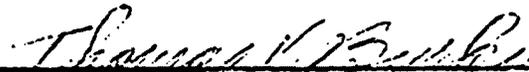
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C26-1402.3 (a) requires every oil burning installation that is not fully automatic or requires preheating shall be operated by or under the direct supervision of a person holding a Certificate of Fitness issued by the Fire Department.

Rule 15.2 of the New York City Board of Standards and Appeals Oil Burner Rules 217-21 S.R. reads the same way. It provides however that a person holding a Certificate of Qualification as a licensed engineer or as a licensed fireman issued May 1, 1941 need not obtain a Certificate of Fitness.

The Division of Fire Prevention of the New York City Fire Department is not requiring a Certificate of Fitness for licensed engineer in accordance with Rule 15.2.

Accordingly, please advise your personnel, that they are not to advise licensed stationary engineers (high pressure boiler operating engineers) to go to the Fire Department to obtain a Certificate of Fitness to operate an oil burner.

  
\_\_\_\_\_  
Thomas V. Burke, P.E.  
Director of Operations

TVB:LR:rmr

cc: Commissioner J.T. Walsh  
Deputy Commissioner, A.J. Jenkins  
Asst. Commissioner, B. Parascandola  
Borough Superintendents  
Executive Chief Engineer, I. Minchin

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

*W. J. P.*

ADMINISTRATIVE MEMORANDUM

DATE: August 26, 1970

TO: Patrick Dillon, Acting Chief Inspector - Boiler Division

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Cut-off Date for Experience Qualifications -  
High Pressure Boiler Operating Engineer License (B26-4.3  
Administrative Code)

The date of application referred to in section B26-4.3 of the Administrative Code, which is the cut-off date for determining that an applicant has the minimum years of experience required, shall be the date that the applicant submits his application (Form 152 rev. 7/68) to the Department of Buildings.

All personnel of your division, who are assigned to evaluate experience requirements, shall be guided accordingly.

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

TVB/JTB/cz

cc: Acting Comm. Ferrro  
Acting Dep. Comm. Padavan  
Messrs: Schneider, Walsh, Minkin  
Kupfer, Beck,  
File

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

THE CITY OF NEW YORK

HOUSING AND DEVELOPMENT ADMINISTRATION

DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

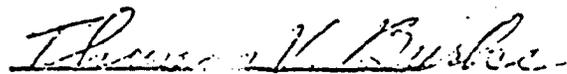
DATE: April 8, 1970

TO: John Andrea, Chief Inspector - Boiler Division  
FROM: Thomas V. Burke, P.E., Director of Operations  
SUBJECT: Denial of Application for Engineers License

---

When it has been determined that an applicant for an engineers license is not qualified under the terms of the examination announcement, the applicant shall be so notified in writing. This notice shall be signed by the inspector making the determination and countersigned by the Chief Inspector of the Boiler Division and shall be mailed to the applicant within one month of the initial interview date. A signed copy of this notice shall be inserted in the application folder.

This procedure is to be put into effect immediately.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB/JTW/sl

cc: staff  
Boiler Division (35)

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

THE CITY OF NEW YORK

HOUSING AND DEVELOPMENT ADMINISTRATION

DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

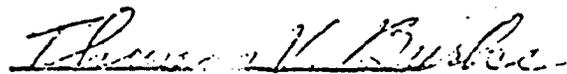
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FROM: Thomas V. Burke, P.E., Director of Operations  
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Thomas V. Burke, P.E.  
Director of Operations

TVB/JTW/sl

cc: staff  
Boiler Division (35)

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

*Kupper*

DEPARTMENTAL MEMORANDUM

DATE: September 18, 1970

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Transmittal of Demolition Docket Sheets to Boiler Division

The boiler division is presently reviewing its pending violations files so as to reduce the current backlog. In many instances, the violations should be dismissed since the buildings have been demolished. In order to assist the boiler division in its review program, the following procedure shall be followed:

1. The Chief Inspector of the boiler division will contact the Borough Superintendent and request that the demolition docket sheets (original copy) for specified years be forwarded to his office.
2. The Borough Superintendent will arrange to have the docket sheets delivered to the boiler division the next work day following the date of request. The docket sheets will be delivered by the messenger to the office of the Chief Inspector - boiler division where a receipt will be issued to be returned to the Borough Superintendent.
3. After review by the boiler division, the Borough Superintendent will be notified to have his messenger pick up the docket sheets for return to the borough office.
4. The boiler division will retain the docket sheets for a minimum amount of time. If the boiler division is unable to return the docket sheets to the borough by the fourth working day after receiving them, the Borough Superintendent will be notified of the delay and the reasons for such delay. A memorandum explaining the reasons for the delay will be immediately forwarded to the Director of Operations.

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

TVB/JTW/sl

cc: Exec. Staff  
Ch. Insp.-Boiler Division P. Dillon

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

INTERNAL MEMORANDUM

DATE: October 26, 1971

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

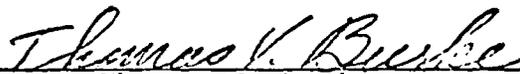
SUBJECT: Department of Public Works Applications for Compliance  
with 1938 Code.

Mr. Herb Lackner, representative of the Department of Public Works, has requested that some twenty applications filed for libraries, fire houses, police stations and other buildings, by the Department of Public Works, be reissued after expiration, to permit compliance with the former, 1938, Building Code. Funds for construction have now become available.

Such applications are to be excluded from Directive No. 15 of 1969, dated November 20, 1969, entitled "Applications Filed Under the 1938 Building Code."

Under the provisions of section C26-100.5 of the Building Code, applications filed prior to December 6, 1969, may be continued, provided work is carried on diligently after issuance of a permit. Since permits have not yet been issued, the applications may be extended.

Upon filing of an amendment, requesting reissuance, such applications may be reissued, unless some serious objection to so doing exists. In such case, please advise me by telephone.

  
\_\_\_\_\_  
Thomas V. Burke  
Director of Operations

TVB/df

CC: Comm. Stein  
Dep. Comm. Padavan  
Asst. Comm. Walsh  
Asst. Dir. of Ops. Olin  
Exec. Engr. Minkin ✓  
Chief Insp. (Ops.) Linker  
Herb Lackner, Dept. of Public Works

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

C O P Y

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

Building Code - 1968  
Plan Examination

DEPARTMENTAL MEMORANDUM

Date: December 5, 1968

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Plan Examination - Section C26-11.0, Section C26-31.0  
Administrative Code

Applications which were filed prior to December 6, 1968, shall be examined under the code in effect at the time the application was filed. For applications filed on December 6th or thereafter, the plan desk in each borough shall require that the applicant place a note on the specification sheet specifying whether the application is to be examined under the new code or the old code. Examination shall be made in accordance with this statement.

Under the provisions of Section C26-11.0, all building work performed in this city, on and after December 6, 1968, shall conform to the provisions of the new code except that where an application was filed prior to December 6, 1968, it may be examined under the old code, and except that any work for which an application for a permit is filed within 12 months after December 6th, may be performed at the option of the owner, in its entirety, either in accordance with the new code or the old code, provided that such work is commenced within 12 months after the date of issuance of the permit and is continuously carried to completion.

Where an applicant requests, after receipt of objections, that an application be re-examined under the code which was not used in the first examination, he shall be required to pay an additional fee to cover the cost of the second examination. Such fee shall be at least 30% of the total fee, and shall be not less than \$15.

In other words, many applicants may desire examination under both the new and the old code, so that the objections to the proposed work may be compared to see which would be more favorable for the proposed work. This would, of course, involve dual examination of applications by this department. If such dual examination is requested, the additional filing fee shall be required. The request for re-examination shall be submitted on an amendment form and shall be processed as an amendment.

\_\_\_\_\_  
/signed/  
Thomas V. Burke  
Director of Operations

TVE:df

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: March 30, 1961

TO: Borough Superintendents and  
Jacob Grill, Director of Cranes & Derricks  
FROM: Irving E. Minkin, P.E., Director of Operations  
SUBJECT: ILLUMINATED SIGNS

Numerous accounts for illuminated signs projecting beyond the street line in our central billing section indicate arrears for several years.

In order to ascertain the status of the signs as well as to compel payment of fees owed to the city, special report referrals for each delinquent sign account are being distributed to Borough Superintendents and to Jacob Grill, Director of Cranes & Derricks.

The special sign inspection report forms (B Form 30A) are to be distributed to Construction, Plumbing and Crane & Derrick inspectors, with their route schedules, together with copies of the attached form violation notices.

If the illuminated sign described in B Form 30A has been removed, the report should so note (item "a") and be returned to the Central Billing Section without a violation.

If the illumination has been removed from the sign in such a manner that a fee need not be charged, the report should so note and be returned to the Central Billing Section without a violation, subject to the clarifying note in item "c" in the report form.

If the sign described in B Form 30A still exists with illumination, the attached form notice of violation is to be attached, filling in appropriate data from B Form 30A and from his observations. The district designation in the violation number is to be prefaced by "C" for the construction inspector "P" for the plumbing inspector, and "D" for the Crane & Derrick inspector; and followed by the particular inspector's designation. In addition to forwarding a copy of the violation and B Form 30A to the violation section, a copy of both should be sent to C.B.S. with item "a" in B Form 30A completed.

While any additional information that can be readily obtained should be noted, it is not mandatory that items "b", "e", and "f" in B Form 30A be completed at this time. Any clarifying information should be noted on the reverse side of B Form 30A.

(Cont'd.)

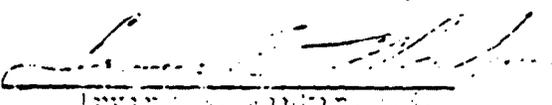
1172

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

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ILLUMINATED SIGNS (Cont'd.)

Any field condition that precludes an immediate determination of the answers required as noted above should be routed to the Deputy Borough Superintendent for assignment of personnel to research department records to determine what further action is warranted.

  
Irving W. Minkin, D.D.  
Director of Operations

LEM:ah

cc: J. T. Walsh, Comm.  
A.J. Jenkins, Dep. Comm.  
R.F. Parascandola, Ass't Comm.  
Executive Staff

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: June 12, 1985 -

TO: Borough Superintendents  
FROM: Marvin Hassman, P.E.  
SUBJECT: Approved Concrete Testing Laboratories

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The following concrete testing laboratories are approved as of June 12, 1985  
We will notify you of any changes as they occur.

License Number	Name & Address	Certified to Test Cement	Expiration Date
1	Jersey Technology Lab., Inc. 154-156 Wright Street Newark, NJ 07114 Dir. Mr. Joseph L. Epstein Tel. 201-242-3800	Yes	February 14, 1986
2	Arnold R. Kline, P.E. 211 Arlington Ave. Staten Island, NY 10303 Dir. Mr. Arnold R. Kline Tel. 464-2400	No	August 15, 1985
3	Certified Testing Lab., Inc. 2623 Roberts Ave. Bronx, NY 10461 Dir. Mr. I. Leonard Messer Tel. 824-1616	No	January 24, 1986
5	U.S. Testing Co. 1415 Park Ave. Hoboken, NJ 07030 Dir. J. Eliot McCormack, Jr. P.E. Tel. 943-0488	Yes	January 29, 1986
9	Heller Testing Lab., Inc. 366 Leyland Ave. Plainfield, NJ 07061 Dir. Richard J. Zaloum Tel. 212-233-2360	Yes	March 22, 1986
14	Testwell Craig Lab., Inc. 36-20 13th St. L.I.C., NY 11106 Dir. Mr. Kamholtz Tel. 392-0121	Yes	December 16, 1985

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

License Number	Name & Address	Certified to Test Cement	Expiration Date
16	Atlas Technical Assoc., Inc. 9915 Foster Ave. Brooklyn, NY 11236 Dir. Mr. Jules S. Denora Tel. 625-0747	No	February 9, 1986
17	Richmond Testing Lab. 211 Arlington Ave. Staten Island, NY 10303 Dir. Mr. Julius Glazer Tel. 447-6406	No	March 27, 1986
18	Long Island Materials Testing Lab., Inc. 116-05 15th Ave. College Point, NY 11356 Dir. Mr. Charles Boss Tel. (718)445-8300	No	June 1, 1986
19	Municipal Testing Lab., Inc. 160 Lauman Lane Hicksville, NY 11801 Dir. Pierrer R. Foss Tel. 516-938-7120	No	February 7, 1986
24	Independent Testing Lab., Inc. 129-11 18th Ave. College Point, NY 11356 Dir. George Kan Tel. 961-8530	No	October 3, 1985
25	CSS Testing Lab. of NJ 535 Midland Ave. Garfield, NJ 07026 Dir. Mr. Jay M. Adam Tel. 201-478-4400	No	November 4, 1985
26	NYC Transit Authority Lab. 960 Carroll St. Brooklyn, NY <u>For compression tests of cylinders only.</u> Dir. Mr. George L. Royael Tel. 330-4203	No	May 30, 1986
28	Soil Mechanics Drilling Corp. 3770 Merrick Rd. Seaford, NY 11783 Dir. Mr. Carl Vernick Tel. 516-221-2333	No	December 21, 1985

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DATE: March 30, 1970

DIRECTIVE NO. 12-1970

O: Borough Superintendents  
FROM: Jeremiah T. Walsh, Acting Director of Operations  
SUBJECT: Administration - Correspondence Reports and Memoranda

---

Departmental Memorandum dated August 16, 1968, on the above subject is hereby superseded.

This directive is issued to provide a control and follow-up procedure for all correspondence received by the Borough Office of the Department of Buildings. Correspondence is to include all written communications (mail, reports, etc.) between the employees at the Borough Office and the public or other government agencies including the Commissioner's Office. The present procedure for recording and handling complaints shall be continued. All other correspondence shall be processed as follows.

A. Central Mail Desk

1. Under the guidance of the Borough Superintendent, the Borough Manager shall immediately establish and shall supervise a Central Mail Desk.
2. The Borough Manager shall designate a clerk-in-charge who shall be responsible for the operation of the Central Mail Desk.
3. All incoming and outgoing correspondence for the Borough Office shall be processed through this unit.
4. All incoming correspondence shall be opened and date-timed stamped and a tickler card completed. The card shall include all pertinent information to identify the piece of correspondence and shall indicate to whom it was sent for appropriate action or reply.
5. The tickler card system shall be maintained by the Central Mail Desk for all incoming correspondence.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

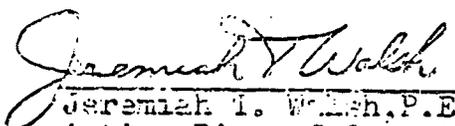
6. A Section Head, to whom correspondence has been referred, may reassign such correspondence to an employee under his supervision for appropriate action or reply but must maintain a tickler card system of his own similar to the system maintained by the General Mail Desk.
7. After appropriate action or reply has been made and returned, the tickler card may be destroyed.
8. Periodic checks shall be made by all persons maintaining a tickler card system to determine that all correspondence is being answered in a reasonable amount of time.
9. In lieu of a tickler card system, a register may be maintained which is to include all the information that the tickler card would contain except that a notation is made when appropriate action or reply has been made and returned.

**B. Reports requested by the Office of the Commissioner**

1. The Borough Superintendent shall assume personal responsibility for the completeness and promptness of all reports requested by this office.
2. All reports shall be returned in as complete a form as practicable within four days with an indication of when detailed follow-up reports, if any, may be expected.
3. When reports are requested from the Borough Superintendent, he shall write a complete report, giving all essential information, his conclusions and suggestions and shall send with his report such supporting information as he considers necessary.
4. Reports shall be sufficiently complete so that they may be used verbatim, with a minimum of change.

JTW/WCK/sl

cc: All staff  
Industry

  
Jeremiah I. Walsh, P.E.  
Acting Dir. of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

License Number	Name & Address	Certified to Test Cement	Expiration Date
29	Stallone Testing Lab., Inc. 656 Van Ranst Place Mamaroneck, NY 10543 Dir. Mr. Gennaro, A. Marino Tel. (914) 698-5300	No	February 21, 1986
30	Material Testing Lab., Inc. 132-30 D 33rd Ave. Flushing, NY 11354 Dir. Mr. Sheldon Reich Tel. 445-1474	No	September 21, 1985
31	Construction Technologies, Inc 218-18 Hillside Ave. Queens Village, NY 11427 Dir. Simon Sauberman Tel. (718) 479-9800	No	April 19, 1986



**Marvin Hassman, P.E.  
Director, NEA Division**

SD/ME/gk

cc: Commissioner Chas. Smith, R.A.  
Deputy Commissioner Minkin, P.E.  
Asst. Commissioner White

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: February 1, 1978

TO: Borough Superintendents and Executive Staff  
FROM: Commissioner Jeremiah T. Walsh, P.E.  
SUBJECT: CORRESPONDENCE

Forwarded herewith are copies of a memorandum dated January 5, 1978 from Mayor Koch, and dated January 23, 1978 from Deputy Mayor Badillo requiring acknowledgment of referrals, or responses within ten days of receipt of the correspondence or citizen complaints.

