

REMINDER: Filing and Notification Requirements When Using Elevators for Construction Purposes

Using an elevator for construction purposes may in certain circumstances require notification to the Department and obtaining a permit. Please review the guidance below to ensure compliance with the Construction Codes and other regulations.

Elevators in Completed and Occupied Buildings

Passenger, service, and freight elevators with a Certificate of Compliance in completed and occupied buildings may be used to transport construction personnel and materials without the need to file a notification with the Department or obtain a permit provided that:

1. The elevators are **not** being exclusively used to transport construction personnel and materials;
2. Any Occupant or Tenant Protection Plan must state the days and hours during which the elevators will be used to transport construction personnel and materials; and
3. The elevators are used and loaded for those operations in accordance with their approval and pursuant to ASME A17.1 and Administrative Code 28-105.1.

Passenger, service, and freight elevators with a Certificate of Compliance in completed and occupied buildings being used **exclusively** to transport construction personnel and materials ('Temporary Construction Use') require the filing of a Temporary Use Permit pursuant to Building Code 3009.3, OPPN 2/00, and 1RCNY 11-05 and 11-06.

For the purposes of this Service Notice and determining if a Temporary Use Permit is needed, a completed building is when the entire building structure, envelope, fire protection, egress, and elevator device systems are completed and signed off with their respective Certificates of Compliance, even if there are still isolated tenant build-outs being conducted.

Elevators in Buildings Under Construction

Passenger, service, and freight elevators in buildings under construction (i.e. work in progress under a New Building or Alt-CO application) may not be used to transport construction personnel and materials ('Construction Use Only') without the filing of a Temporary Use Permit pursuant to Building Code 3303.12.4 and ASME A17.1 Sections 8.10.5.10 and 5.10.

If a building has a mix of Certificate of Compliance status elevators and 'Construction Use Only' elevators they must be clearly designated in accordance with BC 3303.10. Appropriate protocols and supervision must be in place for "Construction Use Only" elevators so that they are not mistakenly used by passengers.

Passenger, service, and freight elevators can only be used in accordance with their approvals. Any elevator being altered to be utilized as a **Construction Use Only** or **Temporary Construction Use** elevator requires the filing of a Temporary Use Permit.

For additional information contact the Elevator Division at **(212) 393-2144** or www.nyc.gov/dobhelp.