



BUILDINGS 2026-015 BULLETIN TECHNICAL

ISSUANCE DATE
September 22, 2026



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Deputy Commissioner
Development & Technical Affairs

PURPOSE: This Bulletin clarifies the 40ft cap exemption of BC 3307.6.3.

SUBJECT(S): Façade jobs, sidewalk shed, 40ft cap

RELATED CODE SECTIONS & RESOURCES

BC 3307.6.2, BC 3307.6.3, [Local Law 47 of 2025](#)

I. BACKGROUND

This Bulletin clarifies the parameters of exception #3 of BC 3307.6.3, which was added by [Local Law 47 of 2025 \(LL47 of 2025\)](#), and which caps sidewalk shed coverage during façade work.

II. CODE DESCRIPTION

Section 3307.6.2 of the Building Code requires a sidewalk shed to be installed, or alternative protective measures in lieu of a sidewalk shed to be provided, when a façade is constructed, altered, maintained, or repaired at a height of more than 40ft above curb level.

Unless alternative protective measures in lieu of a sidewalk shed are provided, BC 3307.6.2 requires sidewalks, walkways, and pathways within the property line of the site, as well as public sidewalks that abut the site, to be protected by a sidewalk shed when the sidewalk, walkway, or pathway is located within a perpendicular distance, measured from the exposure where work is occurring, that is equal to or less than half the height of the façade work (“half the height distance”).

Where a sidewalk, walkway, or pathway within the half the height distance is protected by a shed, BC 3307.6.3 further requires in many instances that the shed extend an additional 5ft in length, or if the façade work is greater than 100ft in height, an additional 20ft in length.

LL47 of 2025 added a new exception #3 to BC 3307.6.3. The new exception allows sidewalk shed coverage to be capped at 40ft from a building during the maintenance or repair of the façade of a building with a plain façade, even when the half the height distance plus the 5ft or 20ft extension would otherwise require coverage beyond 40ft.

BC 3307.6.3 also caps shed coverage at the curblines,* ** meaning sidewalk sheds do not have to be installed across the street, even if a sidewalk, walkway, or pathway across the street is located within the zone otherwise established by BC 3307.6.2 and 3307.6.3.

* When permission is granted to create a temporary walkway in the street, the approval will typically include a stipulation to install a sidewalk shed over the temporary walkway when the temporary walkway is within the half the height distance.

** BC 3307.6.3 also allows a gap of up to 18 inches from the curb in certain instances. See BC 3307.6.3 for the specific provisions and restrictions.

However, it is important to keep in mind that the Code also requires sidewalk sheds to meet other provisions, including maintaining a minimum clear width for accessibility and following certain design parameters to ensure the shed remains structurally stable. Sheds may have to be installed beyond the zone established by the half the height distance, plus the 5ft or 20ft extension, or beyond the zone established by the 40ft cap, in order to satisfy other Code provisions.

III. ANALYSIS OF SIDEWALK SHED TRIGGER 2026

For a typical city streetscape where the building is not set back from the sidewalk, the requirements of BC 3307.6.2 and 3307.6.3 means sidewalk sheds are typically provided as follows (see Figure 1):