With regard to referrals of correspondence from the Mayor's Office of Correspondence Services, if the referral cannot be responded to within ten working days because of necessary inspections, detailed review, etc., send an interim letter to the writer, with a copy forwarded to the Mayor's Office of Correspondence Services with Mr. Luisi's original transmittal form, acknowledging receipt and noting further action to be taken.

A similar approach is to be followed with respect to citizen complaint forms which are now being used by community board district managers, the Mayor's Action Center, and the Ombudsman's office when requesting action or information by agencies on citizen complaints (copy enclosed). However, while the agency or office forwarding the complaint (community board, Mayor's Action Center, or Ombudsman) is desirous of a response, an interim letter to the original complainant should be sent within ten working days as well, if additional time is needed for inspections, extensive research, and the like.

In implementing all of the foregoing, form letters that may be useful in reducing the time and effort involved in typing more formal answers should be utilized to the extent appropriate, both in regard to interim acknowledgments, as well as final answers for repetitive problems or complaints. Further, handwritten entries should be authorized on both the above-mentioned form letters and the agency report on service request in the citizen complaint form.

JTW/IEM/df  
Enc.

  
Jeremiah T. Walsh, P.E.  
Commissioner

CC: Dep. Comms. Jenkins, Parascandola  
Dep. Mayor Badillo (Attention Jim Capalino)  
Mayor's Office of Corres. Services (Attention Herb Luisi)

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: June 26, 1978

TO: Borough Superintendents

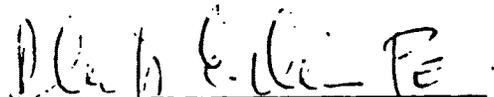
FROM: Acting Director of Operations Philip E. Olin

SUBJECT MAYOR'S CORRESPONDENCE -  
RESPONSE TIME

1. THE MAYOR MEANS BUSINESS!

Correspondence addressed to Mayor Koch and referred to your office shall be answered within ten working days of your receiving it. As explained in the February 1, 1978 memorandum "Mayor's Correspondence," it is apparent that this is a high priority item with the Koch administration.

2. Where it is readily apparent that a ten-day response time is not feasible, an interim response shall be sent.

  
Philip E. Olin, P.E.  
Acting Director of Operations

PEO/df  
Memo of Mayor Koch dated  
6/23/78 "Response Time on  
Correspondence" att.

CC: Exec. Staff  
Olin (3)

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: September 15, 1971

TO: Borough Superintendents

FROM: Joseph Stein, Commissioner

SUBJECT: Delegation of Authority

DIRECTIVE No. 13 of 1971

Directive No. 10 of 1968, dated November 14, 1968 on the above subject is hereby superseded.

In accordance with the provisions of section 1804 of the New York City Charter, I hereby delegate to each borough superintendent, to exercise in his respective borough, the powers vested in me to perform the functions prescribed in sections 1803(6) and 1804(4) of the charter, with the following exceptions:

- (1) Sub-paragraph (8) of section 1804(4)(c) of the charter.
- (2) Duties and functions delegated to:
  - (a) Cranes and derricks division
  - (b) Boiler division
  - (c) Material and equipment acceptance division
  - (d) Licensing division and central billing section

Each borough superintendent shall, in the borough to which he has been assigned, be responsible for the proper performance of the delegated functions and for the enforcement and compliance with all the building laws and with the directives, memoranda and procedures issued by the commissioner or issued by the director of operations, and the rules and regulations of the department.

  
\_\_\_\_\_  
Joseph Stein  
Commissioner

JS:LB:MP  
CC: Exec. Staff

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Room 4000  
Telephone: 566- 4410



DEPARTMENT OF BUILDINGS  
CITY OF NEW YORK, NEW YORK, N.Y. 10007

W. Bryan J. Reardon  
ATTORNEY AT LAW  
City Corporation Counsel

November 3, 1977

Mr. Phillip Olin  
Brooklyn Borough Superintendent  
Department of Buildings  
Municipal Buildings  
Brooklyn, N. Y. 11202

Re: Emergency Demolition  
"Operation Black-Out" *dir*

Dear Mr. Olin:

With respect to the demolition of a number of unsafe buildings in Brooklyn, a situation has arisen which requires special attention. The buildings are those damaged in the looting that accompanied the black-out of July 13, 1977. In the case of some of these buildings, statutory unsafe building proceedings were commenced by service of a Notice of Unsafe Building, Order, Notice of Survey and Summons in the usual manner. However, between the date of service of the Notice and the date of the survey fixed in the notice, the City, acting through demolition contractors, demolished the structures.

The surveys, in each of these cases, was held as scheduled, and the surveyors reported that the building was unsafe in that it was demolished. A copy of the Report of Survey in one of these cases is attached as an illustration.

It is a self evident absurdity for surveyors to state in their written report of survey to be submitted to the court, that a building is unsafe in that it has been "demolished". Obviously such reports of survey were ineptly written. Hence, for the purpose of supporting an unsafe building proceeding they cannot be used. Section C26-80.5 of the Administrative Code states that the report of survey, "reduced to writing shall be the issue to be placed before the court for trial."

The same section states that the survey of the premises named in Notice of Unsafe Building "will be made at a time and place therein named in accordance with Section C26-81.5." This latter section provides for the designation of two surveyors by the

1200 NOV 7 1977

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

City and a third surveyor by the person served with the Notice, if he so elects. For the City-appointed surveyors to prepare a new report of survey, as has been suggested, and post it on the unsafe building would be, in effect, for them to conduct a new survey without providing the owner or other person served with the Notice an opportunity to have his designated surveyor participate in the new survey and would thus deprive him of a right given him by law.

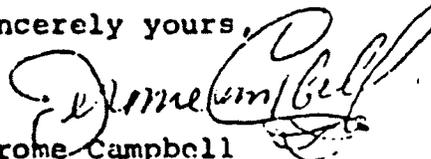
From the above I believe you will understand that it would not be lawful for the two City surveyors to rewrite the reports of survey in these cases so as to insert in them the specific details of the manner in which the premises are unsafe subsequent to the demolition of the unsafe structure.

Consequently, we regret to inform you that all those individual unsafe building cases in which the survey report reads simply "Building demolished", are defective and must be withdrawn. For each of these unsafe premises, a new proceeding must be commenced from the beginning, a new survey held, and a new court date fixed. Special care should be taken that the Buildings Department inspector and the licensed architect or engineer designated by the City to conduct the survey are instructed as to the specifics required in their report of survey. Their report should be written substantially in the following language:

The structure formerly located on the subject premises has been demolished. The following unsafe and dangerous conditions remain on the premises. [here specify such details as the presence of debris, open or improperly filled-in foundation, improper sloping and grading, lack of fencing, etc.]

I want to point out to you that during recent weeks a number of these cases have come on in court. Because of the defective survey reports, we adjourned them. These cases will now have to be withdrawn. Similarly, defective cases, now pending, which have a court date in the future will also have to be withdrawn.

Sincerely yours,



Jerome Campbell  
Assistant Corporation Counsel  
In Charge

CC: Mr. Irving Minkin  
Mr. Gene Badlotto  
Mr. Elden Fogt  
Dept. of Buildings

Mr. Joseph Halpern  
Law Department

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: January 28, 1974

TO: Borough Superintendents

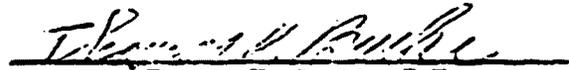
FROM: Director of Operations, T. V. Burke, P.E.

SUBJECT: Demolition of Unsafe Structures -  
Occupied Housing Accommodations Statement  
Section C26-113.2 sub b

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The occupied Housing Accommodations Statement shall not be required when demolition permit applications are filed for buildings to be demolished pursuant to contracts issued by the Department of Development or by (H.U.D.) Housing and Urban Development Department.

Since each of the buildings is reinspected, there is ample reassurance that the structures are vacant of all tenants before the permit is issued and it can therefore be assumed that there are no occupied housing accommodations subject to control and that the intent of the law is not violated.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:JL:rmm

cc: Executive Staff  
Director of Demolition, S. B. Feller  
Department of Rent & Housing Maintenance  
First Deputy Commissioner, Irwin Brooks

**RESCINDED BY**  
**BUILDINGS BULLETIN 2023-007**  
THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: November 27, 1974

TO: Borough Superintendents

FROM: Director of Operations, Thomas V. Burke, P.E.

SUBJECT: Demolition of Buildings and Department of Health,  
Bureau of Pest Control Extermination Confirmation Certificates

---

Effective December 1, 1974, the Bureau of Pest Control will institute its "Pre-demolition Extermination Confirmation Procedure (P.E.C.)".

When the Bureau is satisfied that an adequate extermination has been performed on a premises to be demolished it will issue two original Bureau of Pest Control Extermination Confirmation Certificates, one for the exterminator, the other for the demolition contractor. A copy of the form letter is attached.

In addition to an original authorized signature there must be an original rubber stamp

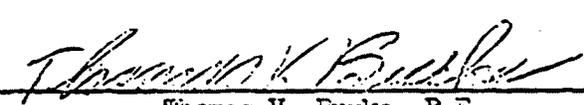
BUREAU OF PEST CONTROL  
ADEQUATE EXTERMINATION  
PERFORMED

Authorized signatures are:-

Randy Dupree	-	Director, Bureau of Pest Control
Ms. Margaret Selman	-	Community Service Aide
Ms. Edna E. Wilkins	-	Senior Clerk
Ms. Patricia Jones	-	Senior Typist

The liaison telephone number is - 566-8028; 566-8029.

No exterminator's letter shall be accepted for filing on or after December 1, 1974. An original (exterminator or contractor) Bureau of Pest Control Confirmation Certificate shall be required prior to the issuance of a demolition permit. Where the exterminator's letter is on file prior to December 1, 1974, demolition permits shall be issued in accordance with previous procedures.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:LR:xmr

cc: Executive Staff  
Director, Bureau of Pest Control, Randy Dupree

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Housing and Development Administration  
Department of Buildings

To: Borough Superintendents

Date: March 16, 1970

From: Thomas V. Burke  
Director of Operations

---

Demolition Permits - Ban on Street Openings - Department  
of Highways - Section C26-113.2 Administrative Code

In connection with the memorandum issued to Borough Superintendents on February 26, 1970, entitled "Demolition Permits - Ban on Street Openings - Department of Highways - Section C26-113.2 Administrative Code," please be advised that the withholding of street opening permits has been terminated. They will now be issued upon request.

TVB/df

CC: Executive Staff

  
Thomas V. Burke  
Director of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Housing and Development Administration  
Department of Buildings

To: Borough Superintendents  
  
From: Thomas V. Burke  
Director of Operations

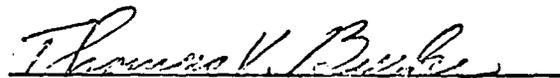
Date: April 9, 1970  
  
Subject: Demolitions- Disconnects  
of Sewer and Water  
Services.

---

Where buildings are demolished under contract with the Department of Development or the Department of Real Estate, proof shall be required that permits have been obtained for disconnection of sewer and water services, before issuance of demolition permits. It shall not be required, for these two agencies, that the sewer and water services have actually been disconnected, before permits for demolition are issued. Before demolition is reported as completed, proof that the two services have been disconnected shall be required.

The contracts issued for demolition by the Department of Development and the Department of Real Estate require that proof of the disconnection of water and sewer services, in the form of letters from the appropriate agencies, be filed before payment is made.

This memorandum supersedes the memorandum issued on "Disconnects - Sewer and Water," under date of August 21, 1968.

  
Thomas V. Burke  
Director of Operations

TVB/df

CC: Executive Staff  
Seymour Feller,  
Dept. of Development  
Comm. Duchan, Dept. of Real Estate

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

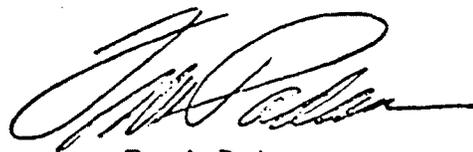
DEPARTMENTAL MEMORANDUM

DATE: September 25, 1970

TO: Mr. Thomas V. Burke, Director of Operations  
FROM: Frank Padavan, Acting Deputy Commissioner  
SUBJECT: Standardized Format for Procedures and Directives

To implement a suggestion adopted by the Suggestion Committee and approved by Commissioner Ferro, in the future all Directives and Procedures will contain, in their lead paragraphs or as headings, the following information:

- A. All Directives and Procedures will bear authorized numbers.
- B. Other Directives and Procedures relating to the same subject which are already in existence.
- C. Prior Directives and Procedures concerning the same subject, either to be continued in full force and effect or which are to be amended or superseded by the new Directive or Procedure.
- D. Sample attached.



Frank Padavan  
Acting Deputy Commissioner

FP:MSL:kl  
Attachment

cc: D. Healy  
M. Lynch

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The City of New York  
DEPARTMENT OF BUILDINGS

Departmental Memorandum

Directives & Memoranda

To: Members of Staff and Borough Superintendents

Date: June 18, 1969

From: John T. O'Neill, Commissioner

Subject: Issuance of Memorandums and Directives

---

This directive supersedes previous interdepartmental communications on the same subject.

Prior to the issuance of any memorandums or directives establishing departmental procedure or interpretation of law, they shall be submitted in writing to the Director of Operations so that they may be reviewed for conformance with department policy.

One of the purposes of this directive is to insure, to the extent possible, that application of the building laws is uniform throughout the five boroughs. Another is to determine that procedures and interpretations conform to department policy.

The Director of Operations shall forward to the various professional and builders organizations such copies of directives and memorandums that may affect their activities. This shall be done so that members of the organizations may be made familiar with requirements of the department and with interpretations of applicable laws.

(Signed)

---

John T. O'Neill  
Commissioner

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: September 1, 1970

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Directives and Memorandums 1968-1969

---

A publication has been compiled and is being issued to provide the employees of the Department of Buildings with an official indexed set of directives and memorandums issued for the years 1968-1969 and which were in effect as of January 1, 1970.

Each copy has been numbered and the receipts, which appear at the front of the publication, must be obtained and returned promptly.

Each recipient of this publication is to be informed that he is responsible for and must update this publication as of January 1, 1970, with the directives and memorandums subsequently issued.

The following employees shall receive the publication in the order listed:

1. Borough Superintendent
2. Deputy Borough Superintendent
3. Chief Engineer-Engineering
4. Chief Engineer-Construction
5. Borough Office Manager
6. Related Agencies Division - one copy
7. Plan Examiners (All permanent employees engaged in plan examination except trainees)
8. Construction Inspectors (All permanent employees engaged in construction inspection including the Borough Chief Construction Inspector, Area Field Supervising Construction Inspectors and Construction Inspectors - all specialties)
9. Borough Chief Elevator Inspector
10. Borough Chief Plumbing Inspector
11. Elevator and Plumbing Inspectors to receive the remainder

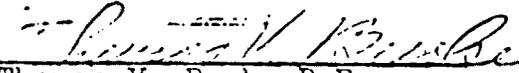
RESCINDED BY  
BUILDINGS BULLETIN 2023-007

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Your borough has been assigned \_\_\_\_\_ publications  
numbered \_\_\_\_\_ through \_\_\_\_\_.

Separate arrangements will be made for you to receive  
these copies.

TVB/WCK/sl

  
Thomas V. Burke, P.E.  
Director of Operations

---

DATE: \_\_\_\_\_

I have received \_\_\_\_\_ copies of the publication  
noted above.

Signed: \_\_\_\_\_

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS  
DIRECTIVE NO.11 of 1973

DATE: November 20, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Mayor's Executive Order No. 87  
ENVIRONMENTAL REVIEW OF MAJOR PROJECTS

This directive is in 4 sections:

- Section 1 - Intent of the Executive Order
- Section 2 - Major Projects Requiring Environmental Review
- Section 3 - Environmental Review Procedure
- Section 4 - Required Action

1. INTENT OF THE EXECUTIVE ORDER

To give E.P.A. adequate opportunity to review and comment on any activity requiring approval of city agencies as to its impact on the environment.

