



2023

CONSTRUCTION CODES REVISION CYCLE HANDBOOK



NYCTM
Buildings



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1. BACKGROUND

A. Purpose

The New York City Department of Buildings (DOB, or the Department) is mandated to keep the New York City Construction Codes up to date with the International Code Council's (ICC) I-Codes. To this end, the Department is organizing a series of committees to help draft revisions to the New York City Construction Codes that increase safety, savings, and innovation in our buildings. These committees are collectively known as the NYC Construction Codes Revision Committees.

Additionally, the Department intends to submit a new Code governing alterations to existing buildings (a.k.a. the Existing Building Code) to City Council in 2023. Members of the Construction Codes Revision Committees may be asked for additional input on that, or related legislation to ensure appropriate coordination with the larger suite of Construction Codes.

B. New York City Construction Codes

The New York City Construction Codes consist of five technical volumes: Building Code (BC), Plumbing Code (PC), Mechanical Code (MC), Fuel Gas Code (FGC), Energy Conservation Code (ECC); and one administrative volume: the Administrative Code (Title 28) (a.k.a. *General Administrative Provisions*), that contains permitting, licensing, fees, and other provisions that apply universally to the five technical volumes.

The Construction Codes protect public health, safety, general welfare, and the environment by establishing minimum standards for the design, construction, and occupancy of buildings. Builders and owners may exceed these minimum requirements but cannot construct to a standard below that mandated by the Code.

The New York City Energy Code was last updated by Local Law 48 of 2020 and will not be reviewed as part of this Construction Code update effort.

Separate from the Construction Codes, the New York City Department of Buildings (DOB) enforces the New York City Electrical Code and the New York City Zoning Resolution. These are not part of the Construction Codes and therefore not part of this Construction Code update effort.

C. Model Codes

Due to the evolving nature of engineering and technology, local governments rely on model Codes promulgated by independent organizations to form the basis of their building and construction Codes.

The first model Codes were written in the early 20th century. By mid-century, three regional associations were generating Codes for the northern, southern, and western United States. To bring uniformity to the process, these groups consolidated in 1994, forming the International Code Council as a non-profit organization dedicated to developing a single set of comprehensive and coordinated model construction Codes for the United States (the I-Codes). Today, the I-Codes are used at the state or local level in each of the fifty states, as well as Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

The 2022 New York City Construction Codes are based on the 2015 version of the I-Codes, with New York City specific amendments made throughout to tailor them to New York City's high density urban environment.

D. History of New York City Construction Regulations

New York City has one of the longest histories of building safety regulation in the United States.

The first regulations came in 1647, when Dutch colonial officials established the post **Surveyor of Buildings**, and required that no construction proceed without the examination and consent of the surveyor. Following the English takeover of New York in 1664, a block-and-lot plan for the City was adopted, and landowners were required to receive a certificate of approval from the government prior to construction.

To limit the spread of fire between buildings, fire districts – an area in which the construction of buildings out of flammable materials is prohibited – began to take shape in 1766, when the colonial legislature mandated all new buildings constructed south of present-day Foley Square be built with exterior walls of brick or stone and roofs of tile or slate.

Following a series of deadly tenement fires in 1860, fireproof stairs or a fire escape were mandated in all newly constructed tenement buildings. In 1862, fire escapes were required to be retroactively installed on all existing tenements. In 1871, the requirement for fire escapes expanded to include hotels, boarding houses, office buildings, and factories.

The late 19th century and early 20th century witnessed tremendous advancement – with electricity, elevators, plumbing, steel, and concrete pushing buildings to heights that before were not even imagined possible. Building laws accommodated the new technology. Plumbers were licensed in 1881. Rules for elevators were promulgated in 1885. In 1889, regulations governing outdoor wiring were issued. In 1913, New York City published the first set of rules and regulations for all electrical installations, and by 1915 these evolved into the City's first Electrical Code.

The first document to be called a **Building Code** was published in 1899, and significantly updated in 1916. Following the Stock Market Crash of 1929, efforts were made to remove costly, outdated provisions, resulting in the 1938 Building Code. By the 1950s, criticisms that the 1938 Code did not embrace the latest technology gave rise to a Code revision effort, culminating in the 1968 Building Code. Praised when it was enacted, the 1968 Code similarly came to be criticized by the early 21st century as burdensome and outdated, prompting the Department of Buildings in 2003 to organize over 400 industry stakeholders to develop a new set of Construction Codes for New York City. The effort culminated in 2007 when Local Law 33 of 2007 was signed, adopting a new set of Construction Codes for New York City based on the 2003 I-Codes, with New York City specific amendments. The 2008 Construction Codes took effect July 1, 2008, one year later.

E. Periodic Revisions

To ensure the City's construction regulations do not fall out of date, Local Law 33 of 2007 mandated that the City develop revisions every three years to keep the Code in line with the latest version of the I-Codes. The first mandated periodic revision culminated in the passage of the 2014 Construction Codes, via Local Laws 41 of 2012, 141 of 2013, and 51 and 52 of 2014. That work then continued with Local Laws 14 of 2020 and 126 of 2021. The 2022 Construction Codes became effective on November 7, 2022.

