



EXECUTIVE OFFICES
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PATRICIA J. LANCASTER, FAIA, Commissioner

LOCAL LAW 11 OF 1998

Periodic inspection of the exterior walls and appurtenances
of Buildings greater than six stories in height.

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NOTE: This information is current for Cycle 5. Expect Modifications to
upcoming Cycle 6: Filing period 2/21/05 - 2/21/07.

**LOCAL LAWS
OF
THE CITY OF NEW YORK**

FOR THE YEAR 1998

No. 11

Introduced by Council Members Spigner, Malave-Dilan, Michels, Linares, Boyland and Stabile (by request of Mayor); also Council Members Lasher, Robles, Carrion and Espada.

A LOCAL LAW

To amend the administrative code of the City of New York, in relation to inspection of the exterior walls of buildings greater than six stories in height.

Be it enacted by the Council as follows:

* **§[C26-105.3] 27-129 Exterior walls and appurtenances thereof.**-In order to maintain a building's exterior walls and appurtenances thereof in a safe condition, the following additional requirements shall apply to all existing buildings or buildings hereafter erected which are greater than six stories in height:

(a) Inspection requirements.-A critical examination of an applicable building's exterior walls and appurtenances thereof shall be conducted at periodic intervals as set forth by rule of the commissioner, but such examination shall be conducted at least once every five years.

(1) The initial examination for any building in existence on February twenty-first, nineteen hundred eighty shall be conducted prior to February twenty-first, nineteen hundred eighty-two and the initial examination for any building thereafter constructed shall be conducted in the fifth year following the erection or installation of any exterior wall and/or enclosures.

(2) Such examination shall be conducted and witnessed by or under the direct supervision of a licensed architect or licensed professional engineer by or on behalf of the owner of the building.

(3) Such examination shall include, in addition to an inspection, a complete review of the most recently prepared report.

(4) Such examination shall also be conducted in accordance with applicable rules promulgated by the commissioner.

(b) Notification requirements.-Whenever an architect or engineer learns through a critical examination of a building's exterior walls and appurtenances thereof of an unsafe condition prior to the filing of a report with the department of buildings pursuant to subdivision (c) of this section, he or she shall notify the owner and the department of buildings immediately in writing of such condition.

(c) Report of examination.-Such architect or engineer shall submit a written report certifying the results of such examination to the commissioner, clearly documenting the condition of the exterior walls and appurtenances thereof, as either safe, unsafe or safe with a repair and maintenance program. The report shall include a record of all significant deterioration, unsafe conditions and movement observed as well as a statement concerning the watertightness of the exterior surfaces. Such report must be signed by and bear the professional seal of such architect or engineer.

(d) Necessary repairs.-(1) Unsafe condition. a. Upon the filing of the architect's or engineer's report of an unsafe condition with the commissioner, the owner, his or her agent or the person in charge shall immediately commence such repairs or reinforcements and shall undertake such measures as may be required to secure public safety and to make the building's exterior walls or appurtenances thereof conform to the provisions of this code.

b. All unsafe conditions shall be corrected within thirty days of the filing of the critical examination report.

c. The architect or engineer shall inspect the premises and file an amended report setting forth the condition of the building within two weeks after repairs to correct the unsafe condition have been completed.

d. The commissioner may grant an extension of time of up to ninety days to complete the repairs required to correct an unsafe condition upon receipt and review of an initial extension application submitted by the architect or engineer together with such additional documentation as may be prescribed by rule.

e. The commissioner may grant a further extension of time to complete the repairs required to remove an unsafe condition upon receipt and review of an application for a further extension submitted by the architect or engineer together with such further documentation as may be prescribed by rule.

(2) Safe condition with a repair and maintenance program. An architect or engineer shall not file a report of a safe condition with a repair and maintenance program for the same building for two consecutive filing periods unless the second such report is accompanied by his or her certification attesting to the correction of all conditions identified in the earlier report as requiring repair.

(e) Exceptions.-The additional requirements imposed by this section shall not be applied to any part of an exterior wall which is less than twelve inches from the exterior wall of an adjacent building.

(f) Violations.-Any person who shall violate, or refuse, or neglect to comply with any provisions of this section shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment not exceeding six months, or both; and any such person shall, also, for each offense, be subject to the payment of a penalty in the sum of two hundred fifty dollars for each month there is non-compliance, to be recovered in a civil action brought in the name of the commissioner.