Figure 1: Typical Sidewalk Shed Coverage on a Streetscape

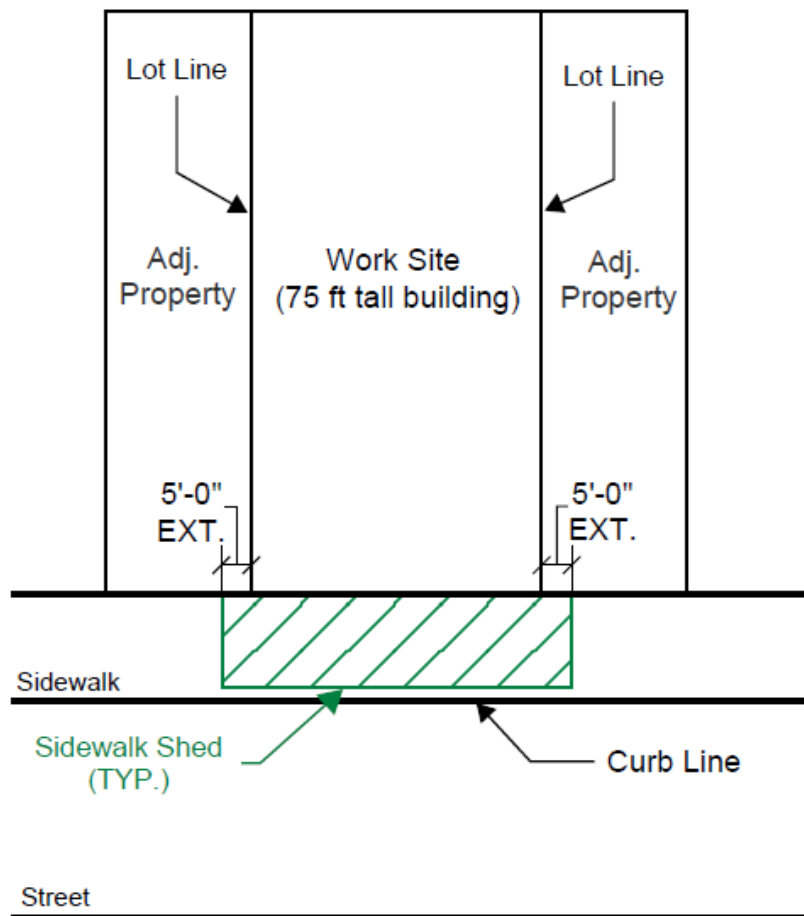


Figure is for illustrative purposes only.
Consult a NYS Registered Design Professional to determine sidewalk shed coverage for your site.

NOTE: This illustration does not take into account minimum clear widths for accessibility, nor does it take into account shed structural stability. Sheds may have to be installed beyond the areas illustrated in order to comply with other Code provisions.

However, when a building is set back from the street, for example situated in a campus setting, and the curb does not present a limiting factor, the half the height distance can result in sheds being installed at a greater distance from the building (see Figure 2):

Figure 2: Typical Sidewalk Shed Coverage for a Rectangular Building in a Campus Setting Without 40ft cap

