

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to add a new rule regarding netting to be used in place of sidewalk sheds in certain circumstances.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11:00 AM on 10/5/26.

- **Join through Internet – Desktop app:**

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://events.gcc.teams.microsoft.com/event/3bfb253f-d012-44a4-b64c-304f9a885d40@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don't have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- **Join through Internet - Smartphone app:**

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://events.gcc.teams.microsoft.com/event/3bfb253f-d012-44a4-b64c-304f9a885d40@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select **“Join meeting”**. Type your name and then select **“Join meeting”** again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

PLEASE NOTE: The above links are used to register for the hearing. Once registered, you will receive a confirmation email that will include a link to join the hearing. If you should run into technical difficulties when using the above links to register or you do not receive the registration confirmation email with your link to join the hearing, please use one of the following alternative methods to join the hearing. You should receive the confirmation email within a short time of registering. Please check your junk email folder

too if you do not see the email in your inbox. Best practice is to register for the hearing prior to the actual hearing date.

Alternatively, open the Teams app and select “Join a meeting”. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select “Join meeting”.

Meeting ID: 277 963 117 340 465

Passcode: zE7sW7qd (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101

Phone Conference ID: 822 532 493#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing dobrules@buildings.nyc.gov by 9/28/26 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? Yes, you must submit comments by 10/5/26.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at dobrules@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 9/21/26.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at dobrules@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter and section 3307.6.2.1 of the New York City Building Code authorize DOB to make this proposed rule. This proposed rule was included in DOB's regulatory agenda for Fiscal Year '26.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Local Law 47 of 2025 added section 3307.6.2.1 to the New York City Building Code, requiring the Department to promulgate rules for the use of containment netting as an alternative to a sidewalk shed for required pedestrian protection in areas with no public access or for use on a building exposure adjoining the exposure where façade work is to occur. The Department is proposing a new rule to set out the conditions for optional use of such netting, as well as requirements for the design, materials, installation, adjustment, maintenance, repair, and inspection of the netting.

The Department of Buildings' authority for these rules is found in sections 643, 645, and 1043 of the New York City Charter and section 3307.6.2.1 of the New York City Building Code.

New material is underlined.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Chapter 3300 of Title 1 of the Rules of the City of New York is amended by adding a new section 3307-02 to read as follows:

§3307-02 Containment netting as an alternative to pedestrian protection or adjoining property protection. The use of containment netting as an alternative to pedestrian protection or adjoining property protection must comply with the requirements of this section.

(a) Definitions.

Containment netting. A system of netting, including all of its framing, components, hardware, attachment points, connections, anchorages, and supports, installed in accordance with the requirements of this rule.

Debris net or netting. See Section 202 of the New York City Building Code.

Structural net or netting. See Section 202 of the New York City Building Code.

(b) Permitted uses. Containment netting may be used as an alternative to pedestrian protection or adjoining property protection for the temporary containment of unsafe or deteriorating façade conditions prior to the commencement of work to repair the façade.

(c) Temporary protection to be in place during installation or removal of containment netting. During the installation or removal of the containment netting, and as otherwise warranted during repairs, maintenance, or adjustments to the containment netting, areas immediately beneath the location where the nets are installed or to be installed, including but not limited to sidewalks, roofs, and yards, must be:

(1) Closed to the public; or

(2) Protected by a sidewalk shed or equivalent overhead protection in accordance with Section 3307.6 of the Building Code, or adjoining property protection in accordance with Sections 3309.10 or 3309.13 of the Building Code.

(d) Protection required for façade repairs and work. During the duration of façade work, pedestrian protection must be in place in accordance with Section 3307 of the Building Code, and adjoining property protection must be in place in accordance with Section 3309 of the Building Code. Such required protection must be in place prior to the commencement of façade work and before the containment netting is removed.

(e) Netting material and design. Containment netting must consist of structural netting, lined with debris netting, of dual-layer construction, joined by a webbing to provide maximum strength. The containment netting system must be of sufficient strength to contain displaced, deteriorated, or loose façade materials and to prevent the unsafe or deteriorating façade condition from creating a hazard to pedestrians and the public. Safety netting utilized for unenclosed perimeter protection in accordance with Section 3308 of the Building Code may not serve as containment netting. The

materials and dimensions of netting utilized for containment netting must meet the requirements of this rule.