(g) With respect to buildings in existence on March first, nineteen hundred ninety eight, the initial critical examination of an exterior wall which was not subject to such examination under the provisions of paragraph one of subdivision d of this section in effect prior to the effective date of this local law shall be conducted prior to March first, two thousand.

LOCAL LAW 10 OF 1980 AND LOCAL LAW 11 OF 1998
BOROUGH INFORMATION SHEET

Local Law 10 of 1980 has been amended by Local Law 11/98. The two major changes in the "façade law" is the inclusion of *all façade walls of a building, except those within 12 inches of an adjacent premises* and the *elimination of precautionary and on going maintenance categories*. There are now three categories, *Safe, Unsafe* and the new third category, *Safe with a Repair and Maintenance Program*.

LL11/98 provides that the additional facades must be inspected by March 2000.

- A) Owners who have already included inspections of additional facades in the 4th Cycle reports already filed with the Department, will be considered grand-fathered and in compliance with the LL11/98.
- B) Owners who had the additional facade inspected but did not include them in their filed reports may do so by submitting those inspections on the *old TR-6 form, and labeling the filing as a supplemental cycle 4 report*. The *old TR6 form* is used here because the inspections were conducted under the old guidelines of LL10/80.
- C) Owners who are only inspecting the additional facades after LL11/98 was passed, *March 13, 1998, must perform the inspection and report the findings in accordance with the three categories outlined in the amendment, Safe, Unsafe and Safe with a Repair and Maintenance Program*. The reports must be submitted on the *newly revised TR-6 form* and the filing status box marked "Supplemental Cycle 4 Local Law 11/98 Filing" must be checked.
- D) *Complete premises façade inspections* and reports reflecting inspections on or after 2/21/99 will be considered *Cycle 5* filings and must be submitted on the *newly revised TR-6 form* and submitted in accordance with LL11/98 rules and regulations.

For further information or inquiries, please call 212-312-8424.



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES

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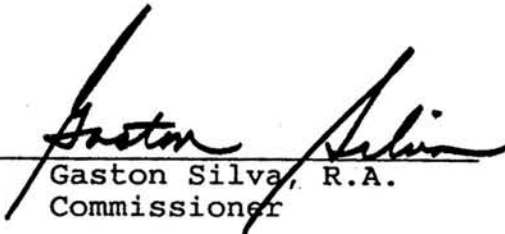
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**PROMULGATION OF AMENDMENT TO RULE 32-03 GOVERNING PERIODIC
INSPECTION OF EXTERIOR WALLS AND APPURTENANCES OF BUILDINGS**

In compliance with section 1043 of the New York City Charter, the Department of Buildings hereby promulgates the following rule relating to the periodic inspection of exterior walls and appurtenances of buildings.


Gaston Silva, R.A.
Commissioner

Dated: New York, New York
January 13, 1999

§ 32-03 Periodic Inspection of Exterior Walls and Appurtenances of Buildings.

(a) Definitions.

Critical examination. Critical examination means an examination conducted to review the exterior of a building and all parts thereof to determine whether the exterior walls and the appurtenances thereto are safe, unsafe, or safe with a repair and maintenance program and whether, in the judgment of a Registered Architect or Professional Engineer, they require remedial work.

Unsafe condition. Unsafe condition means a condition of a building wall, any appurtenances thereto or part thereof that is dangerous to persons or property and requires prompt remedial action. In addition, any condition which was reported as safe with a repair and maintenance program in an earlier report and which is not corrected at the time of the current inspection shall be reported as an unsafe condition.

Safe. Safe means a condition of a building wall, any appurtenances thereto or any part thereof not requiring repair or maintenance to sustain the structural integrity of the exterior of the building and that will not become unsafe during the next five years.

Safe with a repair and maintenance program. Safe with a repair and maintenance program means a condition of a building wall, any appurtenances thereto or any part thereof that is safe at the time of inspection, but requires repairs or maintenance during the next five years in order to prevent its deterioration during that five year period into an unsafe condition.

Standard reporting period. The standard reporting period is the time interval established by the Commissioner of Buildings for the filing of each successive report for each successive critical examination of every building subject to the requirements of Local Law 10 for the Year 1980 as amended by Local Law 11 for the Year 1998.

