

REMINDER: New Construction Superintendent Limitations Begin January 1, 2026 – Local Law 149 of 2021 Requirements

Local Law 149 of 2021 has decreased the number of jobs a construction superintendent can hold. Presently, a Construction Superintendent (CS) is limited to being designated as the primary CS on no more than 3 non-major building jobs or no more than 1 major building job. Beginning January 1, 2026, the limit will be lowered to no more than 1 job, either a major building or a non-major building.

Continuation with Existing Jobs

Construction superintendents who hold multiple non-major building jobs as of December 31, 2025, will be allowed to continue with those jobs past January 1, 2026. Until the preexisting jobs are completed or the CS has removed themselves from their existing jobs, a CS will not be able to be designated as the primary CS on additional jobs after January 1, 2026. For example, if a CS holds 3 jobs as of December 31, 2025, the CS can continue to hold those jobs. When one job finishes, the CS can continue to hold the two remaining jobs they held as of December 31, 2025, but the CS will not be able to take on a new third job. When the second job finishes, the CS can continue to hold the one remaining job, but will not be able to take on a new second job.

The allowance to hold multiple preexisting jobs will end on January 1, 2027. At that time, any CS still holding multiple non-major building jobs from December 31, 2025, will have to drop jobs and will only be able to hold one job.

Competent Person Allowance

For both a major building and a non-major building job, the CS can continue to designate a Competent Person in accordance with Section 3301.13.12 of the NYC Building Code until December 31, 2026. A Competent Person may be designated even if the CS only holds one job.

The allowance for a Competent Person will sunset on January 1, 2027. Beginning on that date, a CS will be required to be at the site during all times work is occurring, except for certain activities exempted by Section 3301.13.7 of the NYC Building Code.

Non Primary Jobs

The decrease in the number jobs a CS can hold has no impact on the ability of a CS to serve in a backup or non-primary role in accordance with exception #5 to Section 3301.13.6 of the NYC Building Code.

Contiguous Lots

The decrease in the number of jobs a CS can hold has no impact on the ability of a CS, subject to the approval of the Department, to serve as the primary CS for multiple non-major building jobs located on the same lot or on contiguous lots.