


## NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter that the Department of Buildings hereby adopts new fees relating to boiler and elevator inspection reports and site safety plan review. This rule was first published on March 14, 2023, and a public hearing thereon was held on April 13, 2023.

Dated: 4/18/2023  
New York, New York

  
Kazimir Vilenchik, P.E.  
Acting Commissioner

### Statement of Basis and Purpose of Rule

Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended by:

- Adding the fees for filing of boiler and elevator inspection reports that were in Section 28-112.7.2 of the Administrative Code. That section was amended by Local Law 126 of 2021 to remove those fees from the Administrative Code and authorize the Department to set the fees by rule. This change was made so that the language of the boiler and elevator fees would match the similar report filing fees for facades, potentially compromised buildings, and retaining walls, which already state that the fees will be provided by rule.
- In response to comments received at the public hearing, language was added to clarify that the fee for elevator category test report filings applies to category 1 tests only, as there is already a fee in Section 101-03 for category 3 and 5 test filings.
- Adding fees for initial and amended filings for review of site safety plans required by Article 110 of Title 28 of the Administrative Code and Chapter 33 of the Building Code. Currently the Department does not charge a fee for these reviews. These proposed fees will help address the increasing workload created by the volume and technical complexity of these required site safety plan submissions.

The Department's authority for these rules is found in sections 643 and 1043 of the New York City Charter, sections 28-112.1 and 28-112.7.2 and Article 110 of Title 28 of the Administrative Code, and Chapter 33 of the Building Code.

New material is underlined.

Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding the following entries at the end of the table set forth in that section:

<u>Filing fee for periodic boiler inspection report.</u>	<u>\$30 for each boiler.</u>
<u>Filing fee for report of periodic inspections and category 1 tests of elevator and other devices.</u>	<u>\$30 for each device.</u>
<u>Site safety plan review</u>	
• <u>Initial filing</u>	<u>\$610</u>
• <u>Amended filing</u>	<u>\$545</u>