

By Council Members Sanchez, Nurse, Marte, Restler, Cabán, Schulman, Hanks, Hudson, Williams, Rivera and Won

A Local Law to amend the administrative code of the city of New York, in relation to establishing a proactive inspection program for buildings.

Be it enacted by the Council as follows:

1 Section 1. Chapter 3 of title 28 of the administrative code of the city of New York is  
2 amended by adding a new article 326 to read as follows:

3 **ARTICLE 326**

4 **PROACTIVE INSPECTION PROGRAM**

5 **§ 28-326.1 Proactive inspection program.** The commissioner shall establish a proactive  
6 inspection program to identify buildings where unlicensed or unpermitted work may be occurring,  
7 or where maintenance issues, façade or structural issues, or other issues of concern could affect  
8 the integrity of a building or neighboring site. The department shall use predictive analytics to  
9 weigh the factors identified in items 1 through 8 of this section that may indicate potential safety  
10 or other issues. The department shall evaluate such factors and conduct inspections at buildings  
11 where such evaluation indicates there is a potential for a hazardous condition or other safety  
12 concern. Such program shall consider the following factors:

- 13  
14 1. building information and characteristics, including but not limited to building age,  
15 occupancy type, ownership type, and construction material;  
16 2. permit history;  
17 3. violation history;  
18 4. applicable compliance filings;  
19 5. disciplinary history of registered design professionals, contractors, or licensees;  
20 6. relevant 311 complaints;  
21 7. neighboring site characteristics and construction activity; and  
22 8. any other factors determined by the commissioner.

23  
24 **§ 28-326.2 Corrective action plan.** The commissioner shall promulgate rules to establish criteria  
25 for when a corrective action plan is required, provided the commissioner may also require a  
26 corrective action plan where potential safety or other issues warrant further action. When a  
27 corrective action plan is required by the commissioner, the owner or the owner’s agent shall submit  
28 a corrective action plan acceptable to the department within the time set forth by the  
29 department, but not more than 30 days after the date the owner or owner’s agent was notified of  
30 such requirement. The corrective action plan shall be prepared by a registered design professional  
31 in good standing with the department and the New York state department of education. The  
32 corrective action plan shall clearly document each violating condition and shall include photos,

1 construction documents, and a timeline detailing repairs to make the building safe, and must be  
2 signed and sealed by such registered design professional. The department shall conduct inspections  
3 as necessary to verify the progress of the corrective measures outlined in the corrective action plan.  
4 The department shall issue a notice of violation for failure to comply with the corrective action  
5 plan. The department may charge fees for the inspections and for review of the corrective action  
6 plan. Such fees shall be established by department rule. Where a corrective action plan has been  
7 required by the department, the owner of the building or the owner's agent shall post a notice in a  
8 conspicuous manner in the building lobby indicating the conditions identified during the proactive  
9 inspection for which a violation was issued. Such notice shall be made available in all designated  
10 citywide languages upon request.  
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12 § 2. This local law takes effect 180 days after it becomes law.  
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