2. GOALS FOR THIS REVISION CYCLE

A. Submit Revisions to the City Council

All revisions to the Construction Codes must be incorporated into a local law that is approved by the New York City Council and signed into law by the Mayor. The Department anticipates that it will begin to submit proposed revisions to the City Council beginning in 2024.

B. Revisions

This New York City Construction Codes revision cycle is primarily intended to update to the 2021 I-Codes with NYC modifications; adopt innovative new technologies by incorporating the latest national standards; improve construction safety; clarify the existing text; and correct errors, typos, and inconsistencies. Areas where cost savings may be identified will be incorporated, as appropriate.

C. Shared Agreement

Achieving shared agreement on proposed revisions will ensure that the Code is balanced and will meet the needs of the many stakeholders represented throughout New York City's built environment.

Committee members are expected to work together, finding mutually acceptable solutions. This process does not require unanimity of thought or one's abandonment of values. Indeed, one of the characteristics of a well-constructed agreement is that it represents diverse values and interests. The Department expects that text will be moved forward through the process, with the support of participants, even when the text may differ from individual members' ideal. Given the variety of issues under consideration, the resulting agreement often garners varying levels of enthusiasm and support, but on balance, is one that each stakeholder can accept.

The process for the Construction Code revision cycle will be bound by the following principles:

- i) **Shared Agreement Decision Making.** The Managing and technical committees will make decisions by shared agreement, in combination with member-polling.
- ii) **Inclusiveness.** All necessary interests will be represented on the committees.
- iii) **Accountability.** Participants will represent stakeholder groups or interests. They will be accountable both to their constituents and to the process.

D. Revisiting Previously Mediated Text

Code revisions that resulted from mediation in either of the last two revision efforts will not be mediated again.

For text assigned to a technical committee, previously mediated items may be revisited and modified only if all the following conditions are met:

- i) the committee in which the item emerged from comes to shared agreement on the revision,
- ii) the Committee Chair conducts outreach with representatives of original stakeholders if not presently on the committee, and they agree with the proposed revision,
- iii) the Committee Chair requests and receives approval from the Assistant Commissioner of Technical Affairs and Code Development, and
- iv) shared agreement is reached at the Managing Committee.

For text assigned to an advisory committee, previously mediated items may be revisited and modified only if all the following conditions are met:

- i) the proposed modifications are acceptable to the Assistant Commissioner of Technical Affairs and Code Development, and
- ii) shared agreement is reached at the Managing Committee.

Please see Section (5) for the complete list of items mediated during previous Code revision cycles.

3. CODE REVISION COMMITTEE STRUCTURE

To facilitate the Code Revision Process, the Department is dedicating staff and organizing a series of industry stakeholder committees.

A. Assistant Commissioner of Technical Affairs & Code Development

The Assistant Commissioner of Technical Affairs and Code Development (the Assistant Commissioner) is responsible for overseeing the Construction Codes revision cycle. As necessary, the Assistant Commissioner will assign staff and resources to complete the Code revision.

B. Managing Committee

The Managing Committee is responsible for reviewing and accepting committee proposals regarding the technical and administrative provisions of the New York

City Construction Codes. Except for text mediated as part of this revision cycle, the Managing Committee must reach shared agreement on all proposed revisions for the revision to be incorporated into the submission to the City Council.

- i) **Managing Committee Members Time Commitment.** Members of the Managing Committee must be available to attend all Managing Committee meetings. Committee members may be removed or replaced at the discretion of the Assistant Commissioner for repeated absenteeism.
- ii) **Managing Committee Members.** The Managing Committee will be comprised of the chairs and vice-chairs of the Managing, technical and advisory committees, along with representatives of construction, labor, real estate, government, professional organizations, and other industry stakeholders.

Members of the Managing Committee will be volunteers, nominated by their stakeholder organization to represent the viewpoint of such organization on the Managing Committee. Managing Committee members may not represent more than one organization, and no organization may have more than one representative on the Managing Committee.

All members of the Managing Committee are subject to a background check performed by the City, and approval of the Department.

- iii) **Managing Committee Alternates.** Managing Committee members are expected to attend all meetings. However, per the approval of the chair, a committee member may send a substitute to attend a meeting in their place due to illness, urgent personal business, unavoidable scheduling conflict, or other similar reason.

Committee members may be removed or replaced at the discretion of the Assistant Commissioner for repeated absenteeism.

- iv) **Managing Committee Chair and Vice-Chair.** The Assistant Commissioner will serve as the chair of the Managing Committee. A vice-chair of the Managing Committee may be appointed by the Assistant Commissioner.

