

EXECUTIVE ORDER NO. 172

EMERGENCY ORDER REGARDING WAIVER OF BUILDING DEPARTMENT PERMIT
FEES

November 12, 2012

WHEREAS, Executive Order 163, issued October 28, 2012, contains a proclamation of a state of emergency in the City of New York, and such proclamation remains in effect for a period not to exceed thirty days or until rescinded, whichever occurs first;

WHEREAS, on October 26, 2012, the Governor issued a declaration of emergency for all counties in the State of New York, including the City of New York, and such declaration remains in effect for a period not to exceed six months or until rescinded, whichever occurs first,

WHEREAS, as forecasted, a severe storm hit New York City recently, causing heavy flooding, power outages, and widespread damage to residential and commercial buildings throughout the city, causing unsafe conditions in those buildings and imperiling health and safety,

WHEREAS, the expeditious reconstruction and repair of commercial and residential buildings damaged by the storm and their re-occupation is essential to public health and safety and to the economic well being of the city; and

WHEREAS, the expeditious repair and reconstruction of buildings damaged by the storm will be encouraged and incentivized by waiving certain fees that would otherwise be payable to the Department of Buildings for permits and inspections required by law for such work and would alleviate conditions of imminent peril;

NOW, THEREFORE, it is hereby ordered:

§ 1. Pursuant to the powers vested in me by Paragraph g of Subdivision 1 of Section 24 of the New York Executive Law to suspend any local laws, ordinances, or regulations, or parts thereof, which may prevent, hinder, or delay necessary action in coping with a disaster or recovery therefrom, I hereby suspend, subject to the provisions of Section 2 of this Order, the following fees for permits issued by the Department of Buildings with respect to work necessary for repair and reconstruction of buildings damaged by the aforesaid storm:

- a. The fees required by Administrative Code §27-3018(c) for electrical work.
- b. The filing fees required by Administrative Code §28-104.5.
- c. The permit fees required by Administrative Code §§28- 105.2 and 28-105.6.
- d. The permit fees required by Administrative Code §28-112.1 and Table 28-112.2.
- e. The fees required by Administrative Code §§28-112.7.3, 28-112.8, , 28-111.5, 28-116.2.4.2, and 28-117.3.

§ 2. The suspension of any fee required by local law, ordinance, or regulation pursuant to Section 1 of this Order shall apply only with respect to work related to storm damage as determined by the Department of Buildings. Applications and permits for demolition work, alteration work, and new building work and associated work permits and inspections, including for associated plumbing or electrical work, shall be eligible for suspension of fees if the building

has been issued a red placard by the Department of Buildings. Applications and permits for electrical and plumbing work not associated with above mentioned alteration or new building work shall be eligible for suspension of fees if the applicant submits certification by a NYC licensed electrician or licensed plumber that such work is due to applicable storm damage.

§ 3. This Order shall take effect immediately. It shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Michael R. Bloomberg
Mayor