2. MAJOR PROJECTS REQUIRING ENVIRONMENTAL REVIEW

Those "major projects" which effect the department of buildings are as follows:

- (I) The construction of a new building with more than twenty floors;
- (II) The construction of a new residential building with forty-two or more dwelling units and the construction on contiguous blocks by one developer (or group of developers as part of a single plan) of 10 or more residential buildings with 3 or more dwelling units per building or 25 or more one or two family homes;
- (V) The construction of, or allocation of land for, a solid waste disposal facility, a water treatment plant, or any sewage treatment plant, except septic tanks for 1 or 2 family dwellings or portable package treatment plants;
- (VI) The construction of, or allocation of land for, a parking lot or garage for more than 50 vehicles to be used for public or patron parking;

continued...

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: August 26, 1971

TO: Borough Superintendents: Cohen, Dennis, Sigman, Walsh  
FROM: Director of Operations, T. V. Burke  
SUBJECT: Boiler Room and Stair Enclosures

---

The Department of Rent and Housing Maintenance is inspecting boiler room and stair enclosures in multiple dwellings where building notices were filed and approved regardless of whether or not permits have been issued.

Where the installations have been satisfactorily completed with permits, the building notices will be signed off by the Department of Rent and Housing Maintenance.

Where installations have been completed without permits, the owners are being informed by the Department of Rent and Housing Maintenance to secure permits from the Department of Buildings. In these cases where they have been filed and approved, the applications are to be extended and permits issued upon submission of proof of compensation insurance or affidavit by owner that work was performed without the employment of outside help provided that fees based on cost of the work involved are paid as computed currently under Section C26-32.0.

*Thomas V. Burke*

Thomas V. Burke  
Director of Operations

TVB:JL:rmr

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**RESCINDED BY  
BUILDINGS<sup>2</sup> BULLETIN 2023-007**

2. MAJOR PROJECTS REQUIRING ENVIRONMENTAL REVIEW continued

- (X) The construction of any new factory to be used for heavy manufacturing as defined in category M3 of the New York City Zoning Resolution;
- (XI) The construction of any new building or facility (other than a residence, commercial office building or factory) designed to accommodate more than 1,000 people at capacity.

3. ENVIRONMENTAL REVIEW PROCEDURE (as stated in executive order #87)

- a. Prior to first approval or permit for "a major project", the department shall submit in writing to the Administrator of E.P.A. the information requested in an environmental information form (supply attached).
- b. Administrator of E.P.A. shall take following action within 10 working days after receiving the information requested in the form. Administrator may extend the time for 10 additional working days:
  - (i) Inform the department that the project has been evaluated based on the information submitted and it does not have a significant adverse impact on the environment - additional information is not required, or
  - (ii) Inform the department that if a statement has been filed pursuant to the National Environmental Policy Act and it will provide for a timely assessment of the environmental impact of the project - additional information is not required, or
  - (iii) Request additional information
- c. Within 30 working days after receipt of the additional information requested in b.(iii) above, Administrator shall submit to the department and to the Mayor, a written assessment of the project as to:-
  - (i) Probable environmental impact of the proposed project;
  - (ii) Any standards of Federal, State or local environmental laws which the proposed project would not satisfy, and
  - (iii) Any conditions that should be included in the approval or permit for the project.
- d. The department may grant first approval or permit for a major project, provided that:-
  - (i) Administrator finds that the project does not have a significant adverse impact on the environment; or
  - (ii) The approval or permit is subject to conditions set forth in the environmental assessment submitted by the Administrator; or

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

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3. ENVIRONMENTAL REVIEW PROCEDURE continued

d. (iii) Department has given written notice 10 working days before granting approval to the Mayor and the Administrator setting forth its justification for granting the approval or permit; or

(iv) Administrator has not evaluated the projects within the time limits set forth and the department has given notice to the Administrator of its intention to issue the permit or approval after a period of 5 working days has elapsed.

4. REQUIRED ACTION: (effective immediately)

a. When an application requiring environmental approval is reviewed by the plan examiner, he shall complete the environmental information form and forward same to:-

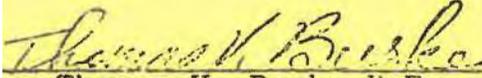
Environmental Protection Administration  
Office of Environmental Impact  
Room 2344, Municipal Building  
New York, N.Y. 10007

A carbon shall be kept with the application.

b. Prior to the issuance of a Permit for a project which requires environmental approval, an Environmental Information Form shall be completed as outlined above.

c. When an application for a major project requires environmental approval, no Permit or First Approval shall be given until the conditions set forth in the Mayor's Executive Order No. 87 [this Directive section 3(d)] are complied with.

TVB/PEO/sc

  
Thomas V. Burke, P.E.  
Director of Operations

ATTACHMENTS:

CC: Executive staff  
Industry  
BCAC  
CICI  
Admin. Herbert Elish (EPA)

747

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BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

MEMORANDA OF 1973

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BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: June 26, 1974

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: EQUIPMENT USE PERMITS  
MODIFICATION 1 DIRECTIVE 16 of 1971

The application for Equipment Use Permit form 25 and the Equipment Use Permit form 25A and Directive 16 of 1971, have been modified and changed.

Changes on the application Form 25 are shown on attached copy:

- a. Note: Changed to Note to Applicant
- b. Item 7 Heating System has been changed to read;  
Heating System (not including boiler).
- c. Other changes have been made to simplify and clarify the procedure in the issuance of the permit. Capacity B.T.U./HR. or Cubic Ft./Min. have been relocated so that entries can be made in tabular form.

The order in which the form is signed by the examiner and inspector has been changed. The examiner will approve the application form first after he determines that all forms, test reports have been filed, examined and accepted. The inspector will then make his inspection.

A line has also been added to indicate the date on which the equipment permit has been issued and the signature of the issuing clerk.

The equipment use permit form 25A has been changed by deleting the statement "No equipment use permit shall be issued, etc. and replacing it with a statement:

"This equipment use permit is issued in accordance with C26-117.3 of the Administrative Code".

A correction has also been made by adding the phrase "and Department of Buildings Directive 16 of 1971" to the inspectors note. See attached revised form 25A.

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BUILDINGS BULLETIN 2023-007**

-2-

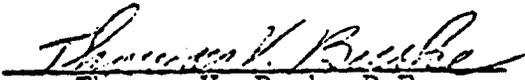
The modifications in Directive 16 of 1971 are:

page 3, section IX: Heating Systems - add phrase  
"(not including boiler)".

page 5, section XIV: Reports, Certifications, Approvals -  
section rewritten.

page 5, section XV: a sentence has been added to the end of  
the paragraph. "The applicant shall also file an equipment  
use permit form 25A".

A copy of the modified Directive 16 of 1971 is enclosed.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB/LR/sc

cc: Commissioners  
V. Sorge, Labor Relations  
Glinesman, Allied Bldg. Inspectors  
I.E. Minkin, Exec. Eng.

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BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: April 12, 1972

TO: Borough Superintendents  
FROM: Director of Operations Irving E. Minkin  
SUBJECT: EQUIPMENT USE PERMITS

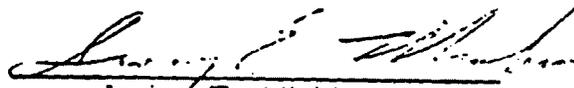
Modification 2 to Directive No. 16/71

Section XII of Directive No. 16/71 is modified in its entirety to read as follows:

"XII Existing Equipment and Existing Buildings

Equipment use permits shall not be required for equipment installed prior to December 6, 1969. However, when new equipment is installed in existing buildings, an equipment use permit shall be required when specified in section C26-117.0, regardless of the date of construction of the building, or the percentage which the cost of installation bears to the value of the building."

This modification is necessary to be consistent with Directive No. 10/72, which specifies that administrative and procedural provisions of the 1968 code shall apply in all cases, regardless of whether or not the 1938 code was followed insofar as the physical work or alteration was concerned.



Irving E. Minkin  
Director of Operations

IEM/df

CC: Exec. Staff  
Fire Dept.  
BCAC  
Prof. Soc.

1179

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**BUILDINGS BULLETIN 2023-007**  
THE CITY OF NEW YORK  
**DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: NOV 3 1977

TO BOROUGH SUPERINTENDENTS

FROM Director of Operations Irving E. Minkin, P.E.

SUBJECT EXITS OF LARGE RETAIL STORES

With the coming of the Christmas season, it is especially important that those stores where large numbers of persons congregate for Christmas shopping, maintain the exits in a clear, unobstructed condition and that exit and directional signs be provided so that the location of the exits may be obvious to persons in the stores.

Each such store in your borough shall be inspected for these conditions as quickly as possible so as to require sufficient exits for the great number of persons using the retail stores at this time. Exit signs are to be located so that signs designating at least two exits are visible from any point of a floor. Passages to exits shall be required to be clear and unobstructed. Doors are to be readily openable, with no obstructions of any kind.

Field inspectors or supervising inspectors are to make such inspections.

It shall be required that any obstructions of exits be eliminated at once and the inspector shall require compliance before he leaves the premises. Upon failure to do so, a summons to court shall be issued to a responsible person in charge of the store.

When exit or directional signs are not adequate, verbal notice shall be given that placement of additional signs is required; and violation orders are to be filed subsequently. Reinspection shall be made not later than one week after issuance of the violation notice and where the exit or directional signs have not been installed, summonses to court are to be issued to persons in responsible charge of the stores.

Escalators or moving stairs shall be inspected to determine if the horizontal shutter is functioning properly.

Plumbing Division

Each such store in your borough shall be inspected as quickly as possible to determine if a sprinkler system is in operation. The O.S. and Y valve shall be inspected and the inspector's test valve shall be open.

1382

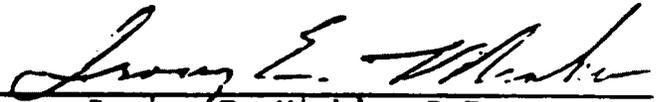
**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Plumbing Division - continued.....

Should the sprinkler system be deemed inoperative, the plumbing inspector shall not leave the premises until either corrective measures are taken or the Borough Superintendent is notified by telephone.

Borough Superintendents shall require that violation orders be issued without delay.

This procedure shall commence upon receipt of this memorandum and completed as soon as possible.



---

Irving E. Minkin, P.E.  
Director of Operations

IEM:BCB:cm1

cc: Commissioner Jeremiah T. Walsh  
Deputy Commissioner, A.J.Jenkins  
Deputy Commissioner, B.F.Parascandola  
Messrs: Badlato, Kupfer, Polsky

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**BUILDINGS BULLETIN 2023-007**  
THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
**DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: December 3, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: EXITS OF LARGE RETAIL STORES

BACKGROUND: Kumamoto, Japan, Thursday, November 29 - A fire raged out of control in a crowded department store today, and police reported 107 persons killed and 100 injured.

INTENT: With the coming of the Christmas season, it is especially important that those stores where large numbers of persons congregate for Christmas shopping, maintain the exits in a clear, unobstructed condition and that exit and directional signs be provided so that the location of the exits may be obvious to persons in the stores.

REQUIRED ACTION:

1. CONSTRUCTION DIVISION

A) Each such store in your borough shall be inspected for these conditions as quickly as possible so as to require sufficient exits for the great number of persons using the retail stores at this time. Exit signs are to be located so that signs designating at least two exits are visible from any point of a floor. Passages to exits shall be required to be clear and unobstructed. Doors are to be readily operable, with no obstructions of any kind.

B) It shall be required that any obstructions of

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

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exits be eliminated at once and the emergency inspector shall require compliance before he leaves the premises. Upon failure to do so, a summons to court shall be issued to a responsible person in charge of the store.

C) Escalators or moving stairs shall be inspected to determine if the horizontal shutter is functioning properly.

D) When exit or directional signs are not adequate, verbal notice shall be given that placement of additional signs is required; and violation orders are to be filed subsequently. Reinspection shall be made not later than one week after issuance of the violation notice and where the exit or directional signs have not been installed, summonses to court are to be issued to persons in responsible charge of the stores.

2. PLUMBING DIVISION

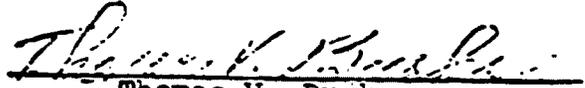
A) Each such store in your borough shall be inspected as quickly as possible to determine if a sprinkler system is in operation. The O.S. & Y. Valve shall be inspected and the inspector's test valve shall be opened.

B) Should the sprinkler system be deemed inoperative, the plumbing inspector shall not leave the premises until either corrective measures are taken or the Borough Superintendent is notified by telephone.

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BUILDINGS BULLETIN 2023-007**

3. This procedure shall be started on Monday, December 3rd, and shall be completed as quickly as possible, as discussed by telephone.



Thomas V. Burke  
Director of Operations

TVB/PEO/df

Distribution:

Executive Staff  
Comm. John T. O'Hagan  
Fire Department



**RESCINDED BY**  
**BUILDINGS BULLETIN 2023-007**  
DEPARTMENT OF BUILDINGS  
120 WALL STREET, NEW YORK, N.Y. 10005  
Irwin Fruchtmann, P.E., Commissioner

Dear Sirs:

EXITS OF LARGE RETAIL STORES

With the coming of the Christmas season, it is especially important that those stores where large numbers of persons congregate for Christmas shopping, maintain the exits in a clear, unobstructed condition and that exit and directional signs be provided so that the location of the exits may be obvious to persons in the stores.

In advance of an inspection by this department you are directed to inspect your premises for those conditions as quickly as possible so as to require sufficient exits for the great number of persons using the retail stores at this time. Exit signs are to be located so that signs designating exits are visible from any point of a floor. Passages to exits shall be required to be clear and unobstructed. Doors are to be readily openable, with no obstructions of any kind.

It shall be required that any obstructions of exits be eliminated at once. Inspectors are instructed to issue summons to court for failure to do so.

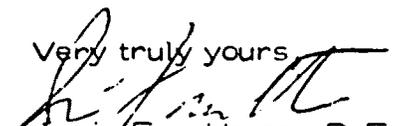
Escalators or moving stairs shall be inspected to determine if the horizontal shutter is functioning properly.

You are directed to ascertain that the sprinkler system is in good operating condition. The O.S. and Y. valve shall be inspected by your engineer or your sprinkler system contractor and the test valve opened to assure system contains water.

If any defects or malfunctions are discovered you are to immediately take corrective action for the safety of your customers and employees who would otherwise be dangerously jeopardized.

Your cooperation is sincerely appreciated in this mutual concern for the protection of life and limb of the many persons depending on us.

Very truly yours,

  
Irwin Fruchtmann, P.E.  
Commissioner

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**BUILDINGS BULLETIN 2023-007**  
THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS  
DIRECTIVE NO.11 of 1973

DATE: November 20, 1973

TO: Borough Superintendents  
FROM: Thomas V. Burke, P.E., Director of Operations  
SUBJECT: Mayor's Executive Order No. 87  
ENVIRONMENTAL REVIEW OF MAJOR PROJECTS

This directive is in 4 sections:

- Section 1 - Intent of the Executive Order
- Section 2 - Major Projects Requiring Environmental Review
- Section 3 - Environmental Review Procedure
- Section 4 - Required Action

1. INTENT OF THE EXECUTIVE ORDER

To give E.P.A. adequate opportunity to review and comment on any activity requiring approval of city agencies as to its impact on the environment.

2. MAJOR PROJECTS REQUIRING ENVIRONMENTAL REVIEW

Those "major projects" which effect the department of buildings are as follows:

- (I) The construction of a new building with more than twenty floors;
- (II) The construction of a new residential building with forty-two or more dwelling units and the construction on contiguous blocks by one developer (or group of developers as part of a single plan) of 10 or more residential buildings with 3 or more dwelling units per building or 25 or more one or two family homes;
- (V) The construction of, or allocation of land for, a solid waste disposal facility, a water treatment plant, or any sewage treatment plant, except septic tanks for 1 or 2 family dwellings or portable package treatment plants;
- (VI) The construction of, or allocation of land for, a parking lot or garage for more than 50 vehicles to be used for public or patron parking;

continued...

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2. MAJOR PROJECTS REQUIRING ENVIRONMENTAL REVIEW continued

- (X) The construction of any new factory to be used for heavy manufacturing as defined in category M3 of the New York City Zoning Resolution;
- (XI) The construction of any new building or facility (other than a residence, commercial office building or factory) designed to accommodate more than 1,000 people at capacity.