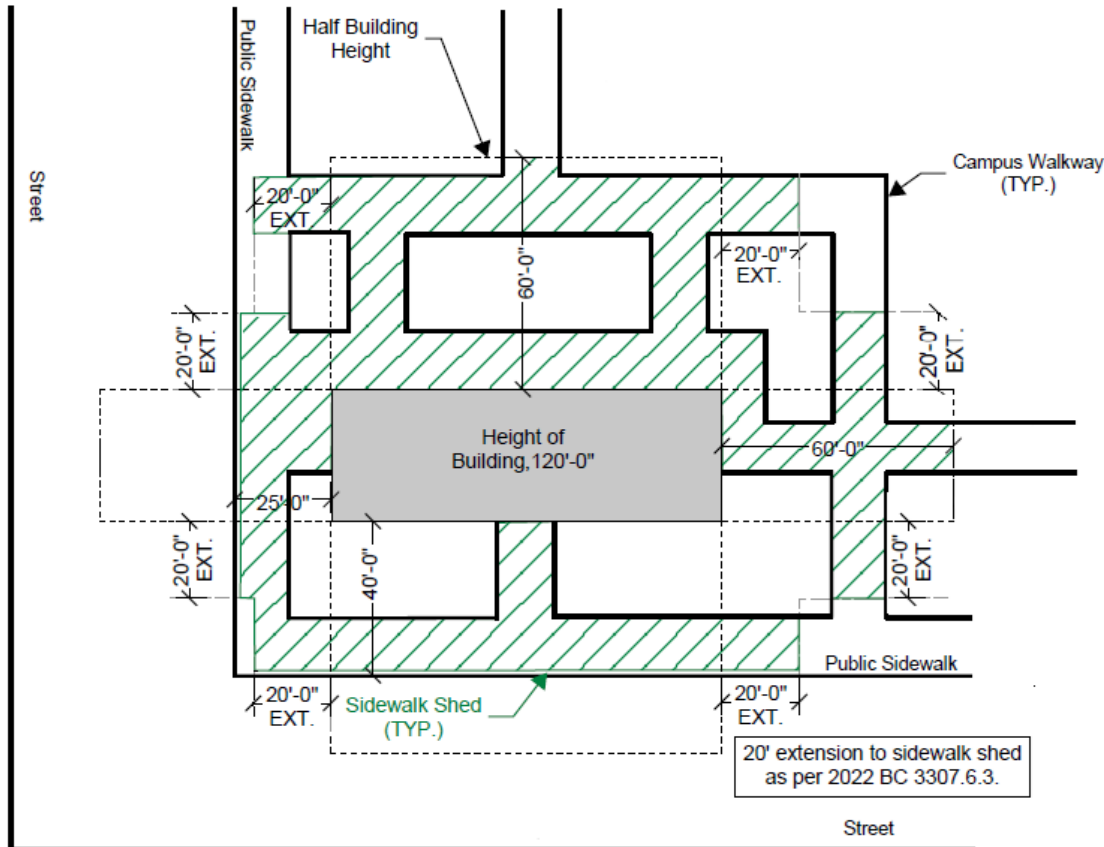


Figure is for illustrative purposes only.
Consult a NYS Registered Design Professional to determine sidewalk shed coverage for your site.

NOTE: This illustration does not take into account minimum clear widths for accessibility, nor does it take into account shed structural stability. Sheds may have to be installed beyond the areas illustrated in order to comply with other Code provisions.

IV. ANALYSIS OF 40 FT CAP

To address the scenario created by the code for buildings that are set back from the street, LL47 of 2025 added a new exception #3 to BC 3307.6.3. The new exception allows sidewalk shed coverage to be capped at 40ft from the building during the **maintenance or repair of the façade of a building with a plain façade**. (Section V of this Bulletin will detail what constitutes a plain façade)

There is nuance to how one measures the half the height distance vs. the 40ft cap.

The half the height measurement is based upon perpendicular distance. Depending on the geometry of the building, this may exclude from the half the height requirement areas in the corner of the building; however, the requirement to extend the length of a sidewalk shed 5ft or 20ft depending on the height of the building would still apply in corner areas.

The 40ft cap is to be measured from every portion of the building's façade. Depending on the geometry of the building, this may result in a 40ft cap boundary that takes a different shape from the half the height distance boundary.

The 40ft cap is not a hard cap. It is an exemption one may utilize to reduce sidewalk shed coverage down to 40ft. It does not prohibit one from installing sidewalk sheds beyond a distance of 40ft from the building, even if one meets all the conditions described in exception #3 of BC 3307.6.3. Reasons one may need to install a sidewalk shed beyond a distance of 40ft from the building include avoiding obstacles at the site, ensuring an accessible clear path, or allowing for the installation of a complete structural bay of sidewalk shed.

As it is an exemption, the 40ft cap established by LL47 of 2025 is not a mandate to extend sidewalk sheds to cover all areas within 40ft from a building. Areas previously excluded because they are outside of the half the height distance plus the 5ft or 20ft extension zones can continue to remain excluded from sidewalk shed coverage, even when they are less than 40ft from the building.

For example, Figure 3 shows how sidewalk shed coverage would change at the rectangular building previously shown in Figure 2 when the 40ft cap is applied. Sheds highlighted in blue in Figure 3 represent sheds that can be removed or omitted as they are beyond the 40ft boundary. Segments in Figure 3 highlighted yellow represent areas that previously did not require a sidewalk shed because, while they are within the 40ft cap, are outside of the half the height and 5ft or 20ft extension zone, and therefore can continue to remain excluded from sidewalk shed coverage.