(1) Materials.

- (i) Containment netting materials must be High Density Polyethylene (HDPE), or High Tenacity Polypropylene (HTPP), and must be flame retardant in accordance with NFPA 701. Border edges must be reinforced with at least 3" double stitching webbing and stainless-steel grommets at least 2 ft on center.
- (ii) Containment netting mesh sizes must comply with the following:
 - (A) Structural Netting: The largest mesh size for the base netting must not be larger than 4 square inches (2500 mm²), with no opening larger than 2 inches (50 mm) in the vertical or horizontal dimensions and 2 inch (50 mm) in any other dimension.
 - (B) Debris Netting: The largest mesh size for the liner netting must not be larger than 1/16 square inch (36 mm²), with no opening larger than 1/4 inch (6 mm) in the vertical or horizontal dimensions and 1/4 inch (6 mm) in any other dimension.

(2) Design criteria. The containment netting system must meet the following design criteria.

- (i) Loading criteria should have a safety factor of 1.3 and the design must consider the containment netting weight, size, and shape.
- (ii) Other design considerations must include impact forces from falling debris, wind suction effect or outward pressure effects.
- (iii) The wind loading criteria must conform with Chapter 16 of the Building Code.

(3) Minimum performance standards.

- (i) No permanent distortion or damage of the nets or hardware is permitted.
- (ii) Overlapping nets must not cause nets to be unsupported and must not create gaps in the system.
- (iii) The containment netting system must be securely attached with post installed anchors or an anchoring system that conforms to the manufacturer's requirement. Such anchoring system must cause minimum disruption to where they are being installed, while maintaining the structural integrity of the building. Cables and related hardware may be used as part of the netting anchoring system.
- (iv) Containment nettings must be designed to prevent displacement of materials.
- (v) Safety factor must be a minimum of 1.3 for the netting.
- (vi) The netting must have a minimum rated capacity of 6,000 lbs lateral force over a 10' x 10' area.
- (vii) Anchor and attachment loads must be designed based on the hazard expected

to be mitigated and to resist such loading conditions. When applicable the design must consider acceptance criteria for post-installed anchors and the testing and inspection requirements pursuant to Chapter 17 of the Building Code.

- (viii) Anchors, fasteners and structural connectors must be corrosion-resistant or be provided with a corrosion resistant coating, designed and tested to provide site-specific design loads.
- (ix) The fastening method, lashing, and/or fastening devices must meet or exceed the strength of the netting material.
- (x) Containment netting must be installed accounting for the full stretch of the netting when fully loaded.

(f) Permit required. A temporary construction installation permit meeting the requirements of Section 28-105.2 of the New York City Administrative Code must be obtained prior to the installation of containment netting at a site.

(g) Construction documents. Construction documents filed with the permit application must be prepared by a New York State registered design professional. The construction documents must be specific to the site and account for the characteristics and geometry of the building, the hazards to be addressed, and any obstructions at the site that could interfere with the containment netting. At a minimum the construction documents must contain the following information:

- (1) A description of the area to be contained;
- (2) A mapping of each area where the containment netting is proposed to be installed;
- (3) Locations of containment nets, with height above grade clearly indicated;
- (4) Tensile strength of the containment nets;
- (5) Listing of netting material and note indicating the material complies with NFPA 701;
- (6) Framing, components, hardware, attachment points, connections, anchorages, and supports of the containment netting system;
- (7) Fastener spacing along netting webbing;
- (8) Where cables are utilized, the tautness range must be specified, and methods to maintain cable tautness (e.g. turnbuckles) must be clearly indicated;
- (9) The means of connecting the netting to the cables, and any reinforcement to the nets necessary to meet temporary load requirements;
- (10) Precautions to be imposed during the installation or removal of the containment netting, and as otherwise warranted during repairs, maintenance, or adjustments to the containment netting as required by subdivision (c);
- (11) A note on the drawings that permanent protection must be installed prior to the commencement of work to repair the façade, and before containment netting is removed, as required by subdivision (d); and
- (12) Any additional public protection measures to be provided while the containment netting is in place.