3. ENVIRONMENTAL REVIEW PROCEDURE (as stated in executive order #87)

- a. Prior to first approval or permit for "a major project", the department shall submit in writing to the Administrator of E.P.A. the information requested in an environmental information form (supply attached).
- b. Administrator of E.P.A. shall take following action within 10 working days after receiving the information requested in the form. Administrator may extend the time for 10 additional working days:-
  - (i) Inform the department that the project has been evaluated based on the information submitted and it does not have a significant adverse impact on the environment - additional information is not required, or
  - (ii) Inform the department that if a statement has been filed pursuant to the National Environmental Policy Act and it will provide for a timely assessment of the environmental impact of the project - additional information is not required, or
  - (iii) Request additional information
- c. Within 30 working days after receipt of the additional information requested in b.(iii) above, Administrator shall submit to the department and to the Mayor, a written assessment of the project as to:-
  - (i) Probable environmental impact of the proposed project;
  - (ii) Any standards of Federal, State or local environmental laws which the proposed project would not satisfy, and
  - (iii) Any conditions that should be included in the approval or permit for the project.
- d. The department may grant first approval or permit for a major project, provided that:-
  - (i) Administrator finds that the project does not have a significant adverse impact on the environment; or
  - (ii) The approval or permit is subject to conditions set forth in the environmental assessment submitted by the Administrator; or

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BUILDINGS BULLETIN 2023-007**

3. ENVIRONMENTAL REVIEW PROCEDURE continued

d. (iii) Department has given written notice 10 working days before granting approval to the Mayor and the Administrator setting forth its justification for granting the approval or permit; or

(iv) Administrator has not evaluated the projects within the time limits set forth and the department has given notice to the Administrator of its intention to issue the permit or approval after a period of 5 working days has elapsed.

4. REQUIRED ACTION: (effective immediately)

a. When an application requiring environmental approval is reviewed by the plan examiner, he shall complete the environmental information form and forward same to:-

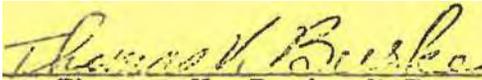
Environmental Protection Administration  
Office of Environmental Impact  
Room 2344, Municipal Building  
New York, N.Y. 10007

A carbon shall be kept with the application.

b. Prior to the issuance of a Permit for a project which requires environmental approval, an Environmental Information Form shall be completed as outlined above.

c. When an application for a major project requires environmental approval, no Permit or First Approval shall be given until the conditions set forth in the Mayor's Executive Order No. 87 [this Directive section 3(d)] are complied with.

TVB/PEO/sc

  
Thomas V. Burke, P.E.  
Director of Operations

ATTACHMENTS:

CC: Executive staff  
Industry  
BCAC  
CICI  
Admin. Herbert Elish (EPA)

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BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

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BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: October 14, 1971

TO: Borough Superintendents  
FROM: Thomas V. Burke, Director of Operations  
SUBJECT: Security Deposits for Drop Curbs

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Effective immediately the \$25.00 security deposit previously collected in connection with drop curb permits shall be discontinued. Only fees required under Section C26-34.0 shall be collected.

TVB/WMS/sl

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

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BUILDINGS BULLETIN 2023-007



HOUSING AND DEVELOPMENT ADMINISTRATION  
ROGER STARR, Administrator

Department of Buildings  
100 GOLD STREET, NEW YORK, N. Y. 10038

JEREMIAH T. WALSH, P.E., Commissioner

September 16, 1976

Fees for the enclosure  
of an oil tank

Mr. Ivan Pinsker  
2980 Briggs Avenue  
New York, N.Y., 10458

Re: 361 Broadway, NYC  
FP 384/76

Dear Mr. Pinsker:

This is in reply to your letter dated July 6, 1976 in regard to the additional fee you were required to pay for the construction work needed to enclose the oil tank.

C26-320 (7b) of the New York City Building Code states the fees for a permit to install oil-burning equipment including the installation of storage tanks. Building Department Memorandum dated April 18, 1972, revised June 7, 1972, permits the enclosure of fuel oil tanks as part of the work filed on Form 15. Furthermore, the memorandum states that any construction work that involves structural work such as encasing an oil tank underground, installation of structural steel or reinforced concrete, shall be filed on a Building Notice or Alteration application.

If the enclosure work included any structural work, an additional fee would have been required as asked by the examiner. If no structural work was required then an additional fee would not have been required and an application to the Comptroller's Office for a refund would be advised. A copy of this response is being distributed to our borough offices for their advise and guidance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Irving E. Minkin".  
Irving Minkin, P.E.  
Director of Operations

JEM:GB:ah

cc: J.T. Walsh, Comm.  
A.J. Jenkins, Dep. Comm.  
B.F. Parascandola, Asst. Comm  
Borough Superintendents

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: June 22, 1977

**TO:** Borough Superintendents and  
Jacob Grill, Director of Cranes & Derricks  
**FROM:** Irving Minkin, P.E. Director of Operations  
**SUBJECT:** ILLUMINATED SIGNS

Numerous accounts for illuminated signs projecting beyond the street line in our central billing section indicate arrears for several years.

In order to ascertain the status of the signs as well as to compel payment of fees owed to the city, special report referrals for each delinquent sign account are being distributed to Borough Superintendents and to Jacob Grill, Director of Cranes & Derricks.

The special sign inspection report forms (B Form 30A) are to be distributed to Construction, Plumbing and Crane & Derrick inspectors, with their route schedules, together with copies of the attached form violation notices.

If the illuminated sign described in B Form 30A has been removed, the report should so note (item "a") and be returned to the Central Billing Section without a violation.

If the illumination has been removed from the sign in such a manner that a fee need not be charged, the report should so note and be returned to the Central Billing Section without a violation, subject to the clarifying note in item "c" in the report form.

If the sign described in B Form 30A still exists with illumination, the attached form notice of violation is to be attached, filling in appropriate data from B Form 30A and from his observations. The district designation in the violation number is to be prefaced by the particular inspector's designation. In addition to forwarding a copy of the violation and B Form 30A to the violation section, a copy of both should be sent to C.B.S. with item "a" in B Form 30A completed.

While any additional information that can be readily obtained should be noted, it is not mandatory that items "b", "e", and "f" in B Form 30A be completed at this time. Any clarifying information should be noted on the reverse side of B Form 30A.

1321

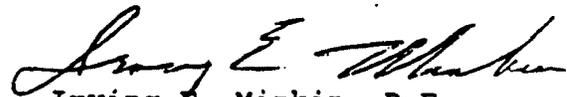
**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

-2-

ILLUMINATED SIGNS (Cont'd.)

Any field condition that precludes an immediate determination of the answers required as noted above should be routed to the Deputy Borough Superintendent for assignments of personnel to research department records to determine what further action is warranted.

However, all personnel should be guided by the attached memorandum dated July 7, 1976 by Deputy Commissioner Jenkins that answered numerous questions that arose when this procedure was first implemented last year.

  
Irving E. Minkin, P.E.  
Director of Operations

attach.

IEM:p  
cc: J.T. Walsh, Comm.  
A.J. Jenkins, Dep. Comm.  
M.F. Parascandola, Ass't. Comm.  
Executive Staff

1322

**RESCINDED BY**  
**BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 25, 1970

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Computation of Fees for Illuminated Signs Projecting Beyond the Street Line, Having An Area of More Than 50 Square Feet. (026-32.0 Subdivision 6a-6 as amended effective July 1, 1970)

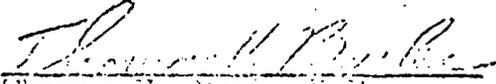
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It has come to my attention that there is a discrepancy in the method employed by the borough offices for calculating the annual fees due under section 026-32.0 subdivision 6a-6 for illuminated signs with an area exceeding 50 square feet.

The fee shall be computed by multiplying the area of the sign by the fee per square foot. Only the number of square feet of sign space on one side of such sign shall be used in computing the fee as provided in subdivision 6a of section 026-32.0.

As an example, the annual fee due for a 51 square foot illuminated sign projecting beyond the street line is 51 times 45¢ or \$22.95.

All personnel involved in the calculation of fees are to be instructed to be guided by this memorandum.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB/JTW/cl

cc: Acting Comm. Ferris  
Acting Dep. Comm. Padavan  
Ass't. Dir. of Oper's. Walsh  
Ch. Engr. Kepfer  
Sr. Admin. Kehoe  
File

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

194B

The City of New York  
Department of Buildings

Departmental Memorandum

Plans of Assembly  
Fire Department

To: Borough Superintendent

Date: March 14, 1944

From: Thomas F. Burke, Director of Operations

Subject: Application to Fire Department of Plans of Assembly  
Application.

Prior to permitting of the use of existing plans, the approval of the Fire Department is no longer required for plans of assembly before issuance of a plan of assembly permit, either on the initial issuance and use at the annual renewal.

As a consequence, the Fire Department has requested that certification be sent to James Lee, Deputy Assistant Chief, Division of Fire Prevention, Municipal Building, New York, N.Y. 10007, of all new plans of assembly for which permits are requested.

In order to comply with this request, the address of the plans of assembly and the location within the building of the trees or plants to be used, with the number of persons and, where possible, the name of the proposed plans of assembly are to be sent to the Fire Department by the Plan Dept at the time a plan of assembly application is filed.

Please let this Bureau still be forwarded to you.

Thomas F. Burke  
Director of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: December 31, 1981

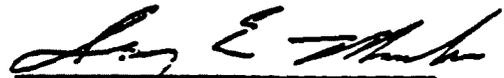
TO: Boro Superintendents

FROM: Irving E. Minkin, P. E.

SUBJECT: SPRINKLERS, FIRE ALARMS & EMERGENCY LIGHTING APPARATUS

In order to standardize filing requirements for the above reference matter, all boroughs are to require that sprinklers and fire alarms be filed as a miscellaneous application. In view of the fact that Emergency lighting requires a fixed fee for filing, this category is to be filed under an amendment to the P. A.

The filing data is to be transcribed to the L:L. 41 control forms.

  
Irving E. Minkin, P. E.  
Deputy Commissioner

IEM:ah

cc: Commissioners Fruchtman, Parascandola,  
Dennis, Grill and Cox  
Messrs Sposato, Kupfer and Patel

1806

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DIRECTIVE NO. 40 OF 1970

September 28, 1970

TO: Borough Superintendents  
FROM: Director of Operations, T. V. Burke  
SUBJECT: Procedure for Daily Use of "INSPECTOR'S ROUTE SHEET"  
Form 59A (Rev.9/70)

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This Directive supersedes Directive #18-1966 "Daily Time Sheets", Memorandum dated January 6, 1967 "Procedure for Use of Daily Time Sheet Form 59A" and all previously issued memoranda on this subject.

The purpose of preparing a tentative route sheet before leaving the office is to have all inspectors plan their work schedules in a manner that will give consideration to construction actively in progress, prevention and elimination of backlog buildups and inspections requiring priority action. In preparing the tentative route sheet, inspectors shall plan to inspect all pending items at the location scheduled, i.e. if a violation reinspection is scheduled - the inspector shall check his records for other violations pending, open applications, complaints, etc., and make such inspections at the same time. It shall be the duty of all supervisors that when reviewing route sheets submitted to them, to make certain that their subordinates are giving consideration to these items, as well as to proper sequence in scheduling and inspections so that there will be a minimum of travel time involved.

Please institute the following procedure in the borough offices under your supervision, effective as of October 1, 1970.

Form 59A (Rev.9/70) will replace Form 59A for all construction, steel, plaster and plumbing inspectors. The form will be filled out in duplicate, using a carbon to make the second sheet.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Inspectors shall be required to prepare a route sheet daily before leaving the office each day showing the inspections scheduled to be made on their next tour of field duty. The route sheet shall show the name and title of the inspector and the date on which the inspections are to be made. In the "PREMISES" column the address of the building is to be placed. In the "TYPE OF INSPECTION" column, the nature of the inspections, such as VIOLATION #\_\_\_\_\_, LICENSE INSPECTION, ALTERATION #\_\_\_\_\_, COMPLAINT #\_\_\_\_\_, etc. is to be placed. The carbon copy is to be turned in before leaving the office on each working day to the field supervisor.

Inspectors shall carry the original copy with them on their field inspections. Inspectors are to make the inspections, insofar as they may be able to, in the order listed. In any event, the first stop listed must be the first inspection made in the field. In the "ARR" and "DEP" columns, the inspector shall enter his arrival and departure time at each visit made. In the "RECORD OR ACTION" column, the inspector will make such pertinent entries as will accurately indicate the job activity or action, such as "N.A." if there is no access, "objections noted", "concrete slabs 8th floor", masonry partitions 9th, 10th floors", "P.A. permit approved", "roughing 2nd floor", "installing fixtures on 5th floor", etc. Entries such as "general progress" shall not be accepted. Accurate entries in the "RECORD OR ACTION" column will assist the inspector in making proper daily entries on applicable journal sheets, and will give supervising inspectors an added tool in evaluating district inspection activity. Inspectors will also fill in the time taken for lunch and the arrival time in office.

Upon returning to the office the inspector will count the number of stops made including no access and enter the total in the space shown as "TOTAL VISITS". On the back of the sheet he will enter on the appropriate line, the number of inspections made in each category, i.e. N.E.-2, Alt.-1, BN-2, F.O.Insp.-2, Violation Dismissed-1. If a violation is filed as a result of any inspection listed on the front in another category, the back of the route sheet will show a stop in the listed category and also

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

an entry in the "VIOLATION FILED" category, for example - the stop was listed on the front as a complaint visit and a violation was filed as a result. The back of the route sheet will show credit on the "complaint" line (line 7) and on the "violation filed" line (line 21). Inspections shall be totaled on line 26 and activities on line 29. Inspectors will fill in office and field time as well as court time (if applicable) on top line on back of the route sheet. Upon completion of all items the inspector shall sign the report and turn it in to his supervisor. All completed route sheets must be submitted daily. All inspectors will therefore submit two (2) route sheets daily - one, the carbon copy of his proposed route for his next tour of field inspections and two, a completed route sheet for his last tour of field duty.

All route sheets are to be reviewed by the field supervisors so that they will be aware of the work performance by inspectors under their supervision. Supervisors shall sign and date all completed route sheets submitted to them and forward all reports to the Assistant Chief Inspectors. The supervisors shall turn in their own route sheets to the the Assistant Chief Inspector after completing them. The Assistant Chief Inspector shall check all route sheets of inspectors and supervisors.

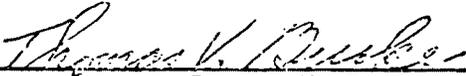
When an inspector and supervisor meet in the field, the meeting shall be noted in "RECORD OR ACTIVITY" column of route sheets of both the inspector and the supervisor. The type of inspection A-B-C or D as required for supervisors under Directive #11-1969 shall be entered in the extreme right column of the field supervisors route sheet.

Deviations or additional stops shall be added to the bottom of the inspector's sheet in the field. Deviations shall be kept at a minimum. For any stops scheduled but not made because time did not allow, a note "not reached" shall be placed in the "RECORD OR ACTION" column.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The Chief Inspector shall be responsible for having all information on the route sheets entered on the "Inspector's Monthly Report".

A revised monthly report coordinated with the revised route sheet shall be used in conjunction with "Form 59A" (Rev. 9/70).

  
\_\_\_\_\_  
Thomas V. Burke  
Director of Operations

TVB:JL:rmr

cc: Executive Staff  
All Construction Inspectors  
All Plumbing Inspectors

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

C C P Y

The City of New York  
DEPARTMENT OF BUILDINGS

Departmental Memorandum

Inspections  
Labor Law - Article 10  
Violations  
AC-Title C-Part 11-Section  
C26-1900.1

To: Borough Superintendents

Date: June 17, 1969

From: Thomas V. Burke, Director of Operations

Subject: Article 10 of the Labor Law

---

The state legislature has enacted a bill which places enforcement of Article 10 of the Labor Law and related provisions of the Industrial Code under the exclusive jurisdiction of the Industrial Commissioner. This bill will become effective on October 1, 1969. Inspectors of this department may not place violations under this article or code after that date.

Enactment of this law does not change or effect any of the provisions of the new building code and violations relating to construction operations may be placed and prosecuted. The state law relates solely to the protection of employees on construction jobs. Due to circumstances peculiar to the City of New York, such as height of buildings, volume of pedestrian traffic, constant use of city streets, the city law serves to protect the general public and regulate the use of city streets. The last sentence of Section C26-1900.1 of the new building code relating to safety of workmen and the applicability of state law shall continue valid for reference purposes only.

(Signed)

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Thomas V. Burke  
Director of Operations

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

C O P Y

The City of New York  
DEPARTMENT OF BUILDINGS

Departmental Memorandum

Inspections  
Labor Law - Article 10  
Violations  
AC-Title C-Part 24-00-006-006-

To: Borough Superintendents

Date: June 27, 1969

From: Thomas V. Burke, Director of Operations

Subject: Article 10 of the Labor Law

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This memorandum is written to clarify a memorandum on the same subject dated June 17, 1969.