(b) Critical examinations.

(1) Requirements.

(i) In order to maintain a building's exterior walls and appurtenances in a safe condition in accordance with §27-129 of the Administrative Code, a critical examination of all parts of all exterior walls and any appurtenances thereto shall be conducted at periodic intervals, which are at least once every five years, of all existing buildings or buildings hereafter erected that are greater than six stories in height, except for those parts of any exterior wall which are less than twelve inches from the exterior wall of an adjacent building.

(ii) The second critical examination shall be conducted within two years after February 21, 1985 for all buildings covered by the first examination cycle. The initial critical examination for any building erected subsequent to February 21, 1982 shall be conducted in the fifth year following the erection or installation of any exterior walls and/or enclosures. Subsequent critical examinations shall be conducted within five years from the previous examination.

(iii) Regarding buildings in existence on March first, nineteen hundred ninety-eight, initial critical examinations of exterior walls or parts thereof and any appurtenances thereto which were not subject to such examinations under the provisions of paragraph (i) of subdivision (1) of section (b) of these rules in effect prior to March first, nineteen hundred ninety-eight, and which did not have a critical examination for which a report was filed prior to February twenty-first, nineteen hundred ninety-seven, shall be conducted prior to March first, two thousand.

(2) Inspection procedures.

(i) Before any exterior wall for any building is critically examined, the Registered Architect or Licensed Professional Engineer (hereinafter referred to as "professional") employed by the owner of the building shall carefully review the most recent report and any previous available reports. The Buildings Department will maintain a file of such reports submitted in conformance with §27-129, and furnish copies upon payment of fees set forth in §26-214.

(ii) Such examination shall be conducted and witnessed by or under the supervision of a professional retained by or on behalf of the owner of the building. It shall be done to the best of his/her knowledge and belief.

(iii) The professional shall determine methods employed in the examination, but he/she need not be physically present at the location where the examination is made. Under the professional's supervision, technicians, tradesmen, contractors, and engineers-in-training may be delegated selected inspection tasks. These individuals need not be in his/her employ.

(iv) The methods used to examine the building shall permit a complete inspection of same. Except as herein required, the use of a scaffold or other observation platform is preferred, but the professional may use other methods of inspection as he/she deems appropriate. A physical examination from a scaffold or other observation platform is required for a representative sample of the exterior wall. The professional shall determine what constitutes a representative sample. The representative sample must include at least one physical examination along a path from grade to top of an exterior wall on a street front using at least one scaffold drop or other observation platform configuration.

(v) The known history of the building, the nature of the materials used and the conditions observed will dictate the extent of the critical examination.

The Registered Architect or Licensed Professional Engineer [sic] shall utilize a professional standard of care to detect splitting or fracturing of terra cotta on buildings, cracking of masonry and brick work in brick faced buildings, loosening of metal anchors and supports, water entry, movement of lintel angles, etc., and shall ascertain the cause of these and such other conditions detected. The professional shall order any special inspections and/or tests that may be required. The removal of portions of the façade in order to facilitate the performance of tests may require a permit from the Landmarks Preservation Commission.

(vi) During the course of the critical examination, photographs shall be taken and/or sketches made to properly document the location of all conditions observed that are either unsafe or safe with a repair and maintenance program.

(vii) Upon discovery of any unsafe condition, the professional shall immediately notify the Borough Commissioner and the owner of the building by letter or fax.

(3) *Report requirements.*

(i) The professional shall submit to the Commissioner and to the Owner of the building a written report as to the result of such examination, clearly documenting all conditions not classified as safe and stating that the inspection was performed and completed in accordance with the New York City Administrative Code.