With the assistance of the coordinator, the chair will be responsible for the following:

- Maintaining focus, control and progress of committee meetings
- Determining committee structure for review of assigned text
- Setting meeting agendas, schedules and assignments
- Identifying committee scribe
- Reviewing the local law of proposed text amendments
- Identifying issues that require the formation of working panels or other sub-groups to work on committee-related issues
- Determining the need for technical experts

- Encouraging resolution, and
- Requesting mediation for items lacking agreement.

The vice-chair will serve as chair when called upon.

- v) **DOB Managing Committee Coordinator.** The Assistant Commissioner will assign a Department staff member who will serve as the coordinator for the Managing Committee.

The Managing Committee coordinator will be responsible for the following:

- Assisting the committee chair in his/her responsibilities
- Distributing documents to committee members
- Preparing committee meeting summaries, including attendance records
- Documenting committee determinations
- Compiling Code revisions developed by the committee
- Maintaining the official work products of the committee, and
- Liaising between the committee(s) and the Department, including legal staff.

- vi) **Managing Committee Guest Experts.** As needed, the chair may invite a guest expert(s) to participate in a limited number of committee meetings to provide guidance to the committee on a specific subject(s). Such guest expert(s) will not be considered a member of the committee, and their opinion will not be binding.

- vii) **Managing Committee Working Panels.** Working Panels are groups within the committee, formed at the direction of the chair, to review and provide guidance to the committee on specific issues. Working panels may consist of members of the Managing Committee, and/or guest experts, as needed. A panel leader will be designated by the chair to oversee the progress of the working panel, to prepare findings and to present them to the Managing Committee. Working panel findings or recommendations will not be binding upon the Managing Committee.

- viii) **Managing Committee Status under the Administrative Code.** Title 28 of the Administrative Code of the City of New York, requires that “prior to the submission of such proposal [three-year code updates] to the City Council, such proposal will be submitted to an advisory committee established by the commissioner pursuant to this title for review and comment.” The Managing Committee performs the function of that required advisory committee.

C. Technical Committees

Technical committees will be responsible for reviewing specific chapters of the New York City Construction Codes and substantive code revisions proposed as updates in the I-Codes, and proposals submitted for consideration by committee

members and/or the Department. Committee work assignments and committee member appointments will be determined by the Department and will be based on subject matter and expertise.

i) **Technical Members Time Commitment.** Members of Technical Committees must be available to attend all Technical Committee meetings. Committee members may be removed or replaced at the discretion of the Assistant Commissioner for repeated absenteeism.

ii) **Technical Committee Members.** Technical Committees will be comprised of construction, labor, real estate, government, and professional stakeholders.

All Technical Committee members will be volunteers who are technical experts in the subject matter to be considered by the committee. They may represent either a specific organization or be appointed to act on their own behalf due to their personal expertise in the subject matter. At the approval of the Assistant Commissioner, an organization may have more than one individual from an organization serving on a Technical Committee.

All members of the Technical Committees are subject to a background check performed by the City, and approval of the Department.

Organizations whose interest is primarily in the areas of real estate, labor, policy, or economics, and who wish to have representation on a technical committee, must provide a technical expert to represent their organization. Individuals who do not possess technical proficiency regarding the content reviewed by the committee will not be appointed to a Technical Committee.

iii) **Technical Committee Alternates.** Technical Committee members are expected to attend all meetings. However, at the approval of the chair, a committee member may send a substitute to attend a meeting in their place due to illness, urgent personal business, unavoidable scheduling conflict, or other similar reason.

iv) **Technical Committee Size.** Technical committees will generally be limited to 20 - 25 members but may vary due to the nature and complexity of the review materials. The Assistant Commissioner will work to ensure that the membership of the committee reflects a broad range of stakeholders who are knowledgeable in the code provisions to be considered by the committee.

v) **Technical Committee Chair and Vice-Chair.** Each Technical Committee will have a chair and a vice-chair approved by the Assistant Commissioner. All technical committee chairs and vice-chairs will also be members of the Managing Committee.

With the assistance of the assistance of the Technical Committee Coordinator, the Chair will be responsible for the following:

- Maintaining focus, control and progress of committee meetings,
- Determining committee structure for review of assigned text,
- Setting meeting agendas, schedules and assignments,
- Identifying committee scribe,
- Reviewing proposed text amendments,
- Identifying issues that require the formation of working panels or other sub-groups to work on committee-related issues,
- Determining the need for technical experts,
- Encouraging resolution, and
- Requesting mediation for items lacking agreement.

The vice-chair will serve as chair when called upon

- vi) DOB Technical Committee Coordinator.** The Assistant Commissioner will assign to each committee a department staff member who will serve as the technical committee coordinator.