The prohibition against writing violations under Article 10 of the Labor Law and related provisions of The Industrial Code does not in any way limit our power to write violations where applicable under provisions of the New York City Building Code. Article 19 and Reference Standard 19-1 of our code has particular relevance in this regard.

Where violations of Article 10 of the Labor Law and rules issued there under, in particular Part 23 of the Industrial Code, do not violate provisions of the New York City Building Code, notice shall be sent to the New York State Industrial Commissioner at 80 Center Street, New York City. This notice shall contain sufficient information so that a proper investigation may be made by that office. A copy of this notice shall be sent to the office of Jack Linker, Chief Inspector for control purposes.

(Signed) \_\_\_\_\_

Thomas V. Burke  
Director of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: November 20, 1979

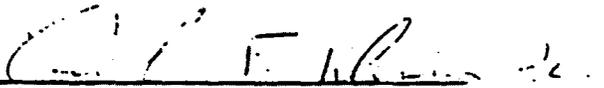
TO: Borough Superintendents

FROM: Cornelius F. Dennis, P.E., Assistant Commissioner—Operations

SUBJECT: BARRICADES FOR BUILDINGS

Effective immediately, whenever barricades and police posting are requested from the Police Department in order to protect the public from dangerous conditions or to protect personal property contained within buildings, the Fire Department shall be notified of such order.

Notification shall be sent as soon as possible by the Borough Office to the local fire house with the notation that the information was requested by the Office of the Chief of Department.

  
\_\_\_\_\_  
Cornelius F. Dennis, P.E.  
Assistant Commissioner—Operations

CFD/dt

cc: Irwin Fruchtman, P.E., Commissioner  
Irving E. Minkin, P.E., Deputy Commissioner  
Executive Engineer, Irving Polsky, P.E.  
Deputy to Ass't. Comm. Operations, William C. Kupfer, P.E. ✓  
Executive Chief Inspector, John J. Ingolia  
Director of Cranes and Derricks, Jack Grill  
Chief Boiler Inspector, Patrick Dillon  
All Chief Construction Inspectors

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: November 5, 1976

TO: Boro. Supt. C. F. Dennis, Manhattan

FROM: Director of Operations Irving E. Minkin

SUBJECT: Building Notice Permits - Directive No. 14/75, Modification #2

In order to improve the efficiency of the Cashier's section, in Manhattan, which is unique in that it performs some Plan Desk functions, as well as to reduce the delay the public has experienced on numerous occasions in this area, the Cashier has now been provided with a self-inking, manual, single-purpose receipt and permit-issuance stamp for Building Notices.

In order to effectively utilize it, Directive No. 14/75, and my memorandum of February 27, 1976, (Modification #1), are hereby modified further in regard to item #2 (Processing) only for Building Notice applications where the professional applicant intends to obtain the permit on the day of filing, as follows:

(a) The applicant shall be directed to carry the application and plans to the Chief Engineer of Engineering prior to filing.

(b) After immediate review by the Chief Engineer or his assistant, for conformance with zoning requirements, if the application is found to warrant further review or is not acceptable as a Building Notice application, it shall be so marked, and the remainder of this modification shall be inapplicable.

(c) If the application has been found to be in satisfactory order within the guidelines of Directive 14/75, the applicant shall be directed to the fee estimator, for check of the estimated cost and computation of fee.

(d) He shall thereafter officially file the application, and pay both the filing fee and permit fee at the Cashier's window at one time and receive the permit, upon producing evidence of workmen's compensation insurance and disability benefits insurance.

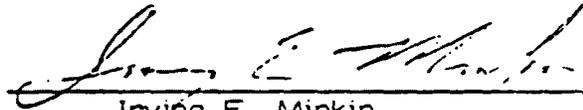
This modification shall take effect immediately; and a copy of this memorandum is to be posted at all locations in the borough office frequented by the public.

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

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An automatic stamping machine has been ordered to further expedite processing of Building Notice applications at the Cashier's window and will be furnished to you when it has been obtained.



Irving E. Minkin  
Director of Operations

IEM/df

CC: Executive Staff  
Supts Sigman, Queens )  
Cohen, Bronx ) for your information only  
Olin, Brooklyn )  
Sakona, Staten Island)  
Industry

1233

**RESCINDED BY**  
**BUILDINGS BULLETIN 2023-007**  
THE CITY OF NEW YORK

**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: December 7, 1976

TO: Borough Superintendents

FROM: Irving E. Minkin, P.E.  
Director of Operations

SUBJECT: BUILDING NOTICE PERMITS - DIRECTIVE NO. 14/75, MODIFICATION No. 3

Re: Field Inspection of Signs in Violation

Items No. 5 and 6 of Directive No. 14/75 are modified, so as to provide for discontinuance of illuminated signs, dismissal of sign violations, and resolution of illuminated sign arrearages by private professional inspection as noted herein. This procedure is authorized for both B.N. and E.S. applications.

The dismissal of sign violations and the resolution of illuminated sign arrearages may be made by virtue of private professional inspection under the following conditions:

1. The Architect/Engineer files one (1) copy of B Form 23 indicating permission of the owner to do the inspection work and the Architect/Engineer's acceptance of the responsibility for same.
2. Photographs of the premises are filed showing all signs on the premises including the sign in question.
3. A report is filed by the Architect/Engineer on his letterhead explaining his findings and recommendation and shall include:
  - (a) A list of all signs on the premises clearly identified with their corresponding application numbers and their account numbers, in the case of projecting illuminated signs.
  - (b) A certification that no other signs exist at the premises other than those specifically noted.
  - (c) A reconciliation for arrearages for projecting illuminated signs that have been removed and those remaining.
  - (d) A certification that all payments due have been made to the city.
  - (e) A certification by a licensed electrician that the electrical wiring has been eliminated in the case of projecting illuminated signs where only the illumination has been discontinued.
  - (f) His seal and signature.

(Continued)

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BUILDINGS BULLETIN 2023-007**

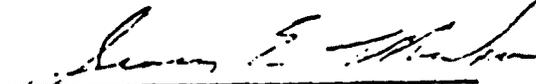
Continued:

Building Notice Permits - Directive No. 14/75 Modification

4. The Architect/Engineer files one (1) copy of B-Form 23a indicating all work is in compliance with applicable law.

Upon receipt of same in the Borough Office, a notice of dismissal of violation is to be issued and notification to the Central Billing Office is to be made that the claim for arrears has been dismissed.

Subsequent inspections may be made by department personnel on a random basis as staffing permits.

  
IRVING E. MIRKIN, P.E.  
Director of Operations

LEM:WCK:ah

cc: J.T. Walsh, Commissioner  
A.J. Jenkins, Deputy Commissioner  
B.F. Parascandola, Asst. Commissioner  
Executive Staff  
Central Billing  
Professional Societies

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RESCINDED BY  
BUILDINGS BULLETIN 2023-007

HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: May 3, 1971

TO: Borough Superintendents  
FROM: William Chamoy, P.E., Ass't. Director of Operations  
SUBJECT: Procedure 18 of 1967 - Directive 25 of 1967

I direct your attention to Procedure 18 of 1967 and Directive 25 of 1967 with respect to processing Rent and Housing Maintenance form 1036 in connection with the issuance of Certificate of Occupancy, sign off for alteration and building notice application for multiple dwellings.

This procedure must be followed to insure that duplicate inspections are not required to be made by the Rent and Housing Maintenance Division and that the violations that have been complied with are dismissed expeditiously.

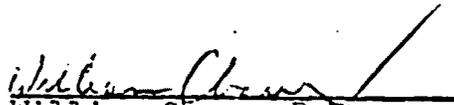
In those cases where the work involved in the alteration of the premises has not been completed and a reinspection will be made within a few days, the 1036 inspection order shall be retained by the inspector for the reinspection, otherwise the 1036s, showing the results of the initial inspection, must be returned promptly to the Department of Rent and Housing Maintenance for further processing.

All 1036 orders in the possession of the inspection staff shall be reviewed for compliance with the above procedure.

I am enclosing copies of Procedure 18/67 and Directive 25/67, for your guidance.

WC/sl

cc: J. Ferro, Commissioner  
F. Padavan, Ass't. Comm.  
T.V. Burke, Director of Operations  
W.M. Schlegel, A.P.E. ✓

  
William Chamoy, P.E.  
Ass't. Dir. of Operations

Attachments:

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**



HOUSING AND DEVELOPMENT ADMINISTRATION  
THOMAS APPLEBY, Administrator

Department of Buildings  
120 WALL STREET, NEW YORK, N.Y. 10005

JEREMIAH T. WALSH, P.E., Commissioner

Dec. 2, 1961

GENERAL BUILDING DEPARTMENT GUIDELINES FOR ALTERATIONS

Based on our experiences with the problems caused by the unfamiliarity of the general public with routine department procedures, as well as their unawareness of basic provisions of building laws, the following is a step-by-step procedure of obtaining an alteration application approval, permit and certificate of occupancy.

1. An alteration application for a proposed change of use and/or desired or required work is filed by a registered architect or licensed professional engineer in the appropriate borough office of this department, with all relevant plans, and payment of a required filing fee computed, based on the cost of alterations. The owner of the premises must authorize the filing, in writing.
2. The application should, on the average, be reached for examination primarily for compliance with the Building Code and Zoning Resolution in approximately three weeks. If disapproved in part, written objections are sent to the applicant.
3. If the objections are readily complied with, the application and plans are thereafter approved. If substantive objections relating to fire protection, egress or zoning are raised, the owner should discuss with his architect or engineer, the cost of compliance or possibility of obtaining a variance at the Board of Standards and Appeals, or, alternately, whether another site is advisable.
4. After approval of the application and plans by this department (whether "as-of-right" or subsequent to a variance), a permit must be obtained by the contractor before any work may commence. The permit is issued upon submission of evidence of required insurance coverages, and payment of the permit fee (related to the cost of the alterations, as was the filing fee). If plumbing work is involved, a separate permit must be filed for by the licensed plumber.
5. At various critical stages in the work, the contractor(s) should request department inspection before concealing the work already done.

(Cont'd.)

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

General Building Department Guidelines for Alterations (Cont'd.)

6. If basic fire safety, egress and ventilation work have been completed, a temporary certificate of occupancy may be requested in writing.

7. After all work has been completed in conformance with approved plans, and all required quality control or test reports have been submitted and approved, the final certificate of occupancy should be requested in writing by the architect, engineer, or contractor who supervised the construction. This certificate of occupancy request should result in final inspection in approximately ten days, and, if all requirements of building laws and the approved plans have been complied with, a final certificate of occupancy is issued, and no further inspections or certifications by the Building Department would normally be required. If there are objections to issuance of the certificate of occupancy, they must be complied with.

8. At any point in the above described procedure, requests for supervisory review of decisions or objections can be made in writing, and they will be evaluated.

Please Note:

The following delay causing incidents have happened in the past, often enough to warrant cautioning all concerned to take appropriate steps to prevent their occurrence.

- a. There is a delay in the filing of the alteration application.
- b. There is no resubmission of corrected plans to comply with objections.
- c. Either the general contractor or licensed plumber or both have failed to obtain their permits.
- d. There have been field deviations from approved plans, and the applicant has failed to file amendments.
- e. No application has been filed for a certificate of occupancy.
- f. The field copy of the approved plans and application has been taken by the contractor, and if the Building Department file is unavailable, no conclusive inspections and sign-offs are possible without resubmission of plans.
- g. Correspondence and inquiries fail to note the proper address and application number.
- h. The original applicant and contractor are no longer available.

(Cont'd.)

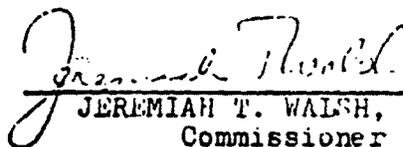
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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

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Borough Offices of the Department of Buildings  
(Borough Superintendents)

<u>Borough</u>		<u>Telephone No.</u>
<u>Brooklyn</u>	Municipal Building - 8th Floor Joralemon & Court Streets	- 643-3083
<u>Bronx</u>	1932 Arthur Ave. - 5th Floor	- 583-5520 - Ext.7
<u>Manhattan</u>	Municipal Building - 20th Floor Centre & Chambers Streets	- 566-2387
<u>Queens</u>	126-06 Queens Blvd. Kew Gardens, N.Y.	- 520-3419
<u>Staten Island</u>	Borough Hall St. George, S.I.	- 390-5179

  
\_\_\_\_\_  
JEREMIAH T. WALSH, P.E.  
Commissioner

Dated: December 2, 1976

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**



HOUSING AND DEVELOPMENT ADMINISTRATION  
THOMAS APPELBY, Administrator

Department of Buildings  
120 WALL STREET, NEW YORK, N.Y. 10005

JEREMIAH T. WALSH, P.E., Commissioner

Dec 29 1972

GENERAL BUILDING DEPARTMENT GUIDELINES  
FOR OBTAINING AND MAINTAINING A  
PLACE OF ASSEMBLY PERMIT

Based on our experiences with the problems caused by the unfamiliarity of the general public with routine department procedures, as well as their unawareness of basic provisions of building laws, the following are guidelines for obtaining an original place of assembly permit and guidelines for maintaining such place of assembly.

1. A "Place of Assembly" is an enclosed room or space in which 75 or more persons gather for religious, recreational, educational, political or social purposes, or for the consumption of food or drink, or for similar group activities, but excluding spaces in dwelling units; or an outdoor space in which 200 or more persons gather for any of the above reasons. The number of persons to be accommodated includes patrons both sitting and standing and regular occupants such as waiters and waitresses, security guards, ushers, etc.

2. An Altered Building Application or a New Building Application is required to be filed and approved with required fees paid to establish a legal use and a legal occupancy load (number of occupants) or to perform desired or required work. Such application is filed by a registered architect or licensed professional engineer in the appropriate borough office of this department. (Refer to "GENERAL DEPARTMENT GUIDELINES FOR ALTERATIONS" issued by this department).

When the existing legal use is determined by the department to preclude the necessity of filing an Alteration application for an existing building, the owner or business representative will be so advised after records are reviewed in conjunction with a "P.A." application.

3. A separate Place of Assembly (P.A.) application is required to be filed by a registered architect or licensed professional engineer for every place of assembly with a plan showing the seating arrangement, exits, aisles, location of occupancy sign, etc., for approval in the appropriate borough office of this department. A copy of the approved plan must be kept on the premises and be available for inspection. If more than one seating arrangement is involved, the approved plan must show each seating layout. No construction work, no change of use or occupancy may be made on a P.A. application.

(Continued . . .)

1255

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

General Building Department Guidelines For Obtaining And  
Maintaining A Place Of Assembly Permit

(Continued . . . )

4. This department issues permits for places of assembly and annual renewals thereof. Fees specified in the Building Code are required to be paid when an application for a "P.A." permit is filed and for annual renewals. The current fees are \$33.00 for the original "P.A." permit and \$27.50 for annual renewals.

5. Prior to the issuance of an original place of assembly permit, an inspector from this department must determine that all work filed and approved under the Altered Building application or the New Building Application has been completed and "signed-off" and where required, a certificate of occupancy issued. An inspection is then made of the room or space for which the place of assembly application was filed. If it is determined that the seating arrangement, aisles, location of capacity sign, etc., conform with the approved plan, the "P.A." permit will be approved.

6. The following list contains some of the more important items which an inspector from this department will check and require compliance prior to the issuance of the original "P.A." permit and subsequent renewals thereof.

(a) The seating arrangement, exits, aisles, and the location of exit and directional exit signs and of the occupancy sign, etc., all are to agree with the approved plan. A copy of the approved plan must be available at all times at the premises.

(b) The occupancy sign is to be posted in a conspicuous location and must be properly illuminated. The occupancy sign designating the number of persons to be accommodated must agree with the approved "P.A." application and plans. The number of persons on the premises or the seating provided must not exceed the number shown on the occupancy sign.

(c) Phosphorescent exit and directional signs are visible and lighted.

(d) No exits or aisles may be obstructed under any circumstances. Exit passages must be adequately lighted. Exit doors must be equipped with approved type hardware. Slide bolts or draw bolts are not permitted, unless they are used as an intergal part of approved panic hardware which is readily openable from the occupied space.

(e) The operation of revolving doors, where previously approved and permitted as an exit, must be cleaned, lubricated and maintained in proper working order. A record of required tests must be kept on the premises and be available to the inspector.

(Continued . . . )

1256

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

General Building Department Guidelines For Obtaining And  
Maintaining A Place Of Assembly Permit

(Continued . . .)