Figure 3: Typical Sidewalk Shed Coverage for a Rectangular Building in a Campus Setting Utilizing 40ft cap

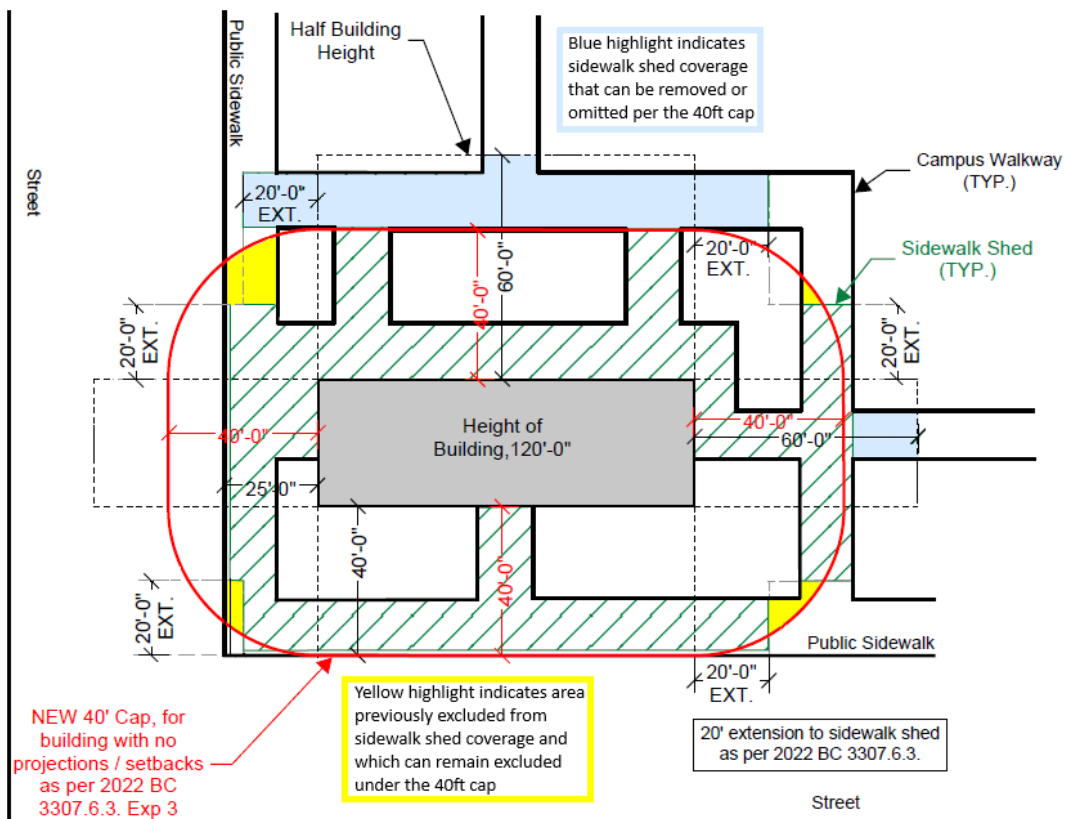


Figure is for illustrative purposes only.
Consult a NYS Registered Design Professional to determine sidewalk shed coverage for your site.

NOTE: This illustration does not take into account minimum clear widths for accessibility, nor does it take into account shed structural stability. Sheds may have to be installed beyond the areas illustrated in order to comply with other Code provisions.