The Technical Committee coordinator will be responsible for the following:

- Assisting the committee chair in all their responsibilities,
- Distributing documents to committee members, reviewing attorneys, etc.
- Preparing committee meeting summaries, including attendance records,
- Documenting committee determinations,
- Compiling code revisions that the committee wishes to move forward,
- Maintaining the official work products of the committee, and
- Liaising between the committee(s) and the Department, including legal staff

- vii) DOB Technical Committee Advisors.** The Assistant Commissioner will assign to each Technical Committee one or more Department staff member(s) to serve as technical advisor(s) to the committee. The technical advisor(s) will be responsible for providing technical guidance to the committee. The Technical Advisor will also identify Code proposals that affect Department operations. In addition, the Technical Advisor will serve as the liaison between the committee and the Assistant Commissioner regarding technical matters.

- viii) Technical Committee Guest Experts.** As needed, and per the approval of the Assistant Commissioner, the chair may invite a guest expert(s) to participate in a limited number of committee meetings to provide guidance to the committee on a specific subject(s). Such guest expert(s) will not be considered a member of the committee, and their opinion will not be binding.

- ix) **Technical Committee Working Panels.** Working panels are groups within committees, formed at the direction of the chair, to review and provide guidance to the committee on specific issues. Working panels may consist of members of the technical committee, and/or guest experts, as needed. A panel leader will be designated by the chair to oversee the progress of the working panel, prepare findings, and present them to the technical committee. Working panel findings or recommendations will not be binding upon the technical committee.

D. Advisory Committees

Advisory committees may be formed at the discretion of the Assistant Commissioner to consider portions of Code and issues that relate to Department administration, operation, inspection, permits, fees, and areas that may overlap with State or Federal jurisdictions.

Advisory committees are not required to achieve shared agreement. Their findings or recommendations will be considered by, but are not binding upon, the Managing and technical committees.

- i) **Advisory Committee Members Time Commitment.** Members of Advisory Committees must be available to attend all Advisory Committee meetings. Committee members may be removed or replaced at the discretion of the Assistant Commissioner for repeated absenteeism.
- ii) **Advisory Committee Members.** Advisory committees will be comprised of construction, labor, real estate, government, and professional stakeholders.

Members of Advisory Committees will be volunteers who are experts in the subject matter considered by the committee and may be designated as representing a specific organization, or may be appointed to act on their own behalf due to their personal expertise in the subject matter. At the approval of the Assistant Commissioner, an organization may have more than one individual from such organization serving on an advisory committee.

All members of an advisory committee are subject to a background check performed by the City, and approval of the Department.

Organizations whose interest is primarily in the areas of real estate, labor, policy, or economics, and who wish to have representation on an advisory committee, must designate an expert to represent their organization. Individuals who do not possess proficiency in regards to the content to be reviewed by the committee will not be appointed to an advisory committee.

- iii) **Advisory Committee Alternates.** Advisory committee members are expected to

attend all meetings. However, at the discretion of the chair, a committee member may send a substitute to attend a meeting in their place due to sickness, urgent personal business, unavoidable scheduling conflict, or other similar reason.

- iv) **Advisory Committee Chair and Vice-Chair.** Each advisory committee will have a chair and a vice-chair approved by the Assistant Commissioner. All advisory committee chairs and vice-chairs will also be members of the Managing Committee.

With the assistance of the Coordinator, the Chair will be responsible for the following:

- Maintaining focus, control and progress of committee meetings,
- Determining committee structure for review of assigned text,
- Setting meeting agendas, schedules and assignments,
- Identifying committee scribe,
- Reviewing proposed text amendments,
- Identifying issues that require the formation of working panels or other sub-groups to work on committee-related issues,
- Determining the need for technical experts,
- Encouraging resolution, and
- Requesting mediation for items lacking agreement.

The vice-chair will serve as chair when called upon.

- v) **DOB Advisory Committee Coordinator.** The Assistant Commissioner will assign to each Advisory Committee a Department staff member who will serve as the Advisory Committee Coordinator.

The Coordinator will be responsible for the following:

- Assisting the committee chair in all their responsibilities,
- Distributing documents to committee members, reviewing attorneys, etc.
- Preparing committee meeting summaries, including attendance records,
- Documenting committee determinations,
- Compiling Code revisions that the committee wishes to move forward,
- Maintaining the official work products of the committee, and
- Liaising between the committee(s) and the Department, including legal staff.

- vi) **DOB Advisory Committee Technical Advisor.** The Assistant Commissioner will assign to each Advisory Committee one or more Department staff member(s) to serve as Technical Advisors to the committee. The Technical Advisor will also identify Code proposals that effect Department operations. In addition, the technical advisor will serve as the liaison between the committee and the Assistant Commissioner regarding technical matters.

vii) **Advisory Committee Guest Experts.** As needed, and per the approval of the Assistant Commissioner, the chair may invite a guest expert(s) to participate in a limited number of committee meetings to provide guidance to the committee on a specific subject(s). Such guest expert(s) will not be considered a member of the committee.

viii) **Advisory Committee Working Panels.** Working Panels are groups within committees, formed at the direction of the chair, to review and provide guidance to the committee on specific issues. Working panels may consist of members of the advisory committee, and/or guest experts, as needed. A panel leader will be designated by the chair to oversee the progress of the working panel, prepare findings, and present them to the advisory committee. Working panel findings or recommendations will not be binding upon the Advisory Committee.

