

## **FY '20 REGULATORY AGENDA OF THE DEPARTMENT OF BUILDINGS PURSUANT TO SECTION 1042 OF THE CITY ADMINISTRATIVE PROCEDURE ACT**

The Rules of the New York City Department of Buildings are authorized pursuant to Section 643 of the New York City Charter and are found in Title 1 of the **Rules of the City of New York**. The Rules are supplementary and include interpretive technical rulings as well as administrative procedure necessary to carry out the law.

Promulgation of the following rules and regulations of the Department of Buildings is anticipated by the first day of July 2020:

### **1. Rule relating to the Loft Board.**

- A. Reason: To simplify navigation, language, and processes, to add rules pertaining to amendments to the Loft Law and to address issues raised by tenants and owners within the Loft community.
- B. Anticipated contents: Add an entirely new Chapter 1 governing the Loft Board's functions and amend some rules contained in Chapter 2 to address community concerns.
- C. Objectives: Repeal and reenact the Loft Board procedural rules in order to simplify navigation, language, and processes and to address community concerns.
- D. Legal basis: Section 643 of the New York City Charter; Multiple Dwelling Law 282(d).
- E. Types of individuals and entities likely to be affected: Owners and tenants of interim multiple dwellings and those who work with them to legalize these spaces (architects, contractors, etc.)
- F. Other relevant laws: Multiple Dwelling Law §282.
- G. Approximate schedule: First half of FY'20.

**Contact person** – Helaine Balsam, Executive Director, Loft Board, (212) 393-2616

### **2. Rule relating to crane peer review.**

- A. Reason: The department currently requires peer review to be performed on certain applications for a certificate of on-site inspection (the permit that authorizes the use of a crane at a jobsite in New York City). The proposed rule will establish uniform requirements for peer review of these crane applications, which will allow consistent execution of the established peer review procedures.

- B. Anticipated contents: Triggers for peer review, scope of peer reviewer, qualifications of peer reviewer, responsibility of peer reviewer, contents of peer review report, miscellaneous administrative requirements.
- C. Objectives: To establish uniform requirements for peer review of certificate of on-site inspection applications.
- D. Legal basis: Section 643 of the New York City Charter; Section 28-104.7.11 of the New York City Administrative Code.
- E. Types of individuals and entities likely to be affected: NYS Professional Engineers who file applications for a certificate of on-site inspection.
- F. Other relevant laws: Section 3319 of the Building Code.
- G. Approximate schedule: First half of FY'20.

**Contact person** – Joseph Ackroyd, Executive Director, Technical Affairs, (212) 393-2031

### **3. Rule relating to facade inspections and qualified exterior wall inspectors (QEWI).**

- A. Reason: Article 302 of the Administrative Code requires periodic inspection of exterior walls of buildings over six stories.
- B. Anticipated contents: Amending existing rules to clarify the scope of inspections and other technical requirements, and address enforcement measures.
- C. Objectives: Clarify provisions, including but not limited to those pertaining to scope of inspections and inspection procedures.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Building owners, qualified exterior wall inspectors.
- F. Other relevant laws: Article 302 of the Administrative Code.
- G. Approximate schedule: Second half of FY '20.

**Contact person** – Yegal Shamash, Assistant Commissioner, Investigative Engineering Services, (212) 393-2609

### **4. Rule relating to carbon monoxide (CO) detectors in commercial spaces.**

- A. Reason: Local Law 191 of 2018 added a requirement for carbon monoxide detectors in additional occupancy types and created retroactive requirements for existing buildings.

- B. Anticipated contents: Amend 1 RCNY § 908-01 to comply with the requirements in local law 191.
- C. Objectives: Bring rule into compliance with code.
- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Owners of building with business or mercantile occupancies.
- F. Other relevant laws: Sections 28-315.11 of the Administrative Code and sections 908.7.3 and 908.7.3.1 of the Building Code
- G. Approximate schedule: First half of FY'20.

**Contact person** - Joseph Ackroyd, Executive Director, Technical Affairs, (212) 393-2031

**5. Rules necessary to add or amend penalties and violation classifications.**

- A. Reason: Various local laws adopted by the City Council may require adding violation classifications and penalties or amending existing ones.
- B. Anticipated contents: Amend 1 RCNY § 102-01 to add or amend penalties and violation classifications for violations of code and rules as needed.
- C. Objectives: To be able to impose penalties for violation of new local laws.
- D. Legal basis: Article 201 of the NYC Administrative Code.
- E. Types of individuals and entities likely to be affected: Building owners; registered design professionals, licensees, contractors.
- F. Other relevant laws: NYC Administrative and Construction Codes, as amended.
- G. Approximate schedule: Second half of FY'20.

**Contact person** - Shamonda Graham, Executive Director, Administrative Enforcement, (212) 393-2783

**6. Rule relating to signs on construction fences regarding site safety training requirements for construction workers.**

- A. Reason: To promote safety on building construction sites and reduce the occurrence of accidents.
- B. Anticipated contents: Raising awareness of required site safety training and promoting safety best practices.
- C. Objectives: Reducing occurrence of accidents on building construction sites.

- D. Legal basis: Section 643 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Building construction workers and their employers.
- F. Other relevant laws: Section 28-105.12.9 of the Administrative Code and section 3321 of the Building Code
- G. Approximate schedule: First half of FY'20.

**Contact person:** Patrick Wehle, Assistant Commissioner of External Affairs, (212) 393-2042