If, for example, the building resembles a T in plan view, the 40ft boundary will look like this (see Figure 4):

Figure 4: Typical Sidewalk Shed Coverage for a T-shaped Building in a Campus Setting Utilizing 40ft cap

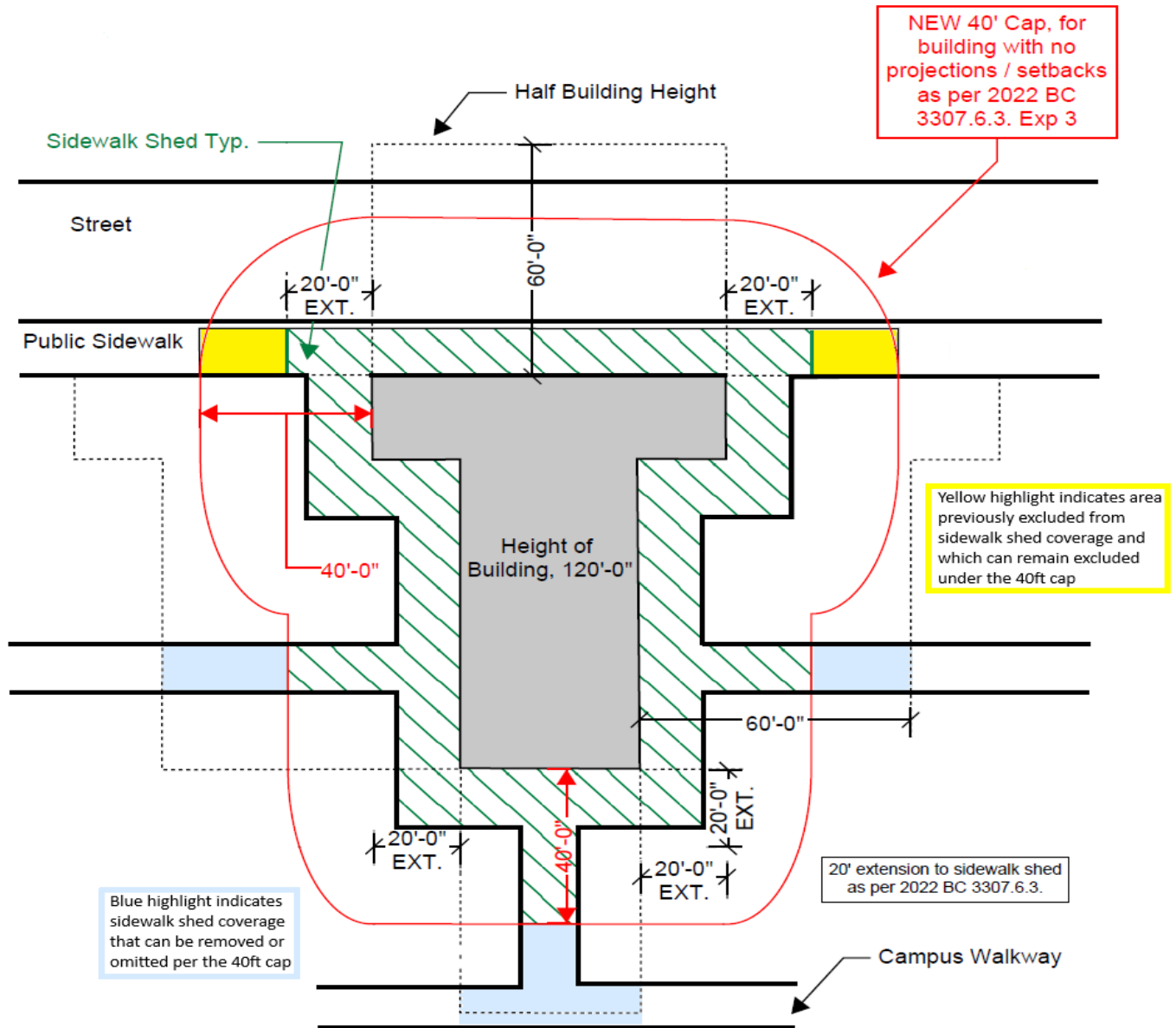


Figure is for illustrative purposes only.
Consult a NYS Registered Design Professional to determine sidewalk shed coverage for your site.

NOTE: This illustration does not take into account minimum clear widths for accessibility, nor does it take into account shed structural stability. Sheds may have to be installed beyond the areas illustrated in order to comply with other Code provisions.