(ii) The report shall include:

(A) The address, any a.k.a. addresses, the location from the nearest cross street, and Block and Lot numbers;

(B) The landmark status of the building;

(C) The name, mailing address and telephone number of the owner of the building, his agent or the person in charge, possession or control of the building;

(D) (a) The description of the building including number of stories, height, plan dimensions, Certificate of Occupancy number, if available, usage, and age and type of exterior wall construction;

(b) Brief history of any settlements, repairs, revisions to exterior enclosures, if available;

(E) A detailed description of the procedures used in making the critical examination;

(F) A detailed description of the extent and location of all physical examinations performed;

(G) A report of all conditions including significant deterioration and movement observed as well as a statement concerning the apparent water-tightness of the exterior surfaces, and the deleterious effect of exterior appurtenances, including exterior fixtures, flagpoles, signs, parapets, copings, guard rails, window frames (including hardware and lights), window guards, window air conditioners, flower boxes, etc. The report shall classify each such condition as safe, unsafe or safe with a repair and maintenance program;

(H) The causes of the reported conditions;

(I) The status of the exterior maintenance;

(J) Comparison of observed conditions with conditions observed during previous examinations, including status of the repairs or maintenance performed with respect to the prior conditions;

(K) Recommendations for repairs or maintenance, if appropriate, including the recommended time frame for same to be performed;

(L) Date of start and completion of the critical examination;

(M) The seal and signature of the professional under whose supervision the critical examination was performed shall be on the written report;

(N) If there are no unsafe conditions and no conditions that are safe with a repair and maintenance program, then the building shall be classified as safe;

(O) If there is at least one unsafe condition, then the building shall be classified as unsafe;

(P) If there is (are) a(ny) condition(s) that is (are) safe with a repair and maintenance program and there are no unsafe conditions, then the building shall be classified as safe with a repair and maintenance program;

(Q) The professional shall not file a report of the same condition that is safe with a repair and maintenance program for the same building for two consecutive filing periods. Unless the professional certifies to the correction of all conditions identified in the earlier report as requiring repair the building shall be classified as unsafe;

(R) Photographs and/or sketches documenting the location of any conditions that are either unsafe or safe with a repair and maintenance program;

(S) A statement by the professional indicating which repairs and/or maintenance require the obtaining of work permits prior to their commencement.

(4) Report filing requirements.

(i) Any building existing as of the date of the passage of Local Law 10 of 1980 shall file a report of the second examination of the building's exterior walls and appurtenances thereto no sooner than February 21, 1985 and no later than February 21, 1987, and thereafter no sooner or no later than February 21 of each fifth subsequent year.

(ii) Any building of which the erection or installation of any exterior wall or enclosures reached a height greater than six stories or for which a Temporary Certificate of Occupancy or Certificate of Occupancy was received prior to January 1, 1983 shall be required to file a report no later than February 21, 1987, and thereafter no later than February 21 of each fifth subsequent year.

(iii) Any other building of which the erection or installation of any exterior wall or enclosures reaches a height greater than six stories shall be required to file an initial report five years from the date when such height is obtained, and thereafter a report each subsequent fifth year; however, such initial report shall be filed no later than five years from the date a Temporary Certificate of Occupancy, or Certificate of Occupancy, whichever is sooner, is received.

However, if the date reached five years from such issuance falls between the standard reporting periods, the filing shall be made during the first standard reporting period following the five-year date.

(iv) Persons or entities wishing to perform the critical examinations of and the report filing for the exterior walls referenced in Section (b) (1) (iii) of these rules in conjunction with the critical examinations of, and the report filing for the exterior walls otherwise scheduled for critical examinations and report filing from February twenty-first, two thousand until February twenty-first, two thousand two may perform such combined critical examinations and file such combined reports no earlier than February twenty-first, nineteen hundred ninety-nine and no later than March first, two thousand.

(v) Each written report shall be accompanied by a signed statement by the owner of the building acknowledging receipt of a copy of it and acknowledging awareness of the required repairs and/or maintenance, if any, and the time frame for same.

(vi) Each written report shall be submitted in original and in microfilm form to the appropriate Borough Office of the Department of Buildings. It shall be accompanied by an Exterior Periodic Inspection Report Form in triplicate, one copy of which may be retained by the applicant.

(5) Unsafe conditions.

(i) Upon the filing of the professional's report of an unsafe condition with the Department, the Owner of the building, his or her agent, or the person in charge of the building shall immediately commence such repairs or reinforcements and any other appropriate measures such as sidewalk sheds, fences, and/or safety netting as may be required to secure the safety of the public and to make the building's walls and/or appurtenances thereto conform to the provisions of the Building Code.

(ii) All unsafe conditions shall be corrected within 30 days from the filing of the critical examination report.

(iii) The professional shall inspect the premises and file a detailed amended report stating the condition of the building with the Borough office within two weeks after repairs to correct the unsafe condition have been completed.

