



## **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 # 62

Source: Local Law 1 of 2018, effective September 27, 2018.

This update includes the following pages:

<b>GENERAL ADMINISTRATIVE PROVISIONS</b>	
<b><u>Section</u></b>	<b><u>Page Number</u></b>
Article 505	120a-c

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Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.  
**Source:** Local Law 1 of 2018, effective September 27, 2018.

## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages 120 and 121 of your bound volume of the NYC General Administrative Provisions.*

Add new article 505 to read as follows:

### ARTICLE 505 CERTIFICATION OF NO HARASSMENT PILOT PROGRAM

**§28-505.1 General.** The commissioner shall not approve construction documents, nor issue an initial or reinstated permit in connection therewith, for the alteration or demolition of a pilot program building identified by the department of housing preservation and development pursuant to section 27-2093.1 except as set forth in this article. Applications for post approval amendments to construction documents are subject to this article where the application proposes a change within a covered category of work as set forth in section 28-505.3.

**§28-505.2 Definitions.** As used in this article, the following terms have the following meanings:

**LOW INCOME HOUSING.** The term “low income housing” has the same meaning as in section 27-2093.1 of the housing maintenance code.

**OWNER.** The term “owner” has the same meaning as in section 27-2004 of the housing maintenance code.

**PILOT PROGRAM BUILDING.** The term “pilot program building” has the same meaning as in section 27-2093.1 of the housing maintenance code.

**§28-505.3 Covered categories of work.** Applications for the approval of construction documents for the following categories of work are covered by this article:

1. demolition of all or part of the pilot program building;
2. change of use or occupancy of all or part of a dwelling unit, any residential portion of the pilot program building, or any part of such building serving such dwelling units;
3. any alteration resulting in the addition or removal of kitchen or bathrooms, an increase or decrease in the number of dwelling units, or any change to the layout, configuration, or location of any portion of any dwelling unit;
4. an application for a new or amended certificate of occupancy; or
5. such other types of alteration work to a pilot program building as shall be prescribed by rule of the commissioner of housing preservation and development.

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**Exceptions:**

1. Work solely for the purpose of either (i) making the public areas of a pilot program building accessible to persons with disabilities without altering the configuration of any dwelling unit or rooming unit or (ii) making the interior or the entrance to a dwelling unit or a rooming unit accessible to persons with disabilities shall not be covered by this article.
2. Repairs, demolition or any other work performed by a city agency or by a contractor pursuant to a contract with a city agency shall not be covered by this article.
3. Work performed on a building that has an administrator currently appointed pursuant to article seven-a of the real property actions and proceedings law shall not be covered by this article.
4. Other categories of work that are excluded from the definition of covered categories of work by rule of the department of housing preservation and development shall not be covered by this article.

**§28-505.4 Required submittal documents.** The commissioner shall not approve any construction documents, nor issue an initial or reinstated permit in connection therewith, for a pilot program building for the covered categories of work unless the applicant provides:

1. A sworn affidavit by or on behalf of all the owners of such building that has been provided to the department of housing preservation and development, which states that there will be no harassment of the lawful occupants of such building by or on behalf of such owners during the construction period;
2. A tenant protection plan as provided for in this code; and
3. The following documents from the commissioner of housing preservation and development:
  - 3.1. A current certification of no harassment that there has been no harassment of the lawful occupants of such pilot program building within the 60 month period prior to submission of an application for such certification to the department of housing preservation and development, provided, however, that such certification of no harassment shall except any portion of such 60 month period during which title was vested in the city;
  - 3.2. A waiver of such certification; or
  - 3.3. A certification that a restrictive declaration, in accordance with subdivision e of section 27-2093.1 of the housing maintenance code, has been recorded in the

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office of the city register or the Richmond county clerk and indexed as provided by the department of housing preservation and development.

**§28-505.5 Process.** Application for a certification of no harassment or waiver shall be made pursuant to section 27-2093.1 of the housing maintenance code.

**§28-505.6 Time period for approval or rejection of construction documents.** The time period in which the commissioner is required to approve or reject an application for construction document approval or resubmission thereof pursuant to this code shall commence from the date that the commissioner receives the documents required pursuant to item 3 of section 28-505.4

**§28-505.7 Certificate of occupancy.** The department shall not issue any temporary or permanent certificate of occupancy for any new or existing structure or portion thereof on a lot subject to an restrictive declaration pursuant to subdivision e of section 27-2093.1 of the housing maintenance code, other than for any low income housing located on such lot, until the department of housing preservation and development certifies that the low income housing required by such restrictive declaration has been completed in compliance with the restrictive declaration and the department has issued a temporary or permanent certificate of occupancy for each unit of low income housing covered by such restrictive declaration.

**§28-505.8 Request for stop-work or rescission.** The commissioner shall be empowered to issue a stop-work notice or order with respect to an alteration or demolition permit or to rescind approval of construction documents at the request of the commissioner of housing preservation and development pursuant to section 27-2093.1 of the housing maintenance code.