



## **2014 CONSTRUCTION CODES UPDATE PAGES**

Attached are 2014 Construction Codes Update Pages. These pages reflect local laws enacted and ministerial administrative corrections made after December 31, 2014. Please note that the source of a particular update, the local law number, and year is indicated on each page. Please visit our [webpage](#) to ensure that your codes are complete and up to date as the City Council may periodically pass Local Laws that affect the Construction Codes.

### **Instructions:**

Please place each page, according to its page number found on the bottom right hand corner, into your Construction Codes books.

The pages contain letters after the page number and should be placed in alphabetical order following the number, i.e. 5, 6, 6a, 6b, etc.

Place Title Pages in the front of your Code books for easy reference.

# CONSTRUCTION CODES UPDATE PAGES

## UPDATE # 76

Source: Local Law 108 of 2019, effective September 6, 2019.

This update includes the following pages:

<b>GENERAL ADMINISTRATIVE PROVISIONS</b>	
<b><u>Section</u></b>	<b><u>Page Number</u></b>
28-104.2.1.2	12u
28-104.2.1.3.2	12v
28-104.2.1.3.2.2	14c
28-104.2.1.4	14d

## CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.  
**Source:** Local Law 108 of 2019, effective September 6, 2019.

## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages 12t and 13 of your bound volume of the NYC General Administrative Provisions.*

Amend section 28-104.2.1.2 to read as follows:

**§ 28-104.2.1.2 Program requirements.** The commissioner may establish qualifications and requirements for registered design professionals to participate in such program and may exclude, suspend or otherwise sanction participants for cause. The commissioner shall send an annual notification to registered design professionals who are currently participating in this program notifying them, in a manner to be determined by the commissioner, of the grounds upon which they may be excluded, suspended or otherwise sanctioned.

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## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages 12u and 13 of your bound volume of the NYC General Administrative Provisions.*

Amend section 28-104.2.1.3.2 to read as follows:

**§ 28-104.2.1.3.2 Mandatory sanctions.** The commissioner shall, after the opportunity for a hearing before the office of administrative trials and hearings in accordance with department rules, exclude, suspend or otherwise condition the participation of a registered design professional who (i) knowingly or negligently submits a professional certification of an application and/or construction and other related ~~documents~~ document that contains false information or is not in compliance with all applicable provisions of law, ~~or~~ (ii) submits two professionally certified applications for construction document approval within any 12-month period containing errors that result in revocation of an associated permit or that otherwise demonstrate incompetence or a lack of knowledge of applicable laws, or (iii) knowingly orders or directs another registered design professional to submit a professional certification of an application and/or construction and any other related document that contains false information or is not in compliance with all applicable provisions of law or that otherwise demonstrates incompetence or a lack of knowledge of applicable laws, or with knowledge of such specific conduct, ratifies or assents to such conduct or with knowledge of such specific conduct and while acting as a supervisor otherwise fails to prevent it. The term "otherwise condition" shall mean limitations on such professional's participation in the program, such as, but not limited to, audits and monitoring of the registered design professional's applications and other submissions. For purposes of this section, a professionally certified application shall include the professional certification of construction and other related documents and the satisfaction of objections issued at plan examination.

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**Source:** Local Law 108 of 2019, effective September 6, 2019.

## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages 14b and 15 of your bound volume of the NYC General Administrative Provisions.*

Amend section 28-104.2.1.3.2.2 to read as follows:

**§ 28-104.2.1.3.2.2 Mandatory permanent revocation.** The commissioner (i) shall permanently revoke, without the opportunity of restoration, the professional certification privileges of an engineer or architect who, while on probation, professionally certifies an application, plans, construction or other related ~~documents~~ document that contains false information or is not in compliance with all applicable provisions of law or who otherwise demonstrates incompetence or a lack of knowledge of applicable laws and (ii) may permanently revoke the professional certification privileges of an engineer or architect who knowingly orders or directs another registered design professional to, while on probation, professionally certify an application, plans, construction or other related document that contains false information or is not in compliance with all applicable provisions of law or that otherwise demonstrates incompetence or a lack of knowledge of applicable laws, or with knowledge of such specific conduct, ratifies or assents to, or with knowledge of such specific conduct and while acting as a supervisor otherwise fails to prevent it.

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## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages 14c and 15 of your bound volume of the NYC General Administrative Provisions.*

Amend section 28-104.2.1.4 to read as follows:

**§ 28-104.2.1.4 Database.** The department shall create and maintain a database of all registered design professionals who have been excluded, suspended or otherwise sanctioned by the department, all current firms of employment or affiliation of such professionals, if known or readily ascertainable, and the firm that employed such professionals, or with which such professional was affiliated, at the time such professionals were sanctioned, and the status of such sanction or sanctions. Within 7 business days of the date a sanction is imposed, the department shall post on its website and shall make available upon request, the name of the registered design professional and the firm that employed such professionals, or with which such professionals were affiliated, at the time such professionals were sanctioned, and a description of the sanction, the initial date of the sanction, the reinstatement date, if applicable, the address of the premises for which the application associated with the sanction was submitted, and whether the sanction was imposed after a hearing or a settlement. The department shall provide requested information concerning the exclusion, suspension or other sanction of a specific registered design professional and the firm of employment of such professionals, or the firm with which such professionals were affiliated, when such professionals were sanctioned, within 30 days of such request.