(f) Hoods, flues and grease filters:

(1) For all extinguishing systems, signs affixed to all valves, manual control, or manual releases, indicating the purpose of these devices and designating their proper operative position for manual operation should be clear and readily visible.

(2) A record indicating the name of the person or firm servicing and replacing regularly the filters and the dates when the filters were cleaned or replaced shall be kept on the premises and shall be available for inspection. They shall be cleaned or replaced as frequently as necessary, but at least every three months and no exhaust system shall be operated while cooking is being carried on, without the filters installed in place.

(3) The automatic valve operation and the extinguishing system shall be tested at least once a year by the owner. A record of such tests shall be kept on the premises and shall be available for inspection.

Borough Offices of the Department of Buildings  
(Borough Superintendents)

<u>Borough</u>		<u>Telephone No.</u>
<u>Brooklyn</u>		
	Municipal Building - 8th Floor Joralemon & Court Streets	- 643-3083
<u>Bronx</u>		
	1932 Arthur Ave., - 5th Floor	- 583-5520 -ext. 7
<u>Manhattan</u>		
	Municipal Building - 20th Floor Centre & Chambers Streets	- 566-2387
<u>Queens</u>		
	126-06 Queens Blvd. Kew Gardens, N.Y.	- 520-3419
<u>Staten Island</u>		
	Borough Hall St. George, S.I.	- 390-5179

*Jeremiah T. Walsh*  
Jeremiah T. Walsh, P.E.  
Commissioner

Dated: December 29, 1976

1257

**RESCINDED BY**  
**BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: January 19, 1982

TO: Boro Superintendents

FROM: Irving Minkin, P.E. - Deputy Commissioner *IRM*

SUBJECT: Local Law 10/80 - Inspection of Building Facades

In order to facilitate tracking and control of compliance with local law 10/80 the following procedure is to be implemented immediately;

1) Return original computer printouts of buildings with 7 stories and over to Ass't Commissioner Jack Grill forthwith at 120 Wall Street.

2) Forward one copy only that you have received of Form 29 (3/80) "Report of the Periodic Inspection of Exterior Appurtenances of Buildings" to Jack Grill.

Only those reports that have been duly signed by a licensed engineer or architect are to be accepted. Where a report is not signed you are to return the report and attachments to the submitting party. However, if the unsigned report notes that an unsafe condition exists a copy of the unsigned report is to be sent to Jack Grill.

3) Where a report, wether signed or unsigned indicates an unsafe condition you are to issue violations based on the report and a copy of said violation is to be forwarded to Jack Grill.

4) Where a violation reinspection results in the issuance of a summons you are to notify Jack Grill by letter noting the summons number, premise address and scheduled court date. You are also to report the disposition of the summons.

5) Where an owner alleges exemption from the subject law because of the number of stories you are to evaluate and respond to the owner within two weeks. A copy of your response is to be forwarded to Jack Grill.

6) Where a paved walkway or plaza leads to a building set back 25 feet or more from the street, that portion of the building wall adjacent to the paved walkway or plaza is subject to the law. Therefore, there is no compliance exemption for any building exceeding 6 stories in height.

cc: Comm. Fruchtman  
Depty Comm. B. Parascandola  
Asst Comm. C. Dennis  
Asst Comm. J. Grill  
Asst. Comm. B. Cox  
Exec. Engr. I. Polsky  
Dir. of Sp. Projects W. Kupfer

1814

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE:** March 22, 1977

**TO:** Borough Superintendents  
**FROM:** Director of Operations Irving E. Minkin  
**SUBJECT:** OBSERVATION OF POSSIBLE ILLEGAL CONSTRUCTION WORK

In order to assure that contractors do not circumvent requirements of the building laws and subject building owners to potential violations, as well as deprive the city of mandated permit fees, the following procedure is hereby established:

1. Senior and supervising inspectors should, when possible, while traveling through their areas, note the addresses where there are any indications of construction work.
2. All inspectors should note the addresses where there are indications of construction, when traveling to and from different locations. Indications of the presence of construction work are the presence of a temporary fence, construction waste container, or the like.
3. No stops should be made at the site (unless the senior and supervising inspectors deem it appropriate).
4. The list of addresses noted (and indication of scope of work, and portion of premises involved, if observed) should be immediately given to the Chief Construction Inspector, who shall designate one or more assistants to ascertain whether permits have been obtained for the observed work.
5. Those addresses that have valid permits shall be so noted on the lists, and retained by the Chief Construction Inspector or his designated assistant(s) to assure there will be no unnecessary repetitive research.
6. Inspections shall be scheduled as expeditiously as possible for all premises where there is no valid permit, with stop-work orders to be issued, in addition to the specific violations noted.
7. Violations should be processed in accordance with all current procedure.

IEM/df  
CC: Exec. Staff

  
Irving E. Minkin  
Director of Operations

1171

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE: October 4, 1979**

**TO: ALL CHIEF INSPECTORS**

**FROM: Cornelius F. Dennis, P.E., Assistant Commissioner - Operations**

**SUBJECT: PROTECTIVE HELMETS**

A sufficient number of protective helmets is sent to each borough for distribution, to construction, plumbing and elevator inspectors.

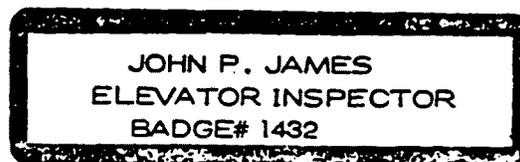
These helmets are to be distributed to each inspector, who will sign for it and keep in his possession at all times while at work as he does his badge and identification card. The inspector's name, title, and badge number shall be typed on the outside rear of the helmet. The protective helmet shall be used whenever on official inspections by all inspectors.

Self sticking tabs are included upon which shall be typed: the name of the inspector his title and badge number. Sample is included.

  
\_\_\_\_\_  
Cornelius F. Dennis, P.E.  
Assistant Commissioner - Operations

CFD:JJI:dt  
cc: Executive Staff

(SAMPLE)



1633

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

C O P Y

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

Inspections  
Department of Rent & Housing  
Maintenance

DEPARTMENTAL MEMORANDUM

Date: May 6, 1968

TO: ALL EMPLOYEES

FROM: Commissioner John T. O'Neill

SUBJECT: Referrals between Department of Buildings and Department of Rent  
and Housing Maintenance.

The purpose of this directive is to provide a uniform procedure for the referral of conditions in violation of laws or rules, observed by inspectors of one department, which are under the jurisdiction of the other department.

When a Building Department inspector observes a condition which he believes to be in violation of laws under the jurisdiction of the Department of Rent and Housing Maintenance, he shall report the conditions on Memo Slip - Form 66, (copy attached) in duplicate. Both copies of the report shall be submitted to the head of his section, i.e., the Borough Chief Inspector of Construction or the Chief Inspector of Boilers. The Chief Inspector shall forward the original to the respective Borough Chief Inspector of Housing and shall establish and maintain a file of the duplicate copies in street and house number order.

A referral shall be made of any building vacated by the Department of Buildings or observed to be vacant where such building was occupied in whole or in part for dwelling purposes.

Where a Building Department inspector observes in any dwelling a condition of violation appropriate for emergency repair, he shall report the conditions on Form ER-1 (copy attached) in duplicate. The report shall be processed in the same manner as indicated above for referral of violation; except that the original copy of the report shall be sent to the Emergency Repair Section of the Department of Rent and Housing Maintenance.

The referral to the Emergency Repair Section shall be in addition to reporting the violation or referral to the Department of Rent and Housing Maintenance as the condition warrants.

Conversely, when an inspector of the Department of Rent and Housing Maintenance observes a condition which he believes is under the jurisdiction of the Department of Buildings, he shall report his findings on Form 1006 Y, (copy attached) for transmittal by the Borough Chief Inspector of Housing to the Borough Chief Inspector of Construction or the Chief Inspector of Boilers, where appropriate. If the condition requires emergency action, the housing inspector shall telephone the information to the appropriate Chief Inspector of the Department of Buildings immediately upon observing the condition. This action shall be confirmed by written referral on Form 1006 T, as indicated above.

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

COPY

TO: All Employees

May 6, 1968

A referral shall be made of any building which is vacated by the Department of Rent and Housing Maintenance or which was observed to be vacant. The referral shall state whether the building is unguarded and open to unauthorized entry or is otherwise unsafe.

It is expected that a directive, similar to this one, will be issued by the Rent and Housing Maintenance Department.

/s/

O'

---

John T. O'Neill  
Commissioner

JTO/JWS/df  
Attachments

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**A. PLUMBING**

1. No running water
2. Sewage accumulation.
3. Water closet obstructed.
4. Flushing apparatus inoperative.
5. Cascading water leak
6. Dangerously broken plumbing.
7. Water closet bowl (existing) missing
8. House sewer obstructed.
9. Soil line obstructed.

**B. GAS SUPPLY**

1. Gas not supplied to building through out.
2. Uncapped, broken or leaking gas lines
3. Carbon monoxide test, proven positive affecting gas ranges, gas refrigerators, gas space heaters, gas water heaters.

**C. CENTRAL HEATING SYSTEMS**

1. Boiler defective and inoperative.
2. Grates missing, broken and inoperative.
3. Oil burner defective and inoperative.
4. Gas burner defective and inoperative.
5. Coal stoker defective and inoperative.
6. No fuel, i.e. gas, oil or coal.
7. Defective chimney or breeching.
8. Defective controls affecting safe operation, i.e., water valves, pressure valve, etc.
9. Carbon monoxide - test proven positive, i.e., coal, gas, etc.
10. Oil tank defective or leaky.
11. Missing radiator air valve.
12. Missing (existing) boiler.
13. Missing (existing) radiator.

**D. PLASTERING**

1. Plaster loose, bulging and unkeyed.

**E. EGRESS**

1. No lights provided in public hall, fire stairs or fire tower
2. Public hall, stair landings, stair treads and flooring broken and defective to a degree affecting safe use of this first means of egress.
3. Sprinkler not water supplied, i.e., OSY valve not in an open position.

4. Sprinkler main not water supplied, i.e., such as cut off by City for leak in street, etc.
5. Fire escape drop ladder missing or inoperative.
6. Rear or court fire escapes, goose-neck ladder missing or inoperative.
7. Fire escape defects that render the use of same unsafe.
8. Bulkhead door or scuttle covers not openable.

**F. ELECTRICAL**

1. Electricity not provided to entire building.
2. Required electric space heater defective and constitutes a fire hazard.
3. Water leakage affecting electrical fixtures.

**G. ROOFING**

1. Cornice defective and in danger of falling.
2. Parapet walls leaning and bulging and in danger of falling.
3. Rain leaders and gutters defective and causing water to enter premises.
4. Roof leaking or open to the element.

**H. GLAZING**

1. Windows and skylights (one or more) broken or missing, permitting the elements to enter premises (window must be out, not cracked).

**I. CARPENTRY**

1. Woodwork defective and creating an unsafe condition, i.e. window sashes, defective flooring, entrance and bulkhead doors,

**J. RATS (Pest Control)**

1. Recent evidence of infestation including openings and harborage.

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

66-108-701340 (66)

DEPARTMENT OF BUILDINGS

BOROUGH OF

, THE CITY OF NEW YORK

MEMO. SLIP

LOCATION

No.

19

V. U. B. Alt. N. B. P. D. Elev. Slip, E. S. B. N.

REFERRED TO

any dwelling a condition of violation appropriate for emergency repair, he shall report the conditions on Form ER-1 (copy attached) in duplicate. The report shall be processed in the same manner as indicated above for referral of violation; except that the original copy of the report shall be sent to the Emergency Repair Section of the Department of Rent and Housing Maintenance.

The referral to the Emergency Repair Section shall be in addition to reporting the violation or referral to the Department of Rent and Housing Maintenance as the condition warrants.

Conversely, when an inspector of the Department of Rent and Housing Maintenance observes a condition which he believes is under the jurisdiction of the Department of Buildings, he shall report his findings on Form 1006 Y, (copy attached) for transmittal by the Borough Chief Inspector of Housing to the Borough Chief Inspector of Construction or the Chief Inspector of Boilers, where appropriate.



HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: April 20, 1971

TO: Borough Superintendents  
FROM: William Chamoy, P.E., Ass't. Director of Operations  
SUBJECT: Workmen's Compensation Insurance - Certificates

---

Attached herewith is a letter dated April 15, 1971 from Mr. Herbert Jacobs, Principal Underwriter of the State Insurance Fund, with respect to the new insurance certificates issued by the Fund.

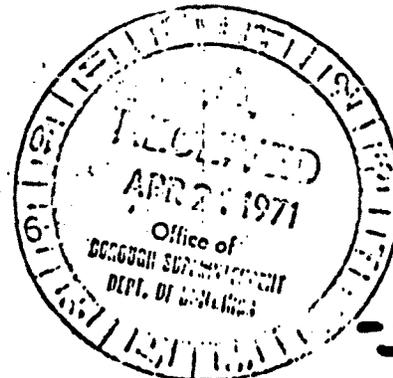
Please accept these certificates as evidence of Workmen's Insurance Coverage. Permits are to be issued for one year duration, unless such certificates specify coverage for a lesser period.

I shall discuss this matter at the next borough superintendent's meeting.

  
William Chamoy, P.E.  
Ass't. Dir. of Oper's.

WC/sl

Attachment:



-513-

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE:** March 22, 1977

**TO:** Borough Superintendents

**FROM:** Director of Operations Irving E. Minkin

**SUBJECT:** SIDEWALK CAFES; JOINT APPROVAL

At a recent meeting in the office of Chairman Marrero of the City Planning Commission, in regard to sidewalk cafes, it was agreed to establish a task force comprised of members of the Planning Department, City Planning Commission, Bureau of Franchises, Department of Consumer Affairs, and the Department of Highways, to discuss and resolve inter-agency coordination problems that have arisen occasionally.

In the interim, in addition to compliance with prior memorandums on this subject, compliance with the attached request dated March 8, 1977, of the Department of Consumer Affairs, with respect to verification of conjunctive filing of the same plans, is to be required.

  
Irving E. Minkin  
Director of Operations

IEM/df  
Att.

CC: Exec. Staff  
Morris Tarshis  
Tony Levy  
Al Yocobo

1289

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**



DEPARTMENT OF BUILDINGS  
EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005  
IRWIN FRUCHTMAN, P.E. Commissioner  
248-8811

August 23, 1982

TO: Responsible/Interested Parties  
FROM: Irwin Fruchtmann, P.E. Commissioner *IF*  
RE: Attached Advisory - Local Law #5 Compliance

---

Please assist us in giving this important advisory as wide a distribution as possible to responsible owners and managers, engineers, architects and all other parties involved in compliance activities related to Local Law #5 - Fire Safety in High Rise Office Buildings.

attachs:

IF/ph

1878

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**ADVISORY LOCAL LAW #5 - FIRE SAFETY IN HIGH RISE OFFICE BUILDINGS**

THIS ADVISORY IS INTENDED TO ALERT ALL RESPONSIBLE PARTIES TO THE STEPS THAT MUST BE TAKEN TO MEET THE REQUIREMENTS OF LOCAL LAW #5 AND THE ACTIONS TO BE UNDERTAKEN BY THE DEPARTMENT OF BUILDINGS TO ASSURE CONTINUED COMPLIANCE WITH THIS LAW.

**Phase One:** Compliance with the first phase of the law involves the preparation of a Fire Safety Plan and installation of the Direction Signs, Fire Alarm and Communication, Elevator Recall, and the Elevator-in-Readiness Systems for the approximately 820 buildings covered by the law. Many of these systems are now in place and enforcement proceedings against owners who have not complied are being actively pursued in the courts. For some systems, where completion has been delayed due to the lack of availability of equipment and contractors, extensions of time to complete the work are jointly reviewed by the Fire Department and the Department of Buildings.

**Phase Two:** The second phase of the law involves those office buildings which have central air conditioning systems serving several floors. These buildings require either a system of pressurized stairwells coupled with compartmentation of large floor areas, or the building may be sprinklered throughout.

**Note:** On February 25th and July 15th, 1982, the Department issued information to the industry concerning compliance procedures for phase two installations.

MEMO FEB 26, 1982 SEE PAGE 1823  
MEMO JULY 16, 1982 SEE PAGE 1865

1279

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

KEY DATES FOR COMPLETION ARE:

SEPTEMBER 13, 1982

PRESSURIZATION SYSTEM OR APPROVED EQUIVALENT.

AUGUST 1984, FEBRUARY 1988

COMPARTMENTATION PHASES II & III.

DECEMBER 1982, DECEMBER 1983

SPRINKLER PHASES II & III.