If, for example, in plan view the building takes on the appearance of a +, the 40 ft boundary will look like this (see Figure 5):

Figure 5: Typical Sidewalk Shed Coverage for a Cross-shaped Building in a Campus Setting Utilizing 40ft cap

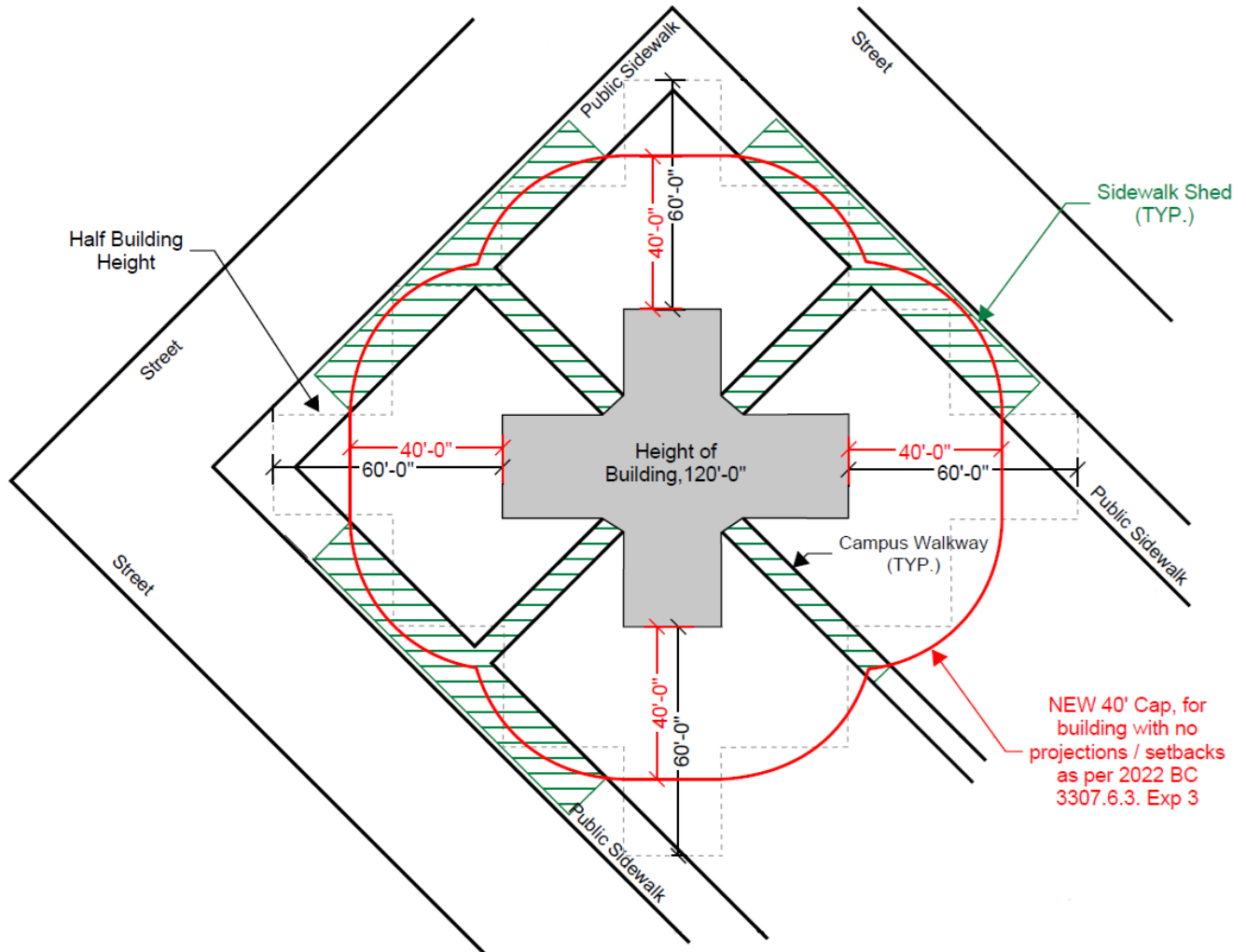


Figure is for illustrative purposes only.
Consult a NYS Registered Design Professional to determine sidewalk shed coverage for your site.

