



2014 CONSTRUCTION CODES UPDATE PAGES

Attached are 2014 Construction Codes Update Pages. These pages reflect local laws enacted and ministerial administrative corrections made after December 31, 2014. Please note that the source of a particular update, the local law number, and year is indicated on each page. Please visit our [webpage](#) to ensure that your codes are complete and up to date as the City Council may periodically pass Local Laws that affect the Construction Codes.

Instructions:

Please place each page, according to its page number found on the bottom right hand corner, into your Construction Codes books.

The pages contain letters after the page number and should be placed in alphabetical order following the number, i.e. 5, 6, 6a, 6b, etc.

Place Title Pages in the front of your Code books for easy reference.

CONSTRUCTION CODES UPDATE PAGES

UPDATE # 46

Source: Local Law 33 of 2018, effective January 8, 2018.

This update includes the following pages:

GENERAL ADMINISTRATIVE PROVISIONS	
<u>Section</u>	<u>Page Number</u>
28-201.2.2	50v
28-309	78a
28-309.12	82h – i

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.
Source: Local Law 33 of 2018, effective January 8, 2018.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages 50u and 51 of your bound volume of the NYC General Administrative Provisions.

Amend section 28-201.2.2 to read as follows:

§28-201.2.2 Specified major violations. The commissioner shall classify the following violations as major violations:

1. A violation of section 28-210.1 or 28-210.2 other than a violation that is directed to be classified as immediately hazardous.
2. Failure to perform required façade, retaining wall, elevator and boiler inspections, or tests, structural inspections of buildings and structures that are potentially compromised as defined in section 28-217.1, and to file required reports within the applicable time period.
3. Failure to provide the notice required by section 3314.1.1 of the New York city building code.
4. A violation of the zoning resolution by any person for causing damage to or removing a tree within a Special Natural Area District, as defined in the zoning resolution.
 - 4.1. The fine or civil penalty for a violation described in item 4 shall be not less than seven hundred fifty dollars for each tree damaged or removed.
5. Notwithstanding the provisions of section 28-204.2 of this code, a violation of item 3 or item 4 of section 1008.1.3.5 of the New York city building code except that no penalty for such violation shall be imposed if the respondent corrects the condition constituting the violation and files a certificate with the department that the condition has been corrected within ninety days from the date set forth in the notice of violation. It shall be an affirmative defense that the nonconforming security grille was installed prior to July 1, 2011.
 - 5.1. The fine or civil penalty for a violation described in item 5 shall be not less than two hundred fifty dollars for the first offense and not less than one thousand dollars for each subsequent offense.
6. A violation of a condition, restriction or requirement established pursuant to the zoning resolution, section 197-d of the charter or section 25-114, related to a privately owned public space as such term is defined in section 25-114.
7. A violation of section 28-309.12.

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Source: Local Law 33 of 2018, effective January 8, 2018.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages 78 and 79 of your bound volume of the NYC General Administrative Provisions.

Amend title of article 309 to read as follows:

ARTICLE 309
BENCHMARKING ENERGY AND WATER USE
AND DISCLOSURE OF ENERGY EFFICIENCY SCORES AND GRADES

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Source: Local Law 33 of 2018, effective January 8, 2018.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages 82g and 83 of your bound volume of the NYC General Administrative Provisions.

Add new section 28-309.12 to read as follows:

§28-309.12 Energy efficiency scores and energy efficiency grades. Energy efficiency scores and grades for buildings shall be obtained, assigned and disclosed in accordance with this section.

§28-309.12.1 Definitions. As used in section 28-309.12, the following terms shall have the following meanings:

ENERGY EFFICIENCY GRADE. The term “energy efficiency grade” means, for a covered building, a grade based on an energy efficiency score assigned through the benchmarking tool in accordance with this section as follows:

1. If such score is equal to or greater than 90 the energy efficiency grade shall be A;
2. If such score is equal to or greater than 50 but less than 90, the energy efficiency grade shall be B;
3. If such score is equal to or greater than 20 but less than 50, the energy efficiency grade shall be C;
4. If such score is less than 20, the energy efficiency grade shall be D;
5. If the owner of such building has not complied with section 28-309.12.2, and such owner has had an opportunity to be heard with respect to such non-compliance, the energy efficiency grade shall be F; and
6. If, in accordance with the rules of the department, it is not feasible to obtain an energy efficiency score for such building or if such building is subject to the exception in section 28-309.8, the energy efficiency grade shall be N.

ENERGY EFFICIENCY SCORE. The term “energy efficiency score” means, for a building, the Energy Star rating for such building or a score that assesses the energy use of such building relative to similar buildings that is assigned through the benchmarking tool.

ENERGY STAR RATING. The rating that a building earns using the United States Environmental Protection Agency ENERGY STAR portfolio manager to compare building energy performance to similar buildings in similar climates.

§28-309.12.2 Energy efficiency score and energy efficiency grade required. In 2020 and in each calendar year thereafter, an owner of a covered building shall use the benchmarking tool to provide an energy efficiency score for such building to the department in accordance with the rules of the department unless, in accordance with such rules, the building is a type of building for which it is not feasible to obtain an

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energy efficiency score. In each such year, the department shall issue an energy efficiency grade to the owner in accordance with such rules.

§28-309.12.3 Display of energy efficiency score and energy efficiency grade. Within 30 days after the owner of a covered building obtains an energy efficiency grade, such owner shall post such grade and the energy efficiency score upon which such grade was based in a conspicuous location near each public entrance to such building, in a form and manner established by the department.

Exception: This section 28-309.12.3 shall not apply to posting of the energy efficiency score of a building with an energy efficiency grade of N.

§28-309.12.4 Publication of energy efficiency grades and energy efficiency scores. For each building for which an energy efficiency grade or energy efficiency score is generated pursuant to this section, the department shall make information generated in connection with such grade and score publicly available online by no later than May 1 of the year following such generation.

Exception: This section 28-309.12.4 shall not apply to information generated with respect to a building with an energy efficiency grade of N.

§28-309.12.5 Audits. The department shall, from time to time, audit information submitted for buildings in connection with energy efficiency grades and energy efficiency scores. Such audits shall occur at least annually and shall involve appropriate sample size of buildings, as determined by the department.