The Department is now reviewing the status of compliance and is calling in each owner to review his plan to meet the law. Eligibility to apply for an extension to complete installation of Phase II systems will be reviewed by the Fire Department and the Department of Buildings. Commencing in September, the Department will issue violations and summon into court those owners who have failed to comply with this phase of the law. Summonses are returnable in Criminal Court and penalties as proscribed by law are up to \$5,000 for each offense with a minimum fine of \$500 for the first, increasing to \$2,000 for the fourth and every subsequent offense. In addition, a 90 day period of imprisonment can be the penalty for failure to comply.

This advisory is part of the continuing program of enforcement by the Department of Buildings and the Fire Department intended to result in complete compliance with Local Law #5.

1880

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: December 31, 1979

TO: Borough Superintendents

FROM: Irwin Fruchtman, P.E.  
Commissioner

SUBJECT: Local Law # 5/1973 (Fire Safety Law Applicable to Existing and New Office Buildings over 100' in Height  
Local Law # 5/1973 as Amended by Local Law # 84 & 86 for the year 1979 effective December 28, 1979

-----

This memorandum supersedes the memorandum on this subject of March 30th, 1979.

Various provisions have been amended by Local Law # 86, 1979 to provide for new times of compliance -  
The new times of compliance are on the table attached hereto.  
(i.e.) Interior alarm and communication  
Elevator recall  
Compartmentation, pressurization

One of the elements of compliance is that plans must be filed and permits obtained within the specified period of the time allowed before the expiration of the overall compliance dates. (see time table).

The following procedure shall be implemented forthwith;

1. Alteration and BN applications shall be examined under the new compliance schedule for Local Law # 5. The compartmentation provisions noted herein, and those provisions effective February 7, 1973 - i.e. interior stair re-entry, signs at elevator landings, showroom sprinklers must be complied with immediately. However, the provisions for which new times for compliance has been established by Local Law # 86/1979 need not be complied with until the new times have expired including the dates for filing of plans and obtaining permits. (see time table).
2. Supervisory review of BN applications in conformance with Directive # 14/75. Examination of applications in conformance with Directive # 2 shall include, in addition to a zoning review and landmarks status determination, a determination as to whether the applicant has apparently complied with effective compartmentation provision effective February 7, 1973, and the provisions noted above.

1670

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Page 2--

3. Approval of amendments to the original Local Law # 5 applications (Alt, BN, Misc. Elev., etc.) shall be granted only if there is compliance with the provisions of Local Law # 5 as amended by Local Law Nos. 84 and 86 for the year 1979.

4. An application for Temporary and Final Certificates of Occupancy amended for existing office buildings shall be governed by the provisions of Local Law # 5 as amended by Local Law # 86/1979. Generally, this shall mean compliance with the compartmentation provision noted herein and the provisions effective February 7, 1973. The substantive provisions amended by Local Law # 86/1979 need not be complied with until the new date for compliances have expired including the dates for the filing of plans and obtaining permits (See time table).

5. All requests for issuance of Temporary and Final Certificates of Occupancy based on New Buildings shall be governed by the original provisions of Local Law # 5, since the time for compliance for New Buildings has not been changed by Local Law # 86/1979.

6. Examination of plans for installation of Pressurization Systems shall be governed by Local Law # 5, Reference Standard RS5-18 as amended by Local Law # 84/1979.

Irwin Fruchtman, P.E.  
Commissioner

IF:BFP:mh

1671

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: January 2, 1980

TO: Borough Superintendants

FROM: Irwin Fruchtman, P.E.  
Commissioner

SUBJECT: Local Law # 5/1973 (Fire Safety Law Applicable to Existing and New Office Buildings over 100' in Height as Amended by Local Law # 84 & 86 for the year 1979 effective December 13, 1979

-----

This memorandum supersedes the memorandum on this subject of March 30th, 1979.

Various substantive provisions (i.e. Interior alarm and communication; Elevator recall; compartmentation, pressurization) have been amended by Local Law # 86, 1979 to provide for new times of compliance - The new times of compliance are on the table attached hereto.

One of the elements of compliance is that plans must be filed and permits obtained within the specified period of the time allowed before the expiration of the overall compliance dates. (see time table).

The following procedure shall be implemented forthwith;

1. Alteration and BN applications shall be examined under the new compliance schedule for Local Law # 5. The compartmentation provisions noted herein, and those provisions effective February 7, 1973 - i.e. interior stair re-entry, signs at elevator landings, showroom sprinklers must be complied with immediately. However, the provisions for which new times for compliance have been established by Local Law # 86/1979 need not be complied with until the new times have expired including the dates for filing of plans and obtaining permits. (see time table).
2. Supervisory review of BN applications in conformance with Directive # 14/75, and examination of applications in conformance with Directive # 2 shall include a determination as to whether the applicant has apparently complied with the compartmentation provision for the portion of the building being altered and the Local Law No. 5 provisions effective February 7, 1973.

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

Page 2--

3. Approval of amendments to the original Local Law # 5 applications (Alt., BN., Misc., Elev., etc.) shall be granted only if there is compliance with the provisions of Local Law # 5 as amended by Local Law Nos. 84 and 86 for the year 1979.

4. Applications for amended Temporary and Final Certificates of Occupancy for existing office buildings shall be governed by the provisions of Local Law # 5 as amended by Local Law # 86/1979. Generally, this shall mean compliance with the compartmentation provision noted herein and the provisions effective February 7, 1973. The substantive provisions amended by Local Law # 86/1979 need not be complied with until the new dates for compliance have expired including the dates for the filing of plans and obtaining permits (See time table).

5. All Applications for issuance of Temporary and Final Certificates of Occupancy due to new building applications shall be governed by the original provisions of Local Law # 5, since the time for compliance for new buildings has not been changed by Local Law # 86/1979.

6. Examination of plans for installation of Pressurization Systems shall be governed by Local Law # 5, Reference Standard RS5-18 as amended by Local Law # 84/1979.



Irwin Fruchtman, P.E.  
Commissioner

IF:BFP;mh

1688

RESCINDED BY  
BUILDINGS BULLETIN 2023-007  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: December 20, 1985

TO: Borough Superintendents and Local Law #5 Borough Coordinators  
FROM: George E. Berger, P.E., Assistant Commissioner *GEB*  
SUBJECT: Local Law #5 Procedures and Revision of Directive 11/74

---

Violations shall be dismissed at the borough level. Violation dismissal notices shall be sent to the Director of Local Law #5 at 120 Wall Street. The Director of Local Law #5 will then submit a request to the computer section to remove the violation from the computer.

The Alteration number shall appear on all requests to allow the installation of an Advisory System wherever an alternation has already been filed. A copy of such request will be sent to the Borough Coordinators by the Director of Local Law #5.

Any comments the plan examiner or Borough Coordinator may have regarding the validity of such advisory requests should be submitted to the Director of Local Law #5.

A letter indicating the results of the decision on the Advisory System made by the High Rise Task Force will be sent to the Borough Coordinator by the Director of Local Law #5.

Directive 11 of 1974 required all subsequent work to be filed as an amendment to the original Local Law #5 alteration application. Starting immediately all Fire Alarm applications shall be filed on a separate Miscellaneous or Building Notice application. The applicant shall file an amendment to the alteration application indicating that the Fire Alarm System has been filed under a separate Miscellaneous or Building Notice application. The amendment shall contain the Miscellaneous or Building Notice application number.

2066

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: December 22, 1983

TO: Borough Superintendents

FROM: Robert Esnard, R.A., Commissioner *(Signature)*

SUBJECT: Procedures for Enforcing Local Law # 5/73 Requirements for a Mini Class E Fire Alarm and Communication System in Low Rise Office Buildings ( Directive 14-75)

---

All applications for the Mini Class E Fire Alarm and Communication System shall be filed on a Miscellaneous (Misc.) Application by a Registered Architect or a Professional Engineer, and shall be accepted and the permit issued under the procedures of Directive # 14/1975. The application shall include 3 sets of floor plans, riser diagrams and a narrative of operation, and 4 completed application forms, including Form 23C. The application shall be subject to normal microfilm procedures.

All applications shall be stamped "Mini Class E Systems" and filed in numerical sequence in the miscellaneous files.

One stamped, accepted application and permit shall be transmitted to the Executive Offices, Attention: Director, Local Law 5/73 Administration Unit, for tracking and enforcement purposes, and one complete accepted set, including plans, shall be transmitted to the Bureau of Fire Prevention at the Fire Department.

All reconsiderations, including challenges to occupancy loads and existence of sprinklers with flow alarms and central office communication shall be forwarded to the Executive Offices, Attention: Director, Local Law 5/73 Administration Unit, for review by the Local Law #5 Task Force.

Sign-off of the application shall be by submission of 4 copies of B Form 23D containing the seal and signature of the applicant and the corporate seal and signature of the licensed electrical contractor who performed the work and tested the system (copies attached). Again, the forms shall be stamped "Mini Class E System," with copies forwarded to the Executive Offices, Attention: Director, Local Law 5/73 Administration Unit," and to the Bureau of Fire Prevention. One copy shall be filed in the miscellaneous application file.

This system is not subject to the review, approval, inspection or sign off procedures of the Bureau of Fire Prevention of the NYC Fire Department.

An inventory of buildings subject to the law has been deve-

1964

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

- 2 -

loped and a computer file created that will track compliance and enforcement. Violations for failure to install these systems will be issued and mailed by the Systems Planning Division with a copy returned to your Borough Office Manager for entry onto the index cards. Since enforcement is based on information held in the computer, it is essential that all information on filings and sign-offs be forwarded carefully and promptly to the Executive Offices, Attention: Director, Local Law 5/73 Administration Unit, for the coordination of computer input.

MJW:cs

1965

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

February 9, 1977

Mr. Morris B. Raucher, Director  
Department of Finance  
Office of Legal Affairs  
225 Broadway  
New York, N. Y. 10007

Dear Mr. Raucher:

Vending Machines in Multiple Dwellings

Your letter of February 4, 1977, regarding cigarette vending machines, and former Commissioner Gillroy's memorandum of June 30, 1955, regarding milk dispensing machines in multiple dwellings in residence districts, have been reviewed.

Subsequent to issuance of the above mentioned memorandum, a comprehensive amendment of the Zoning Resolution was adopted. The amendment incorporates broad language in regard to permitted accessory uses that permits this office to more closely align such uses to the dominant use.

Accordingly, you are hereby advised that installation and operation of cigarette vending machines in multiple dwellings in residence districts is permissible, provided:

1. The machines are so located that access to them by non-tenants is inconvenient; and, their location is generally unknown to non-tenants.
2. There are no signs advertising the presence of these machines, either outside or inside the building.
3. If placed in corridors or passageways, they do not reduce the required width thereof.

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BUILDINGS BULLETIN 2023-007**

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Mr. Morris B. Raucher, Director  
Department of Finance  
Office of Legal Affairs

February 9, 1977

I am distributing a copy of this letter to all Borough Superintendents and to Deputy Commissioner Dell'Aira of the Office of Code Enforcement of the Department of Rent and Housing Maintenance so that they are guided accordingly.

Thank you for bringing this matter to my attention.

Very truly yours,

Jeremiah T. Walsh, P.E.  
Commissioner

JTW/IEM/df

CC: Exec. Staff  
Boro. Supts.  
Dep. Comm. Dell'Aira, OCE

1277

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: March 10, 1983

TO: Borough Superintendents

FROM: Acting Commissioner Irving E. Minkin, P.E.

SUBJECT: Alteration Applications for Interim Multiple Dwellings (IMD's)

-----

Article 7C of the Multiple Dwelling Law, effective June 21st, 1982, requires that alteration applications be filed not later than nine months after the effective date of said provisions of law. However, the owners of some of the interim multiple dwellings apparently subject to the above-mentioned requirements have expressed intentions of contesting coverage under Article 7C; and, if the Loft Board vindicates their position, it is possible that the building in question may revert back to the uses last authorized by department records and approvals, making the filing of the alteration applications by licensed professionals, (architects or engineers) redundant.

In view of the foregoing, the following procedures are to be authorized and followed with respect to alteration applications filed in accordance with Article 7C of the Multiple Dwelling Law:

1. A formal alteration application filing, as required by Article 7C, must be submitted with an appropriate filing fee. No letter of intent or the like in lieu thereof shall be accepted.
2. The applications shall not be rejected for filing, even though they may be totally lacking any plans, or have other deficiencies as to completeness.
3. The owner may file the application initially, in lieu of an architect or engineer, on or before March 21, 1983.
4. When reached for examination in normal sequence, the initial examination shall indicate the extent of incompleteness, and not proceed in depth, unless proper plans have been filed by a registered architect or licensed professional engineer.

Authorization for expeditious examination will only be considered under the following conditions:

- a. The building has been registered as an Interim Multiple Dwelling (IMD).
- b. An architect or engineer is the applicant (either original or superceding).

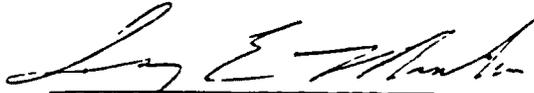
Continued.....

1925

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

-2-

- c. The application and plans are reasonably complete.
- d. Proper Estimated costs have been stated and a proper initial filing fee paid.



Irving E. Minkin, P.E.  
Acting Commissioner

IEM:ow  
cc: Commissioner Esnard  
Deputy Commissioner Parascandola  
Assistant Commissioner Dennis  
Executive Staff  
Cari Weisbrod, Midtown Enforcement  
Loft Board Members  
BIAC  
Industry

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: October 6, 1972

TO: Borough Superintendents

FROM: Director of Operations, Thomas V. Burke, P.E.

SUBJECT: NOISE CONTROL CODE

---

The Noise Control Code, signed into law by the Mayor on October 4, 1972 under Local Law 57/72, contains certain sections that may be misinterpreted. This matter was discussed with Air Resources Commissioner Hart, who concurred entirely in the following interpretations of certain sections of the Noise Control Code, insofar as they affect the provisions of the Building Code, Zoning Resolution, and the operations of the Building Department:-

1. Sections 1403.3-2.01 and 1403.3-5.11 - - Deals with delegation of any of the functions and duties vested in the Environmental Protection Administrator by the subject code, and with regulations regarding air compressors, respectively.

Commissioner Hart agrees that these provisions of law were in no way intended to be a basis for referral of any enforcement activities or complaints to the Department of Buildings, and the Department of Air Resources will not make any such referrals.

2. Section 1403.3-2.21 - - This Section stipulates that where there is any provision of the Noise Control Code inconsistent with any provision of any other law, that the provisions of the Noise Control Code will be controlling.

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BUILDINGS BULLETIN 2023-007**

Commissioner Hart agrees that this was in no way intended to be a basis for anyone to evade compliance with applicable laws, and Borough offices should at no time accept approvals or decisions by the Department of Air Resources as having any bearing on mandatory requirements of the Building Code, Zoning Resolution, Labor Law, Multiple Dwelling Law, or Housing Maintenance Code.

3. Section 1403.3-4.11 - - This Section deals with the permissible hours and days of construction activities and authorizes this department to issue a variance therefrom for a period of up to three days, renewable for additional periods of up to three days while the necessity therefor continues, as was provided in Section 435-5.0 of the Administrative Code, which has been repealed by enactment of the Noise Control Code. This variance is required to be marked on the license or permit, posted on the site of such construction activities, and a copy of such marked license or permit is to be forwarded promptly to the Environmental Control Board.

4. Section 1403.3-4.21 - - This Section authorizes the Environmental Protection Administrator and the Board of Health to designate any geographical area as a noise sensitive zone, and to issue a joint administrative order limiting those activities which would constitute unnecessary noise in such zones.

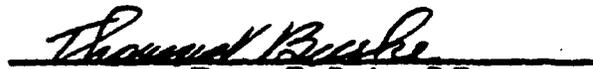
Commissioner Hart agrees that this section was in no way intended to nullify any of the provisions of the Zoning Resolution, which would authorize specific uses in specific zones or districts. Accordingly, you are to enforce the Zoning Resolution as in the past, and are to advise any individuals who are affected by this section accordingly.

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

5. Section 1403.3-8.01 (f) (2) - - This sub-division authorizes the Environmental Control Board to overrule the decision of the Borough offices to grant a waiver of the hours of construction activities specified in Section 4.11 (superseding repealed Section 435-5.0 of the Administrative Code), and direct persons issued a variance from this department to cease and desist from construction activities other than during permissible hours specified in Section 4.11 (a) of the Noise Control Code.