NOTE: Sidewalk sheds must maintain a minimum clear width for accessibility and must be structurally stable. Figure 5 illustrates this by extending sidewalk sheds to cover the full width of sidewalks/walkways/pathways that lie within the 40ft boundary. However, if the shed can be configured to provide a clear width and maintain structural stability, portions of sidewalks/walkways/pathways outside of the 40ft cap can be excluded from shed coverage. For ease of illustrating this extension in width, Figure 5 does not indicate the yellow and blue highlighted areas that were seen in Figures 3 and 4.

V. 40FT CAP CONSIDERATION: PLAIN FAÇADE

To utilize the 40ft cap established by LL47 of 2025, the building must meet two criteria, collectively referred to as the building having a "plain façade":

1. The building must not have any setbacks above the second story; **and**

2. The building must not have any permanent or temporary projections above the second story, other than air conditioning units or window lintels or sills

NOTES:

- Setbacks and projections **do not include** variations in a building's geometry whose depth and width remains uniform above the second story, including but not limited to chimneys, mullions in a curtainwall system, or buildings that in plan view take on the appearance of an H or +.
- Setbacks **include** tiers such as those present in "wedding cake" style buildings. Setbacks **do not include** rooftop structures, such as bulkheads or mezzanines, which in aggregate do not exceed 33.33% of the roof area.
- Projections **include** fire escapes, and cornices and other architectural embellishment. Projections **do not include** utilities affixed to a building, such as cellular antennas, downspouts, electrical conduit, exterior lights, or security cameras. Projections **do not include** roof or parapet eaves, flashing, or coping. Projections **do not include** chimney copings or caps.
- Balconies that project beyond the face of the façade **are** projections. Balconies that are flush with the rest of the façade **are not** a projection and **are not** a setback.

Examples of types of buildings that **can** utilize the 40ft cap established by LL47 of 2025 include:



Source: [Wikimedia Commons](#), Jim.henderson

**EXAMPLE 1:**

No projections or setbacks above the second story;
ground floor projection ok



Source: [Wikimedia Commons](#), Jim.henderson

**EXAMPLE 2:**

No projections or setbacks above the second story; rooftop structures ok, parapet railing and flashing ok; ground floor canopy ok



Source: [Wikimedia Commons](#), Noroton



EXAMPLE 3:
No projections or setbacks above the second story; Uniform curtain wall mullions ok



Source: NYC Department of Buildings



EXAMPLE 4:
Balconies are flush with the rest of the façade

Examples of types of buildings that **cannot** utilize the 40ft cap established by LL47 of 2025 include:



Source: [Wikimedia Commons](#), Kidfly182



EXAMPLE 5:
Setbacks above the second story



Source: NYC Department of Buildings



EXAMPLE 6:
Balconies project beyond the face of the façade



Source: [Wikimedia Commons](#), Ariel Kaplan

**EXAMPLE 7:**

Cornice, architectural projections, and setbacks above the second story above the second story

VI. 40ft CAP CONSIDERATION: MAINTENANCE/REPAIR OF A PLAIN FAÇADE

In addition to meeting the plain façade requirement, to utilize the 40 ft cap established by LL47 of 2025 the work must be limited to the **maintenance or repair of the plain façade**.

The cap does not apply to the construction or demolition of a building. The cap does not apply to the construction of a new façade, nor to façade alterations (such as recladding) that exceed routine maintenance or repair. For work not subject to the 40ft cap, the half the height distance requirement of BC 3307.6.2, plus the additional 5 or 20ft extensions where needed, continues to apply.