E. Ad-hoc Working Meetings

At the determination of the Assistant Commissioner, the department may organize an ad-hoc working meeting. The meeting will consist of stakeholders and experts invited by the department. Findings or recommendations produced through ad-hoc working meetings will not be binding.

4. CODE REVISION CYCLE PROCESS

To facilitate a speedy review and development of revisions, the following process will be utilized.

A. Department Review

The Department of Buildings will propose revisions to the 2021 I-Codes based on the review of New York City specific sections of the current Construction Codes for the committees to consider.

B. Presentation of Proposed Revisions

The Department will present to the technical or advisory committee the proposed revision language, along with additional questions or issues for committee consideration.

C. Department Review

The technical or advisory committee will review and discuss both the specific language contained in the proposed revision(s) and any broader issues relevant to the proposed revision(s). Additionally, committee members may propose code revisions for the committee's consideration. Proposals must be in the form of specific language revising the section(s) of code in question. If the chair and coordinator determine the revision falls outside the scope of the committee, the proposed revision(s) will be forwarded to the appropriate committee for consideration.

For text assigned to a technical committee, the chair will work to achieve shared agreement on the wording of the proposed Code revision(s). After shared agreement has been achieved on the wording of a specific revision, the language will be recorded by the coordinator, or other person designated by the committee chair. The coordinator will then forward finalized revisions to the reviewing attorneys.

For text assigned to an advisory committee, the chair of the committee will determine when sufficient review and discussion of the proposed code revision(s) has occurred and the Department has sufficient information to move forward. The Department will consider the recommendations of the advisory committee, and finalize the text of the code revision(s). The coordinator will forward the finalized text to the reviewing attorneys.

D. Legal Review

All proposed revisions from the technical and advisory committees will be forwarded by the committee coordinator to the reviewing attorneys at the Department and/or the Law Department for their review and translation of the proposed revisions into local law format. Upon completion, the reviewing attorneys will send the finalized local law provisions to the committee coordinator. Upon receipt, the coordinator will inform the chair, and work to schedule review of the local law text by the committee. The committee will review to determine that the committee's intent of the proposed revisions have been maintained in the translation to local law format. Reviewing attorneys may be asked to attend committee meetings to facilitate resolution of issues or answer questions the committee may have. The committee coordinator will forward finalized local law text to the Managing Committee coordinator.

E. Managing Committee Review

Proposed local law text that contains the Code revision(s) will be forwarded to the Managing Committee members by the Managing Committee coordinator.

After receiving chapters of proposed local law text, members of the Managing Committee will have two weeks to comment, accept, or reject all proposals referred for their review. The chair or vice-chair of the committee from which the code revision emerged will present the proposal to the Managing Committee members.

Proposals accepted by the Managing Committee will be forwarded to the Assistant Commissioner for inclusion in a bill to be submitted to the City Council. Proposals rejected or amended by the Managing Committee will, at the discretion of the Assistant Commissioner, be sent back to the technical committee for additional work or will be sent for mediation.

F. Mediation

When a technical committee cannot achieve shared agreement on an issue, or when following the rejection by the Managing Committee of a technical or advisory committee's recommendation and per the request of the Assistant Commissioner, such issue will be subject to mediation. Issues mediated during a previous code revision cycle will further be subject to the provisions of Section (2)(D) of this Handbook. Please see Section (5) of this Handbook for a list of issues mediated during previous code revision cycles.

- i) **Notification from Chair.** When a technical committee or the Managing Committee cannot reach shared agreement on a specific issue, the chair will request mediation via email to the Assistant Commissioner, or a designated member of the department staff. The email will contain a summary of the unresolved issue(s), note those who object, their reason(s) for objection, and potential areas of compromise.
- ii) **Mediation Participation.** Meetings on a particular mediation subject will be open only to members of the technical or advisory committee from which the mediated item originated, and any member of the Managing Committee. Individuals who wish to attend a mediation meeting must indicate such via email to the Assistant Commissioner, or a designated member of the Department staff.

At least two weeks prior to the first mediation meeting on the subject, all parties taking part in the meeting must submit a position paper on the subject to be mediated. The paper must clearly outline the matter in dispute, state the party's position, and provide as many supporting facts, data, analyses, etc., as possible. The Department will provide involved parties with copies of all position papers received prior to the first mediation meeting.

- iii) **Mediation Meeting(s).** Mediation meetings will be run by the Assistant Commissioner. All meetings will be scheduled in coordination with the various participants.

At the first meeting regarding an issue, the parties will present their opinions to the Assistant Commissioner. The Assistant Commissioner will work to facilitate shared agreement and discuss potential alternatives to be considered.

Subsequent meetings may be scheduled if determined necessary by the Assistant Commissioner.