Commissioner Hart notes that the wording of the Noise Control Code is similar to that in the Administrative (or Building) Code and that the Council noted in its report on the Noise Control Code that past grounds for issuing a variance are to be followed by our department. We do not anticipate that the Environmental Control Board will overrule an order by this department regarding emergency operations regardless of the duration.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:rur  
cc: Executive Staff

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DEPARTMENTAL MEMORANDUM

DATE: November 17, 1972

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: NOISE CONTROL CODE - Supplement to  
Memorandum dated October 6, 1972

Paragraph 3 of the October 6, 1972, memorandum deals with the permissible hours and days of construction activities and authorizes this department to issue a variance from the requirement of Section 1403.3-4.11 of the Noise Control Code.

A variance from the requirements of Section 1403.3-4.11 (Noise Control Code) may be granted for construction activities of urgent necessity in the interest of public safety, where a hazardous condition exists or must be prevented or where the public would be greatly inconvenienced by construction during working days. For example, the following construction activities, when carried on in the Manhattan downtown area or other city-wide locations where there are no residence buildings nearby, would qualify for a variance from noise control provisions:

1. Excavation and shoring
2. Driving of Piles
3. Erecting of structural steel
4. Erection of formwork, placement of reinforcement and the pouring of concrete, etc.
5. Emergency work to shore or brace a structure

Variances should be granted for not more than 3 days, initially, to determine whether persons in the community register complaint. Where no residences are nearby and no complaints are received, additional variances may be granted for periods for not more than one week at a time. It is especially important that when emergency work is done, as in the case of a building collapse or a similar emergency, a variance to work at night or Sunday shall be given within 12 hours of the commencement of such work to preclude complaints that unauthorized work is being performed. (Sub-division b of Section 1403.3-4.11 of the Noise Control Code).

This supplement outlines, for the purposes of uniformity, the details of the variance procedure.

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continued.....

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

NOISE CONTROL CODE

-2-

November 17, 1972

PROCEDURE FOR ISSUING OF VARIANCE:

- A. Authorization of a variance from the prescribed hours and days of construction activities shall be by letter

FROM: Borough Superintendent or Deputy Boro Supt.

TO: The applicant for the variance

- B. Salient features of letter

1. Reference

- (a) Address of premises
- (b) Application number

2. Body

- (a) Statement that this situation is a case of urgent necessity in the interest of public safety pursuant to Section 1403:3-4.11 of the Administrative Code followed by a statement setting forth nature of necessity.

- (b) Explicit statement as to the term of the variance:

Hours of the day  
Day(s) of the week  
Date(s) of the month

3. Copies

One copy shall be mailed to:

Environmental Control Board  
% Bureau of Noise Abatement  
199 Church Street - 14th Floor  
New York, N.Y. 10007

  
Thomas V. Burke, P.E.  
Director of Operations

TVB/PEO/sl

Distribution:

Exec. Staff  
Commissioner Christian (Dept. of Development)  
Commissioner Hart (Air Resources)  
BCAC  
Industry

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005

CHARLES M. SMITH, Jr., R. A., Commissioner

October 25, 1984

JOSEPH M. WHITE  
Assistant Commissioner  
Operations

M E M O R A N D U M

To: Borough Superintendents  
Borough Office Managers  
Chief Examiners

From: Joseph M. White  
Assistant Commissioner-Operations

Subject: Construction Permits and Vacant Land

-----

In order to confirm current practice in regard to applications for construction permits on vacant land, please note that applications cannot be processed until outstanding U.B. violations have been removed and any outstanding demolition liens have been paid.

JMW:LO:mh

cc: Executive Staff  
M. Futterman  
L. Ocasio

2001

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: July 13, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Permits for Bulk Oil, and Gas Storage Tanks

Herewith forwarded is a copy of a memorandum dated June 19, 1973 from Deputy Mayor Hamilton concerning the lifting of the moratorium on issuance of permits for construction of storage facilities for bulk oil, gasoline, and similar liquefied petroleum products (excluding liquefied natural gas facilities, for which the moratorium on issuance of new permits remains in effect).

Based on the attached memorandum, permits for construction of new storage tanks may be issued, provided all applicable law, rules and regulations are complied with, as well as the provisions specified in Deputy Mayor Hamilton's memorandum of June 19, 1973, except with respect to LNG tanks.

Former Commissioner Stein's memorandum dated February 27, 1973 remains in effect with respect to LNG tanks, only.

Further, your attention is directed to the provisions of Local Law 12/73 regarding prohibition of certain types of variances in regard to bulk oil storage facilities, which is not affected by the enclosed memorandum.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:IEH:njk

cc: Comm. Karaghouzoff  
Dep. Comm. Cooke  
Ass't Comm. Stulz  
Exec. Staff

RESCINDED BY  
BUILDINGS BULLETIN 2023-007

DEPARTMENTAL MEMORANDUM      C O P Y

The City of New York  
DEPARTMENT OF BUILDINGS

Places of Assembly

DATE: March 4, 1969

To: Borough Superintendents

From: Director of Operations, T.V. Burke

Subject: Places of Assembly

Pursuant to Article 8 of the New Building Code, this Department is not required to secure approvals from or provide notification to the Fire Department when issuing "Place of Assembly" permits.

The Fire Department, nevertheless, has certain responsibilities for inspection of Places of Assembly and this Department is anxious to cooperate in this matter.

Whenever an application is filed for a "Place of Assembly" permit, a notification shall be sent to the Fire Department. Such notification shall be on a form letter, a supply of which are transmitted herewith.

(Signed) \_\_\_\_\_

Thomas V. Burke  
Director of Operations

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: July 7, 1981

TO: The Borough Superintendents

FROM: Irving Polsky, P.E., Executive Engineer

SUBJECT: Requests for Reconsideration of the Commissioner  
relating to Local Law 41 of 1978.

Please advise Applicants that the Local Law 41/78 Task Force, established under the First Deputy Commissioner, represented by the Executive Engineer, and the Fire Department to administratively review the fire safety equivalents by the Applicant with regard to fire safety compliance in Places of Assembly, requires the following information to be added to the plans before requests for reconsideration may be acted upon.

1. A typical hung ceiling detail and its rating, if pertinent.
2. The location, size and number of air changes per hour, achievable by the existing wall fans and/or cooling system fans to purge possible smoke.
3. Location and sizing of the emergency lighting.
4. Details of the fire alarm signal system.
5. Proposed areas to be sprinklered, including storage spaces, and cooking areas, etc.
6. Information regarding the fire load of the space.

The Applicants requests for Reconsideration, the Borough Superintendents Comments, the Plans (including the above information) shall also be forwarded to the Division of Fire Prevention, Room 909, Municipal Building, Brooklyn New York 11201, (Telephone # 543-8672), as well as to this office.

*Irving Polsky, P.E.*  
Irving Polsky, P.E.  
Executive Engineer

IP:gt

cc: Comm. I. Fruchtman, P.E.  
Dep. Comm. I.E. Minkin, P.E.  
Dep. Chief J. Johnston, Division of Fire Prevention  
Boro. Supts.  
File

1782

HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

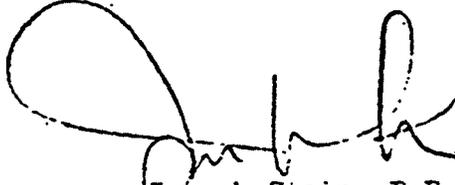
DATE: May 18, 1973

TO: Borough Superintendents  
FROM: Joseph Stein, P.E., Commissioner  
SUBJECT: Sidewalk Cafes

Effective immediately, all applications filed hereafter for sidewalk cafes on city streets shall have the following notation on plans filed therewith:

"A license is required to be obtained from the Commissioner of Consumer Affairs pursuant to a franchise granted by the Board of Estimate prior to commencement of construction of the sidewalk cafe".

While plans in full conformance with all applicable building laws, and bearing the above-stated notation may be approved, no permit shall be issued hereafter for any application for sidewalk cafes on city streets, regardless of filing date, until the above-mentioned license has been obtained.

  
Joseph Stein, P.E.  
Commissioner

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: September 24, 1974

TO: Borough Superintendents

FROM: Jeremiah T. Walsh, P.E., Commissioner

SUBJECT: Sidewalk Cafes

Herewith forwarded are copies of sidewalk cafe guidelines reflecting the view of the various agencies involved in authorization of sidewalk cafes.

Pending an amendment to the Administrative Code, and subsequent promulgation of rules and regulations, you are to be guided by the following:

1. The design guidelines accompanying Chairman Zuccotti's memorandum of September 5, 1974 to the Board of Estimates shall be enforced by the Building Department.
2. A letter dated May 6, 1974 from former Planning Commission Chairman Elliott is superseded by the above.
3. The provisions of former Commissioner Stein's memorandum of May 18, 1973 shall continue in force.
4. Section C26-408.1(e), as enacted by Local Law No. 8/74, as well as all other pertinent provisions of the Building Code and Zoning Resolution, shall be complied with.
5. Building Notice applications shall be required to be filed for all sidewalk cafes. Applications for all enclosed sidewalk cafes, and open sidewalk cafes with awnings, shall be required to be filed by an architect or engineer, licensed to practice in New York State.
6. Sidewalk cafes located at a premises subject to a Board of Standards & Appeals variance for the portion of the premises in question, shall be required to be referred to the Board.

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BUILDINGS BULLETIN 2023-007**

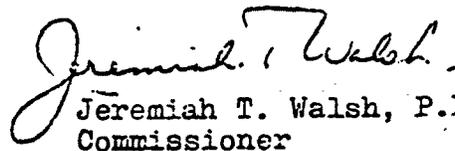
- 2 -

7. All fire escape drop ladders, vault covers, and cellar or basement exits in the vicinity of the sidewalk cafe shall be shown on the plans. No awnings or other obstructions shall be placed with respect to any means of egress.

8. The exits shall be adequate for the total number of occupants of the primary use within the building (restaurant or cabaret) together with the occupants of the sidewalk cafe. When the total number of occupants of both spaces would increase the occupancy load to an excess of 75 persons, a separate door is to be provided for the sidewalk cafe area as well, if enclosed.

9. All existing sidewalk obstructions must be shown on plans, in order to ascertain compliance with the enclosed guidelines.

10. The enclosure wall of the building cannot be eliminated, although additional doors and windows may be authorized.

  
Jeremiah T. Walsh, P.E.  
Commissioner

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DIRECTIVE NO. 9 OF 1972

TO: Borough Superintendents

DATE: September 29, 1972

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Street and Sidewalk Approval and Inspection -  
General City Law, Section 36

Herewith forwarded for distribution to department personnel are copies of Amendment No. 1 to Administrative Order #11, modifying the procedure for street and sidewalk approval and inspection; as well as liability insurance and performance bond requirements in regard to streets and sidewalks.

The procedure specified therein shall be followed on and after November 1, 1972, for all New Building applications and Alteration applications, except for the following:

- a. Erection of garages accessory to a private dwelling.
- b. Alterations, including enlargements, which involve a total cost not exceeding 30 percent of the building value.
- c. Changes of occupancy except for a change from a private dwelling to a multiple dwelling, or from some non-assembly use to a place of assembly.

Effective November 1, 1972, the Department of Highways will be responsible exclusively for assuring that sidewalk and street construction are in conformance with their standards, and notifying the Department of Buildings of conformance with section 230 of the New York City Charter and Section 36 of the General City Law. The following Directives and Memorandums are hereby repealed, effective November 1, 1972:

Memorandum dated 2/15/68 - Sidewalk and Curb Inspection

Memorandum dated 12/17/69 - Sidewalk and Curb Construction in Conjunction with a New or Altered Building

Directive 13/70, dated 3/31/70 - Related Agency Division - Department of Highways - Sidewalks and Street Construction

Part XI, Item 13 (Department of Highways) of "A Guide for the Industry for Plans Examination and Certificates of Occupancy"

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

PAGE 2

Applicability: Administrative Order No. 11, Amendment No. 1 shall be applicable to applications filed after November 1, 1972.

All requests for information relating to requirements of the Department of Highways should be referred to Commissioner Vincent J. Gibney, Commissioner of Highways, 40 Worth Street, New York, N.Y. 10013.

ATTACHMENTS: Administrative Order No. 11, Amendment No. 1, dated September 19, 1972 (3 sheets).

TVB/IEM/PEO/sl

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

cc: Comm. J. Stein  
Deputy Comm. F. Padavan  
Ass't. Comm. J.T. Walsh  
Exec. staff  
Industry  
BOAC  
Comm. Vincent J. Gibney

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: November 9, 1972

TO: Borough Superintendents

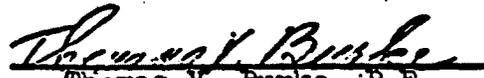
FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Street and Sidewalk Approval and Inspection - General City Law  
Section 36; Directive No. 9 of 1972

Enclosed is a copy of a letter from Transportation Administrator Sidamon-Eristoff designating the Department of Public Works as the agent for the Department of Highways on public building projects for the purpose of certifying to the Department of Buildings adequacy of sidewalks and curb construction, the fact that the street giving access to the public building project has been duly placed on the official map of the City, and that all improvements are in accordance with the requirements of the New York City Charter and with the provisions of Section 36 of the General City Law.

Directive No. 9 of 1972 is amended so as to exempt applications filed by or for the Department of Public Works from the requirements set forth therein in regard to the filing of paving plans. Further, the Department of Public Works is authorized to be the agent for the Department of Highways in making the certifications described above as a prerequisite to issuance of a certificate of occupancy.

Enclosed is a copy of Administrator Sidamon-Eristoff's letter dated October 31, 1972.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:IEM:njk

cc: Edward A. Morrison, Deputy Mayor-City Admin.  
Sidamon-Eristoff, Adminis. Trans. Admin.  
Adminis. Musicus, Municipal Services Admin.  
Comm. Maevis, Dept. of Public Works  
Dep. Comm. Padavan  
Ass't Comm. Walsh  
Exec. Staff

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**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

**HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: April 2, 1976

TO: Borough Superintendents

FROM: Director of Operations Irving E. Minkin

SUBJECT: Street and Sidewalk Approval and Inspection - General City Law,  
Section 36

Correction of Directive 9/72

The procedure specified in Amendment No. 1 to Administrative Order No. 11, for sidewalk and street approvals and inspections with respect to applications filed after November 1, 1972, as set forth in Directive No. 9/72, includes exceptions to the requirements therein for Highway Department certifications in conformance with section 36 of the General City Law.

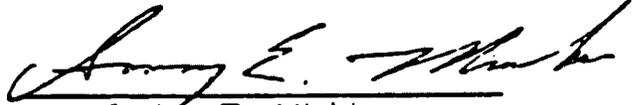
Item 6 in the exceptions listed should be corrected to read as follows:

"b. Alterations, including enlargements which involve a total cost not exceeding 30 percent of the building area, but without cost limitations in the case of interior alterations only which are unrelated to a change of use."

Accordingly, rehabilitation of existing multiple dwellings involving only interior work requires no Highway Department certifications, regardless of the extent of work. This is consistent with the intent of the amendment to Administrative Order No. 11.

IEM/df

CC: Exec. Staff

  
Irving E. Minkin  
Director of Operations

1176

**RESCINDED BY**  
**BUILDINGS BULLETIN 2023-007**  
**RECORDS AND DETECTION DIVISION ADMINISTRATION**  
**DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: December 3, 1976

TO: Borough Superintendents

FROM: Director of Operations, Irving E. Minkin, P.E.

SUBJECT: SOCIAL CLUB VIOLATIONS

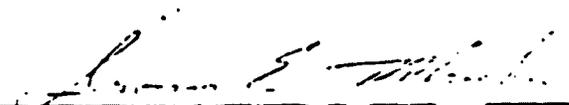
In anticipation of the generation of numerous violations as a result of the Social Club Task Force inspections, the following guidelines supplement my memoranda of November 1 and 9, 1976 on Social Clubs.

Inspectors are to be instructed to be guided by the following list of typical violations and to refer to this memorandum when writing violations for Social Clubs.

1. CB-121.5 - Space used as a Social Club contrary to approved department records.
2. CB-501.2 and Article 2 (occupancy) - Exceeding permissible occupant load, one means of egress available; or, exceeding authorized occupancy load in PA regardless of number of exits.
3. CB-501.3 and Article 2 (occupancy) and Article 8 - No Place of Assembly approval; occupancy, arrangement or available net area for 75 persons or more.

Please note that items 2 and 3 may require the filing of a vacate order in accordance with standard procedures.

This listing is not intended to preclude the filing of any other violations deemed warranted at time of inspection such as the observance of defects or unlawful alterations to the Social Club spaces that have no Department of Buildings approvals, when such prior approvals are required.

  
Irving E. Minkin, P.E.  
Director of Operations

CC: Chief Const. Inspectors

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