(h) Make and model acceptance. The make and model of containment netting to be installed at the site must be acceptable to the registered design professional who prepared the construction documents for the containment netting. The make and model to be installed at the site, along with acceptance of the make and model by the registered design professional, must be indicated as a note on the drawings. The note must list a specific make and model. Generic approvals of “or equivalent” are not authorized.

(i) Certificate of testing. The netting manufacturer must supply a certificate of compliance prepared in accordance with ANSI/ASSE A10.11 and the manufacturer’s qualification test outlined in ANSI/ASSE A10.37-2016. Such certificate must include:

- (1) Name of manufacturer,
- (2) Identification of net material,
- (3) Date manufactured,
- (4) Date of prototype test,
- (5) Designation of test method,
- (6) Name of the testing agency, and
- (7) Serial number or Batch number.

A copy of the manufacturer’s certificate of compliance must be submitted to the department before the permit for the installation of the containment netting is approved.

(j) Design calculations. Containment netting design calculations must be provided by the registered design professional to the Department upon request.

(k) Installation, adjustment, maintenance, repair, and inspection.

- (1) Containment netting must be installed to provide protection at the source of a hazard.
- (2) Containment netting must be maintained in a safe condition.
- (3) Containment netting installation, adjustment, maintenance, repair, and inspection must follow manufacturer’s instructions and design drawings.
- (4) Upon completion of the installation of a containment netting system, it must be inspected by a qualified person designated by the permit holder for the containment net to verify that the containment netting system is in a safe condition and has been installed in accordance with drawings and the requirements of this rule.
- (5) Following a repair, maintenance, or adjustment of the netting system, the containment netting system must be inspected by a qualified person designated by the permit holder for the net to verify the adequacy of the repair, maintenance, or adjustment and to verify the containment netting system is in a safe condition and is in compliance with drawings and the requirements of this rule.
- (6) A periodic inspection of the containment netting system must be performed six months following the last installation, adjustment, or repair inspection, or where no such inspection has occurred within six months, six months following the last periodic

inspection. The periodic inspection must be performed by a qualified person designated by the permit holder for the net to verify that the netting system is in a safe condition and is in compliance with drawings and the requirements of this rule.

(7) The results of an inspection required by paragraphs (4) through (6) of this subdivision must be recorded in an inspection report that is prepared, signed, and dated by the person who performed the inspection. A copy of the inspection report must be maintained onsite at the location of the containment net by the permit holder and made available to the commissioner upon request.

(8) Containment netting must be inspected daily by a representative of the building owner, as well as prior to and subsequent to inclement weather events.

(9) When debris has fallen into containment netting, the building owner must make arrangements with the permit holder to have the permit holder promptly clear the debris.

(10) Defects in the containment netting system identified by the building owner or their duly authorized representative must be brought to the immediate attention of the permit holder for the nets. The permit holder must promptly correct any defects.

(11) A competent person, designated by the permit holder, must supervise the installation, adjustment, maintenance, and repair of containment netting. Such person must also supervise the permanent removal of all containment netting systems, as well as the temporary removal of containment netting after removal of debris from the containment netting following material displacement. During temporary removal of containment netting, all supports, connections, and components of the containment netting installation must be inspected in accordance with Section 12 of ANSI/ASSE A10.37-2016.

(12) Anchoring systems are subject to special inspection under section 1705.37 of the Building Code, where applicable.

(l) Emergency work. For emergency work where there is no permit holder, the inspections required by subdivision (k) of this section must be performed by the registered design professional responsible for overseeing the emergency work.

(m) Disclaimer. Nothing in this rule prohibits the use of containment netting during construction, alteration, or demolition work, including façade work. However, when used during construction, alteration, or demolition work, including façade work, containment netting will not be considered as an alternative to code required pedestrian protection or adjoining property protection.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Rules Relating to Containment Netting

REFERENCE NUMBER: 2026 RG 031

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: August 18, 2026

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Rules Relating to Containment Netting

REFERENCE NUMBER: DOB-215

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

August 24, 2026
Date