- iv) **Reaching Shared Agreement.** If mediation produces shared agreement, the Department will draft Code language based on the agreement achieved and provide a copy for approval by the participants of the mediation session. If agreed to by the participants of the mediation session, such language will be final, and will not be subject to further review by any committee, including the Managing Committee.
- v) **No Shared Agreement.** If mediation fails to bring about shared agreement, the matter in question will be forwarded to the First Deputy Commissioner of the Department of Buildings for a determination. The First Deputy Commissioner, will draft Code language for the section in question. Such code language will be final and not subject to further review by any committee, including the Managing Committee.

G. Ad-hoc Working Meetings

Ad-hoc working meetings will be tasked and run in accordance with specifications determined by the Assistant Commissioner.

H. Code of Conduct

As a Construction Code Revision Committee member, individuals must conduct themselves in a professional, ethical and respectful manner. Committee members must actively participate in all aspects of committee work, including attending all meetings and complying with deadlines for assigned tasks. Additionally, members must comply with all provisions of this handbook. Individuals who fail to comply with the aforementioned standards may, at the discretion of the Assistant Commissioner, be dismissed from code revision participation.

Members of the Construction Codes Revision Committees are volunteers, and may not accept bribes, gratuities, gifts, or any form of compensation for serving as a Construction Code Revision Committee member, with the exception of the funding disclosed in Part A of the Code Revision Committee Application. Committee members must immediately notify the Department of any changes to the information provided on their Code Revision Committee Application. Failure to make such notification to the Department may impact a member's continued participation in the Code revision process.

5. LISTING OF PREVIOUSLY MEDIATED ITEMS

Revisions to items mediated during the Department's development of the 2008, 2014, or 2022 Construction Codes are subject to the process described in Section (2)(D) of this Handbook.

A. Mediated Items from 2008 Code

The following issues were mediated during the Code process leading to the passage of the 2008 Construction Codes.

- 1. Automatic fire detection and communication systems.**
 - BC 403.5 Automatic Fire Detection
 - BC 403.6 Emergency Voice/Alarm Communication Systems
 - BC 403.7 Fire Department Communications System
 - BC 403.8 Fire Command
 - BC 907.2.12 High-Rise Buildings
 - BC 911 Fire Command Center
- 2. Impact resistance stairs & elevators in R-2 hi-rise buildings.**
 - BC 403.9 Impact Resistance
 - BC 403.15 Impact Resistance
- 3. Emergency power requirements.**
 - BC 403.10 Standby Power
 - BC 403.11 Emergency Power Systems
 - BC 2702 Emergency Power Systems
- 4. Smokeproof elevator vestibule.**
 - BC 707.14.1 Elevator Lobby In High Rise Buildings
- 5. Door assemblies.**
 - BC 715.3.3 Door Assemblies In Corridors And Smoke Barriers
- 6. Black iron.**
 - BC 803.9.1.1 Suspended Acoustical Ceilings
 - BC 2506.2.1 Other Materials
 - BC Appendix R Acoustical Tile and Lay-in Ceiling Suspension Systems
- 7. Standpipe systems (including manual fire pumps).**
 - BC 905.3 Required Installations
- 8. Acceptance testing of smoke control systems.**
 - BC 909.18 Acceptance Testing

9. Smokeproof stair enclosures/stair pressurization.

- BC 909.20 Smokeproof Enclosures
- BC 1019.1.8 Smokeproof Enclosures

10. Post-fire smoke purge system.

- BC 912 Post Fire Smoke Purge System
- MC 515 Post Fire Smoke Purge System

11. Delayed egress locks.

- BC 1008.1.8.3 Locks And Latches
- BC 1008.1.8.5 Unlatching
- BC 1008.1.8.6 Delayed Egress Locks

12. Minimum required stair width.

- BC 1009.1 Stairway Width

13. Handrails.

- BC 1009.11 Handrails

14. Scissor stairs & dead end corridors.

- BC 1013.3 Common Path Of Egress Travel
- BC 1014.2 Exit Or Exit Access Doorway Arrangement
- BC 1016.3 Dead Ends

15. Residential buildings with one exit.

- BC 1018.2 Buildings With One Exit

16. Exit discharge through street floor lobby.

- BC 1023.1 General

17. Fuel oil storage inside buildings.

- MC 1305.11.1 Inside Of Buildings
- MC 1305.12.2 Above Ground
- MC 1305.13.2 Above Ground; On The Lowest Floor Inside A Building
- MC 1305.13.3 Above Ground; Above The Lowest Floor Inside A Building

18. Sprinklers in one- and two-family residences.

- BC 903.2.7 Group R

19. Definition of a townhouse.

- BC 202 Definitions (Townhouse)

20. Plastic pipes.

- PC 605.4 Water Distribution Pipe
- PC 701.10 Plastic Pipe
- PC 804.1 General
- PC 902.1 Vents
- PC 1004.1 General
- PC 1101.10 Plastic Pipe

B. Mediated Items from 2014 Code

The following issues were mediated during the Code process leading to the passage of the 2014 Construction Codes.