(iv) The Commissioner may grant an extension of time of up to 90 days to complete the repairs required to remove an unsafe condition upon receipt and review of an initial extension application submitted by the professional, together with:

- (A) Copy of original report with attachments;
- (B) Notice that the premises have been made safe by means of a shed, fence or other appropriate measures;
- (C) Copy of contract indicating scope of work to remedy unsafe conditions;
- (D) Professional's estimate of length of time required for repairs;
- (E) Notarized affidavit by owner of the building that work will be completed within stated time of professional's estimate.

(v) A further extension will be considered only upon receipt and review of a further extension application, together with notice of:

- (A) Substantial completion of work but subject to an unforeseen delay (e.g., weather, labor strike), or
- (B) Unforeseen circumstances (e.g., fire, building collapse), or
- (C) Nature of hazard requires more than 90 days to remove (e.g., new wall to be built).

(6) Conditions that are Safe with a Repair and Maintenance Program.

(i) The owner of the building is responsible for ensuring that the conditions described in the critical examination report as safe with a repair and maintenance program are repaired, and all actions recommended by the professional are completed within the required time frame, and are not left to deteriorate into unsafe conditions before the next critical examination.

(ii) The professional shall not file a report of the same condition that is safe with a repair and maintenance program for the same building for two consecutive filing periods.

(iii) A certification must be made by the professional attesting to the correction of all conditions identified in the earlier report as requiring repair.

(iv) The professional shall report conditions that were previously reported as safe with a repair and maintenance program as unsafe if not corrected at the time of the current inspection.

STATEMENT OF BASIS AND PURPOSE

Local Law 11 for the Year 1998, which was unanimously passed by the City Council on February 26, 1998, and approved by the Mayor on March 13, 1998, amends the Administrative Code requirements for the periodic inspection of the exterior walls of buildings greater than six stories in height. All of the former exceptions to the periodic inspection of exterior walls were deleted. The only exterior walls now exempt are those which are less than twelve inches from the exterior wall of an adjacent building. Therefore, more exterior walls are now subject to periodic inspection and reporting.

The rules governing periodic inspection of exterior walls and appurtenances of buildings must now be revised to incorporate the requirements of Local Law 11 for the Year 1998, for inspections and for content of reports. The methods used for conducting critical examinations are clarified.

The additional existing exterior walls to be inspected must be identified and phased into the reporting cycles in such manner as will avoid the necessity of dual building inspections.



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ISSUANCE # 555

TECHNICAL
POLICY AND PROCEDURE NOTICE # 1/99

TO: Distribution

FROM: Satish K. Babbar, R.A. 

DATE: January 15, 1999

SUBJECT: **Building Facade Restoration Filing Requirements**

EFFECTIVE: Immediately

REFERENCE: Building Code of The City Of New York: Sections 27-124, 125, 126; Local Law 11 of 1998 and the Rule 32-03 of the Department of Buildings relating to Periodic Inspection of Exterior Walls and Appurtenances of Buildings, promulgated January 13th of 1999.

PURPOSE: To standardize and clarify when a work permit is required for different kinds of exterior facade work being performed due to Local Law 11 of 1998.

SPECIFICS: A Department of Buildings permit is required when the work involves public safety and health, the structural integrity of the building, new structural loads, new anchorages, etc. under the Building Code of the City of New York.

Ordinary repair and maintenance work may not require a work permit as per §27-125 of the Building Code. However, in the event a filing for the specific exterior facade work is not required with the Department of Buildings, this does not relieve the applicant from the responsibility of obtaining other permits from this Department (Site Safety, Sidewalk Shed, etc.) when required by other provisions of the Building Code, or from other City agencies as Landmarks Preservation Commission, etc.

