

THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: January 15, 1980

TO: Borough Superintendents

FROM: Irwin Fruchtman, P.E. 
Commissioner

SUBJECT: Local Law # 5/1973 as amended by Local Law # 86/1979
Dismissal of Notices of Violation

On January 2, 1980 a memorandum was issued by me on the above subject relative to the procedures for the examination of plans.

The subject memorandum is concerned with dismissal of notices of violations since new times of compliance were mandated by Local Law No. 86/1979 (see table attached hereto).

This language shall be used on dismissals for premises for which a basic Local Law No. 5 application was filed whether or not actual plans were filed for compliance with specific substantive provisions of Local Law No. 5 (i.e. alarm and communication, elevator recall, compartmentation, pressurization, sprinklerization).

Premises for which a basic Local Law No. 5 application was never filed shall not be processed for dismissal of the notice of violation. The dismissal notice shall be processed only when plans have been filed for compliance with one of the substantive provisions of Local Law # 5.

New notices of violation will be in order when the new times of compliance provided by Local Law No. 86/1979 have expired. This includes the requirement contained therein which mandates that plans for the various substantive provisions be filed within the specific period of time (i.e., 6 months or 9 months) which is much shorter than the overall time for compliance. Local Law No. 5 plans already on file with the department will constitute compliance with this requirement for the specific substantive provision for which it was filed.

Sample language for the dismissal of the violation is attached hereto. If you have any questions, please contact Deputy Commissioner Blaise F. Parascandola, at 248-8766.


Irwin Fruchtman, P.E.
Commissioner

IF:BFP:mh
cc: Dep. Commr. Minkin
Dep. Commr. Parascandola
I. Polsky
W. Kupfer ✓
L. Munoz

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TIMETABLE FOR COMPLIANCE WITH LOCAL LAW # 5
AS AMENDED BY LOCAL LAW NO. 06/1979

<u>Size of Building</u>	<u>Requirements</u>	<u>Timetable 1979 Under Local Law No. 84,86/1979</u>
Office Buildings Over 100 Feet with or without Central Air Conditioning	Interior Stairway Re-entry Signs at elevators and stairways Showroom sprinklers Interior fire alarm and communication system, Fire Command station Elevator readiness Elevator interlock wiring	2/7/73 2/7/73 2/7/73 2/7/73
Office Buildings Over 100 Feet with Central Air Conditioning	Option A Smoke Control (Smoke shaft - new buildings) Pressurization existing buildings PLUS Compartmentation on sprinkler- ization of individual floors. Option B Sprinklerize entire bldg.	Plans must be filed and permit taken out within 9 months of effective date. Work must be completed 2 years and 9 months from effective date. Installation of pressurization system shall be as per Reference Standard RS-18 as amended by Local Law No. 84/1979. Plans must be filed and permit taken out within 9 months. Work must be done: (i) in course of alteration and (ii) 1/3 within 2 years of effective date, 2/3 by 8/7/84 and whole bldg. by 2/7/88. Plans must be filed and permit taken out within 9 months from effective date. Work on 1/3 of building must be completed within 2 years of effective date, 2/3 within 3 years and the entire building within 4 years.

DEPARTMENT OF BUILDINGS

BOROUGH OF

THE CITY OF NEW YORK

(Date) _____ 19__

SPECIAL REPORT

LOCATION _____

VIO _____ 19__ U.S. _____ 19__ EXIT ORDER _____ 19__

APPLICATION _____ 19__ CERTIFICATE OF OCCUPANCY _____

SAMPLE *

LOCAL LAW NO. 5

VIOLATION DISMISSAL

Date of Report _____ 19__

TO _____

On _____ 19__ I examined the above premises and respectfully report as follows:

DISMISSAL OR VIOLATION: NO.

DECRET: NO.

REASON: The above violation(s) have been dismissed since the completion date(s) for the item(s) on which violation(s) have been placed for non-compliance with local law NO. 5/1972, have been extended as per local law NO. 26/1972.

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