1. **Additional stair/occupant evacuation elevator.**
 - BC 403.5.2 Additional Exit Stairway
 - BC 403.6.2 Occupant Evacuation Elevators
 - BC 3008 Occupant Evacuation Elevators
2. **Fire service access elevators.**
 - BC 403.6.1 Fire Service Access Elevators
 - BC 3007 Fire Service Access Elevators
3. **Type B operable windows in R-2 occupancy.**
 - BC 1107.2.4 Type B+NYC Unit Operable Windows
4. **Formwork.**
 - BC 3305.3.3.2 Formwork Observation
5. **Flagpersons.**
 - BC 3307.4.5 Hoisting Equipment – NOT ADOPTED
 - BC 3307.4.6 Suspended Scaffold – NOT ADOPTED
 - BC 3307.6.5.4 Pedestrian Protection – NOT ADOPTED
6. **Guardrail cable thickness.**
 - BC 3308.7.3 Dimensions and Materials
7. **Rigging.**
 - BC 3316.9 Rigging (includes definitions in Section 3302 of Critical Pick, Hoisting Equipment and Industrial Rope Access)
8. **Maneuvering clearances.**
 - BC Appendix P102.3 Doors
9. **Door reversibility.**
 - BC Appendix P102.3, Exception 2 – NOT ADOPTED
10. **Drinking fountains.**
 - PC 410 Drinking Fountains

C. Mediated Items from 2022 Code

The following issues were mediated during the code process leading to the passage of the 2022 Construction Codes.

1. **Use of combustible materials in exterior walls.**
 - BC 705.2 Projections

- BC 705.2.1 Type I and II construction
- BC 705.2.2 Type III, IV or V construction.
- BC 705.2.2.1 Exterior balconies and similar projections
- BC 718.2.1 Fireblocking materials
- BC 718.2.6 Architectural trim
- BC 718.2.6.1 Exterior wall coverings containing plastics, MCM or HPL panels
- BC 718.2.6.1.1 Locations
- BC 718.2.6.1.2 Foam plastic insulation
- BC 1401.2 Construction documents
- BC 1403.5 Vertical and lateral flame propagation
- BC 1403.5.1 Exterior walls with water-resistive barriers
- BC 1404.2 Water-resistive barrier
- BC 1404.8 Plastics
- BC 1404.13 Foam plastic insulation
- BC 1406.1 General
- BC 1406.2.1 Type I, II, III and IV construction
- BC 1406.2.1.1 Ignition resistance
- BC 1406.2.1.1.1 Fire separation 5 feet or less
- BC 1406.2.1.1.2 Fire separation greater than 5 feet
- BC 1406.2.2 Location
- BC 1406.2.3 Fireblocking
- BC 1406.3 Exterior balconies and similar projections
- BC 1406.4 Bay and oriel windows, decks, porches, porticos, entranceways, and storm enclosures
- BC 1406.4.1 Appendages on Type I and II construction
- BC 1406.4.2 Appendages on Type III, IV and VA construction
- BC 1406.4.3 Appendages on Type VB construction
- BC 1406.5 Retrofit of existing buildings
- BC 1407.1 General
- BC 1407.1.1 Plastic core
- BC 1407.1.2 Prohibited locations
- BC 1407.2 Exterior wall finish
- BC 1407.3 Architectural trim and embellishments
- BC 1407.4 Structural design
- BC 1407.5 Approval
- BC 1407.6 Weather resistance
- BC 1407.7 Durability
- BC 1407.8 Fire-resistance rating
- BC 1407.9 Surface-burning characteristics
- BC 1407.10 Thermal barriers
- BC 1407.11 Full-scale tests

- BC 1407.12 Reserved
- BC 1407.13 Foam plastic insulation
- BC 1407.14 Labeling
- BC 1407.15 Special inspection
- BC 1407.16 Fireblocking
- BC 1408.1 General
- BC 1408.1.1 Prohibited locations
- BC 1408.2 Performance characteristics
- BC 1408.3 Structural design
- BC 1408.4 Weather resistance
- BC 1408.4.1 EIFS with drainage
- BC 1408.4.1.1 Water-resistive barrier
- BC 1408.5 Installation
- BC 1408.6 Special Inspections
- BC 1408.7 Fireblocking
- BC 1408.8 Foam plastic insulation
- BC 1408.9 Thermal barrier
- BC 1409.1 General
- BC 1409.1.1 Prohibited locations
- BC 1409.2 Exterior wall finish
- BC 1409.3 Architectural trim and embellishments
- BC 1409.4 Structural design
- BC 1409.5 Approval
- BC 1409.6 Weather resistance
- BC 1409.7 Durability
- BC 1409.8 Fire-resistance rating
- BC 1409.9 Surface-burning characteristics
- BC 1409.10 Thermal barriers
- BC 1409.11 Full-scale tests
- BC 1409.12 Reserved
- BC 1409.13 Foam plastic insulation
- BC 1409.14 Labeling
- BC 1409.15 Special inspection
- BC 1409.16 Fireblocking
- BC 1705.16 Combustible exterior wall coverings
- BC 1705.16.1 Inspection program
- BC 1705.16.2 Water-resistive barrier coating
- BC 1705.16.3 Thermal barrier
- BC 1705.16.4 Fireblocking
- BC 1705.20 Wall panels, curtain walls and veneers