The following table denotes whether filing for a work permit is required:

| Exterior Facade Restoration Item | Filing Required For Work Permit |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| A. Masonry | |
| 1. Brick (or other unit masonry) re-pointing | No |
| 2. Removal and replacement of individual bricks - single outside wythe up to 10 sf., not to exceed 4 ft. horizontally, in any 100 sf. of wall area. | No |
| 3. Mechanical anchorage (pinning) of brick masonry to underlying structure | Yes |
| 4. Parapet demolition and reconstruction | Yes |
| 5. Increasing height of an existing parapet | Yes |
| 6. Installation of new parapet coping (masonry) | No |
| 7. Installation of new parapet guardrail (except for repair work) | Yes |
| 8. Installation of expansion or control joints in existing masonry construction (entailing saw-cutting of masonry) | Yes |
| 9. Installation of flashing and weeps, repair or replacement of relieving angles (or lintels) installation of new brickwork, exceeding limits noted in #2 above. | Yes |
| 10. Flashing: cutting in reglet, removing one or two courses of brick from a single wythe on inside face of parapets, exceeding limits noted in #2 above. | Yes |
| 11. Masonry crack repair with injection of repair mortar, etc. | No |
| 12. Masonry cladding of existing exterior building walls | Yes |
| B. Concrete Restoration | |
| 1. Structural repair, reinforcement of concrete (repair of re-bars, post-tension cables, curtain panel wall, pre-cast concrete). | Yes |
| 2. Spandrels: repair of cracked or spalled concrete on exterior concrete spandrel beams, concrete fascias or balconies (whether or not repair of deteriorated steel reinforcement is required). | Yes |
| 3. Repair or re-anchoring of existing aluminum or steel balcony handrails | No |
| 4. Concrete crack repair with injection of repair cement, etc. | No |
| C. Stone/Terra Cotta Restoration | |
| 1. Patching of spalls or cracks on exterior stone or terra cotta masonry. | Yes |
| 2. Removal and replacement of exterior stone or terra cotta ornamentation with an alternative material. | Yes |
| 3. Mechanical anchorage (pinning) of displaced stone or terra cotta masonry to underlying structure. | Yes |
| D. Curtain/Panel Walls | |
| 1. Repair, replacements of structural components of panel wall system. | Yes |
| E. Cleaning and/or Coating of Masonry/Concrete/Metal | |
| 1. Cleaning, coloring or painting of masonry (brick, stone, terra cotta), concrete. | No |
| 2. Application of (trowel applied) cementitious material (stucco) no | No |

Note: Although a Work Permit may not be required for an item specified in this TPPN, it is the applicant's responsibility to obtain other permits from this Department and other agency permits (Landmarks, etc.) when required. The term **new** as used in the table shall mean an original installation, other than replacement –in –kind.

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| greater than 1" in thickness or other material (brownstone) no greater than 1/8" in thickness to exterior surfaces of building walls. | |
| 3. Application of sealant, caulking, etc. | No |
| F. Miscellaneous Metal/Steel | |
| 1. Scraping and painting, flashing and coloring, sealing and coating of steel structural members entailing removal and replacement of brick or other masonry, exceeding 10 sq. ft., 4 ft. horizontally, in any 100 sf. of wall area. | Yes |
| 2. Removal and replacement of steel structural members (including lintels over windows), exceeding limits noted in #A2 above. | Yes |
| 3. Reinforcement of steel structural members (spandrels, beams columns, etc.). | Yes |
| 4. Reinforcement of fire escape bars, struts, baskets, or supports). | No |
| 5. Installation of handrails at perimeters of balconies, terraces, or rooftops. | Yes |
| 6. Installation of appurtenances (signs, flagpoles, water tanks, awnings, etc.) at perimeters of balconies, terraces, or rooftops, unless exempted by other provisions of the Building Code or Department policy. | Yes |
| G. Sheet Metal | |
| 1. Sheet metal cladding of facades of existing cornice. | Yes |
| 2. Localized (non-structural) repairs/patching to sheet metal cornice. | No |
| 3. Repair reinforcement of the structural supports of sheet metal cornices. | Yes |
| 4. Installation of new (replacement) sheet metal or glass fiber reinforced concrete (GFRC) cornice. | Yes |
| 5. Installation of parapet coping cover (sheet metal) | No |
| 6. Sheet metal cladding of exterior face of parapet wall | Yes |
| H. Doors/Windows | |
| 1. Installation of replacement windows (balcony doors, etc.) with no modification of existing masonry opening. | No |
| 2. Restoration of existing wood or metal windows | No |
| 3. Lot line and other required fire-rated windows replacement, if providing greater or equal fire protection. | No |
| 4. Replacement of masonry sills | No |
| I. Miscellaneous | |
| 1. Probes involving the removal of less than 10 sf. of unit masonry (with a maximum horizontal dimension not to exceed 4 ft.) in any 100 sf. of wall area. | No |
| 2. Gutters, exterior leaders replacement in kind (exterior) | No |
| 3. Removal of existing signs and marquees | No |
| 4. Replacement of existing signs and marquees | Yes |

Note: Although a Work Permit may not be required for an item specified in this TPPN, it is the applicant's responsibility to obtain other permits from this Department and other agency permits (Landmarks, etc.) when required. The term new as used in the table shall mean an original installation, other than replacement -in-kind.