VII. DIFFERING FAÇADE TYPES ON BUILDING EXPOSURES

Where a building has an exposure that meets the criteria of a **plain façade**, but one or more exposures along the rest of the building do not meet the criteria, the 40ft cap established by LL47 of 2025 can be applied along the exposure where the entire exposure meets the criteria of a **plain façade** and the work is limited to the maintenance or repair of the façade. Along an exposure that does not meet the criteria for a **plain façade**, sidewalk sheds must continue to be installed to meet the half the height distance requirement of BC 3307.6.2, plus the additional plus 5 or 20ft extensions where needed.

VIII. ROOF WORK

Work confined to the roof of a building that triggers the need for a sidewalk shed may utilize the 40ft cap established by LL47 of 2025, provided the work is limited to **the maintenance or repair of the façade** (such as repointing the back of a parapet), and the entire exposure beneath the work on the roof meets the criteria of a **plain façade**.

IX. OTHER METHODS OF REDUCING SIDEWALK SHED COVERAGE

Whether or not one can utilize the 40ft cap established by LL47 of 2025, one may still be able to utilize other exemptions under BC 3307.6.2 to reduce sidewalk shed coverage even further, for example, by installing an engineered enclosure system along the exposure where façade work is occurring.

X. SHORTER BUILDINGS

The 40ft cap established by LL47 of 2025 is not a mandate to extend sidewalk sheds 40ft from the building. If the building height is such that sidewalk shed coverage ends before reaching a distance of 40ft from the building, the traditional half the height distance requirement, plus 5ft extensions where needed, continues to apply. That is, for a building that is 60ft high, sidewalk shed coverage ends 30ft from the building, plus 5ft extensions where needed, or at the curb, whichever is less.

XI. INSTALLING SHEDS PAST THE 40ft CAP

The 40ft cap is not a hard cap. It is an exemption one may utilize to reduce sidewalk shed coverage down to 40ft. It does not prohibit one from installing sidewalk sheds beyond a distance of 40ft from the building, even if one meets all the conditions described in exception #3 of BC 3307.6.3. Reasons one may need to install a sidewalk shed beyond a distance of 40ft from the building include avoiding obstacles at the site, ensuring an accessible clear path, or allowing for the installation of a complete structural bay of sidewalk shed.

XII. COMMISSIONER ORDERING SHEDS TO EXTEND PAST THE 40ft CAP

LL47 of 2025 allows the commissioner to order sheds to be installed to cover a larger area if there is a unique hazard at the site even if the site and work otherwise meet the conditions described in exception #3 of BC 3307.6.3.

XIII. RESPONSIBILITY FOR COMPLIANCE

The registered design professional (RDP) who prepares or supervises the preparation of the sidewalk shed design drawings filed for the sidewalk shed permit application is responsible for making a site-specific determination as to whether the façade of the building is a **plain façade**. Where the 40ft cap is proposed to be utilized, such design drawings must: 1) indicate which exposures of the building have been determined by the RDP to be a **plain façade**; and 2) note that no work requiring a sidewalk shed other than **the maintenance or repair of the façade** can be performed along such indicated exposure(s).

Contractors and building owners may be subject to violations if work requiring a sidewalk shed, other than **the maintenance or repair of the façade**, is performed along an exposure that utilizes the 40ft cap.

XIV. UTILIZATION OF 40ft CAP

The 40ft cap may be utilized for new sidewalk sheds provided the shed is installed for **maintenance or repair** of a **plain façade** and further provided that drawings in accordance with the provisions specified in the "Responsibility for compliance" section above have been filed by the RDP and accepted by the Department.

Existing sidewalk sheds, including those whose initial permit was issued prior to the effective date of Local Law 47 of 2025 (August 15, 2025), may be reconfigured to utilize the 40ft cap provided the shed is installed for **maintenance or repair** of a **plain façade** and further provided that amended drawings in accordance with the provisions specified in the "Responsibility for compliance" section above have been filed by the RDP and accepted by the Department.