- BC 1705.20.1 Design and installation documents
- BC 1705.20.2 Inspection program
- BC 2601.2 Exterior wall coverings
 - BC 2601.2.1 Construction documents
- BC 2603.4 Thermal barrier
- BC 2603.5 Exterior walls of buildings of any height
 - BC 2603.5.1 Fire-resistance-rated walls
 - BC 2603.5.2 Thermal barrier
 - BC 2603.5.3 Potential heat
 - BC 2603.5.4 Flame spread and smoke-developed indexes
 - BC 2603.5.5 Vertical and lateral fire propagation
 - BC 2603.5.5.1 Fireblocking
 - BC 2603.5.6 Label required
 - BC 2603.5.7 Ignition
 - BC 2603.5.8 Special inspection
 - BC 2603.11 Cladding attachment over foam sheathing to masonry or concrete wall construction
 - BC 2603.12 Cladding attachment over foam sheathing to cold-formed steel framing
 - BC 2603.12.1 Direct attachment
 - BC Table 2603.12.1 Cladding minimum fastening requirements for direct attachment over foam plastic sheathing to support cladding weight
 - BC 2603.12.2 Furred cladding attachment
 - BC Table 2603.12.2 Furring minimum fastening requirements for application over foam plastic sheathing to support cladding weight
- BC 2605.1 Interior use
- BC 2605.2 Exterior use
- BC 2605.3 Plastic siding
- BC 2605.4 Special inspection
- BC 2613.1 General
 - BC 2613.2 Labeling and identification
 - BC 2613.3 Interior finishes
 - BC 2613.3.1 Foam plastic cores
 - BC 2613.4 Light-transmitting materials
 - BC 2613.5 Exterior use
- BC 3202.2.5 Exterior wall covering systems for prior Code buildings

2. Employment-based restrictions for Licensed Master Plumbers and Licensed Master Fire Suppression Piping Contractors.

- AC 28-408.1 Master plumber license required
- AC 28-410.1 Master fire suppression piping contractor license required

3. Procedure for extension of existing chimneys and vents on occasion of neighboring construction.

- AC 28-104.13 Construction documents for extension, alteration or relocation of an existing chimney or vent
- AC 28-118.23 Extension, alteration or relocation of chimneys and vents
- BC 107.18 Construction documents for extension or relocation of an existing chimney or vent
- BC 107.18.1 Chimney and vent plan
- BC 2113.1.5 Existing chimneys and vents
- BC 2113.1.5.1 Responsibility of owner of taller building
- BC 2113.1.5.1.1 Chimney and vent plan
- BC 2113.1.5.2 Protection of draft
- BC 2113.1.5.3 Written notification, plans and required documents
- BC 2113.1.5.3.1 First notice
- BC 2113.1.5.3.2 Second notice
- BC 2113.1.5.3.2 Plans and required documentation for alteration work
- BC 2113.1.5.4 Approval
- BC 2113.1.5.5 Refusal of consent
- BC 2113.1.5.6 Procedure
- BC 2113.1.5.7 Existing violations
- BC 2113.1.5.8 Variance
- BC 3309.12 Protection of chimneys
- FGC 501.1 Scope
- FGC 501.1.1 Existing chimneys and vents
- FGC 501.1.1.1 Responsibility of owner of taller building
- FGC 501.1.1.1.1 Chimney and vent plan
- FGC 501.1.1.2 Protection of draft
- FGC 501.1.1.3 Written notification, plans and required documents
- FGC 501.1.1.3.1 First notice
- FGC 501.1.1.3.2 Second notice
- FGC 501.1.1.3.3 Plans and required documentation for alteration work
- FGC 501.1.1.4 Approval

- FGC 501.1.1.5 Refusal of consent
- FGC 501.1.1.6 Procedure
- MC 801.1 Scope
- MC 801.1.1 Existing chimneys and vents
- MC 801.1.1.1 Responsibility of owner of taller building
- MC 801.1.1.1.1 Chimney and vent plan
- MC 801.1.1.2 Protection of draft
- MC 801.1.1.3 Written notification, plans and required documents
- MC 801.1.1.3.1 First notice
- MC 801.1.1.3.2 Second notice
- MC 801.1.1.3.3 Plans and required documentation for alteration work
- MC 801.1.1.4 Approval
- MC 801.1.1.5 Refusal of consent
- MC 801.1.1.6 Procedure
- MC 801.1.1.7 Existing violations
- MC 801.1.1.8 Variance

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