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Issuance #559

TECHNICAL
POLICY AND PROCEDURE NOTICE #5/99

TO: Distribution

FROM: Richard C. Visconti, R.A. *RV*

DATE: February 19, 1999

SUBJECT: LOCAL LAW #11/98 –
BUILDING FAÇADE INSPECTION REQUIREMENT

EFFECTIVE: For façade inspection reports filed on or after February 21, 1999.

REFERENCE: Administrative Code Section 27-129 as amended by Local Law 11/98.

PURPOSE: To ensure a uniform interpretation as to which exterior building walls are exempt from, or subject to critical examination in the interest of the safety of persons in the vicinity of such walls.

SUPERCEDES: TPPN# 3/96.

SPECIFICS:

Definition: *STORY* – A story is any floor level having at least one-half of its floor to ceiling height above the lowest grade level adjacent to any one of its exterior walls.

For purposes of this definition, mezzanines shall not count as stories.

The lowest level of any open area adjacent to the building shall not be used to determine story height provided such open area is no larger than necessary to provide natural light and/or ventilation to windows, and/or access to service entrances, and is used solely for these purposes, e.g., an areaway.

Requirements: Regardless of building height as indicated on the Certificate of Occupancy, or, if no Certificate of Occupancy is available, building height as measured from curb level, a critical examination shall be conducted at least once every five years of all parts of, and any appurtenances to, all exterior walls of the building whose height is greater than six stories above the lowest grade level adjacent to such wall.

Exemptions: The above requirement shall not apply to:

- 1) Those parts of any exterior wall which are less than twelve inches from the exterior wall of an adjacent building.
- 2) Exterior walls facing any open space having an area of less than 900 square feet (83.6 m²) and which is bounded by exterior walls or by exterior walls and interior lot lines.



ISSUANCE #564

DEPARTMENT OF BUILDINGS

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TECHNICAL
POLICY AND PROCEDURE NOTICE #8/99

TO: Distribution

FROM: Satish K. Babbar, R.A. 

DATE: April 1, 1999

SUBJECT: **Periodic Inspection of Exterior Walls and Appurtenances of Buildings;
Local Law 11 of 1998 - CLARIFICATIONS**

Effective: Immediately

Reference: Building Code of The City Of New York: Local Law 11 of 1998 and Rule §32-03 of the Department of Buildings, relating to Periodic Inspection of Exterior Walls and Appurtenances of Buildings, effective February 22, 1999.

Purpose: To clarify the inspection method for conducting "critical examination" of the facade and appurtenances of buildings under Local Law 11 of 1998 and amended Rule §32-03 requirements.

Specifics: New requirements and language has been added by the Local Law and the Rule. This is to further explain **standard reporting period**, required **scaffold drop** and **methods of critical examination** as per the amended Rule.

1. Standard Reporting Period; Section 32-03(a)

The Commissioner of Buildings has established 5 years to be the standard reporting time interval for each successive "critical examination" of a building. The definition of "safe" includes the provision that the condition of a building will not become unsafe during the next five years. ***This shall mean that the building would remain "safe" in the judgment of the professional filing such report until the end of the next report filing period.***

Local Law 11 of 1998 also requires that the initial critical examination of an exterior wall, which was not previously subject to the law be conducted prior to March 1, 2000. The amended Rule permits filing of a combined critical examination of previously unexamined facades with the report for the fifth cycle filing between February 21, 1999 and March 1, 2000. The sixth cycle starts February 21, 2005 and the report for this cycle may be filed within two years of this date. Therefore, the **current cycle** period could extend up to **eight years**, and during this period the building must remain safe in the judgment of the filing professional. In other cycles, the duration of this period may be up to seven years from the beginning of a filing period.

2. Scaffold Drop: Section 32-03 (b)(2)(iv)

For a representative sample of the facade condition, at least one scaffold drop or other observation platform configuration is required for a street front wall physical examination. It is left to the licensed professional to determine if additional walls and appurtenances require such an examination due to site orientation (exposure to sun, wind, rain, etc.), the materials used or the condition of the walls.

When a building has more than one street front, the professional shall determine from which of such walls to drop a scaffold, and the number of drops necessary to obtain a true representative sample for the building, although only one drop is required.

In a multiple building complex, some buildings may only be facing an interior private street, walkway, plaza, etc. In such situations, the scaffold drop shall be from a wall facing the interior street, walkway, plaza, etc.

When the inspection involves probing, removal of wall or appurtenance material, safety netting on all open sides of the scaffold drop or other observation platform shall be provided. In addition, adequate protection at the sidewalk or public space below shall be provided. This may be in the form of roping off part of the sidewalk, installation of a partial sidewalk shed or any other method determined by the professional to be adequate for the safety of the public and property. Necessary permits must be obtained from appropriate authorities.

A person with a valid New York City Rigger's License must supervise the operation of the scaffolding, following all safety procedures as required.

3. Methods of Critical Examination: Section 32-03(a)

It is up to the judgment of the professional as to the best inspection methods to utilize for the examination of the facade and appurtenances. Unless otherwise required, a visual inspection may still be a valid choice for critical examination.



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Issuance #565

TECHNICAL
POLICY & PROCEDURE NOTICE #9/99

To: Distribution
From: Richard C. Visconti, R.A. *M*
Date: April 23, 1999
Subject: **SIDEWALK SHED APPLICATIONS**

Purpose: To establish minimum requirements for filing sidewalk shed applications.

Effective: May 24, 1999

References: Building Code Sections 26-252, 27-1021; RCNY Sections 8-01, 26-01 and 27-03; Rules for Erection, Alteration, Repair, Excavation for and Demolition of Buildings (BSA Cal. no.784-41-SR)

Specifics: APPLYING FOR A SIDEWALK SHED

An application for a sidewalk shed shall be completed using a PW-1 form. An architect or engineer can file an application for acceptance under Directive 14/ 75, along with a completed TR-1 form. A contractor can file an Alteration Type III application for examination by the Department of Buildings. Each application for a sidewalk shed shall state the reason why the sidewalk shed is needed and the design live load. It shall be noted in section no. 16 of the application whether the shed is a heavy duty sidewalk shed or light duty sidewalk shed. **If the shed is for light duty use, it shall also state that there shall be no storage on the sidewalk shed.**

The sidewalk shed application shall include, but is not limited to, the following information:

1. Plot diagram of streets and shed location,
2. Minimum design load,

3. Design drawings which are of sufficient clarity to indicate the entire nature and extent of the proposed shed prepared by a professional engineer/registered architect or a copy of a previously approved Board of Standards and Appeals shed.

- a. All components of the sidewalk shed shall be clearly labeled, including but not limited to, columns, beams, joists, and planking, etc. with the proposed specific member sizes, spacing and maximum spans noted.

Board of Standards and Appeals approved type sheds must **highlight** the specific member sizes, spacing and maximum spans to be used.

- b. Complete relevant notes.

Where applicable, any shed designed for less than three hundred pounds per square foot is considered light duty and it must be noted on the drawings that **no storage will be permitted on the sidewalk shed.**

When it is anticipated that field conditions may require deviations from the proposed shed design, it must be noted on the drawings that such deviations caused by field conditions shall not exceed the maximum spans and member sizes listed on the BSA approved type shed resolution, if such shed is submitted, for the duty rating submitted.

4. If the sidewalk shed structure will extend into the street, a **BUILDING OPERATION PERMIT** is required from the **DEPARTMENT OF TRANSPORTATION**.
5. The required temporary lighting beneath the sidewalk shed shall be filed with the Bureau of Electrical Control. The Bureau of Electrical Control's control number will be required before a permit is issued.

SIDEWALK SHED SIGN

The permit holder shall state on the sidewalk shed sign whether it is a **heavy or light duty sidewalk shed**. If it is a light duty shed, the sign shall state that **storage is not permitted on the sidewalk shed**. If it is a heavy duty shed, the maximum live load shall be posted. This requirement shall apply to all sidewalk sheds permitted on or renewed after the effective date of this Technical Policy and Procedure Notice.