

## NEW YORK CITY DEPARTMENT OF BUILDINGS

### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Department of Buildings (DOB) is proposing to amend section 102-01 of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York regarding civil penalties.

**When and where is the hearing?** DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11am on 12/16/24.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://events.gcc.teams.microsoft.com/event/225861ec-b1c4-4937-ae8b-90cde687a378@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don't have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://events.gcc.teams.microsoft.com/event/225861ec-b1c4-4937-ae8b-90cde687a378@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select “Join meeting”. Type your name and then select “Join meeting” again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

Alternatively, open the Teams app and select “Join a meeting”. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select “Join meeting”.

Meeting ID: 281 033 914 450  
Passcode: vHERVQ (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101  
Phone Conference ID: 378 133 439#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov).
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov) by 12/9/24 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony and is not held in a “Question and Answer” format.

**Is there a deadline to submit comments?** Yes, you must submit comments by 12/16/24.

**What if I need assistance to participate in the hearing?** You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov). Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 12/2/24.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov).

**What authorizes DOB to make this rule?** Sections 643 and 1043(a) of the City Charter, and Section 28-202.1 of the New York City Administrative Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

**Where can I find DOB's rules?** DOB's rules are in Title 1 of the Rules of the City of New York.

**What rules govern the rulemaking process?** DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

## STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

Local law 70 of 2024, which goes into effect on December 19, 2024, amends section 28-202.1 of the Administrative Code by adding a number of civil penalties for violations involving parking structures. The Department is proposing to amend its rule regarding civil penalties to add these penalties and to amend the amounts of other, similar penalties to match the amounts of the new parking structure ones.

The rule is also being amended to add penalties for failure to provide required information for a site safety plan or a tenant protection plan and for occupancy of a building or vacant lot that has been sealed or padlocked. In addition, outdated citations are deleted and the language regarding certificates of correction is clarified.

DOB's authority for this rule is found in Sections 643 and 1043(a) of the New York City Charter and Section 28-202.1 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]  
 Asterisks (\*\*\*) indicate unamended text.

Section 1. Paragraphs (4), (5) and (8) of subdivision (c) of section 102-01 of Title 1 of the Rules of the City of New York are amended to read as follows:

(c) Correction and certification of correction.

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(4) The required certification forms shall be [completed on the form issued with the NOV or] obtained from the Department in accordance with the instructions contained [therein] in the NOV.

(5) The respondent must appear at the ECB hearing for all violating conditions unless those charges are cured or a pre-hearing stipulation is offered, timely accepted by the respondent, and approved in writing by ECB. Where more than one violation of law is listed on the same NOV, the respondent [may] must submit a single certification covering [one or] all of the violating conditions.

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(8) The completed certification must be [returned] submitted to the Department [at the address] in a form and manner provided on the [City's] Department's website[, NYC.gov] at nyc.gov/buildings.

§2. The following rows of the table set forth in subdivision (k) of section 102-01 of Title 1 of the Rules of the City of New York are amended or deleted, and new rows are added in accordance with the table's existing organizational structure, as follows:

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default – Max Penalty
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1 RCNY 103-04 [(b)(5)(iii)] (c)(5)(iv)	Class 2	Removal of public protection from unsafe façade without approval from the department.	No	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
27-921(a), PC 107.3 (2008 code) [&], PC 107.4 (2014 code) & PC 108.4 (2022 code)	Class 1	Failure to have new or altered plumbing system tested.	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
27-921(a), PC 107.3 (2008 code) [&], PC 107.4 (2014 code) & PC 108.4 (2022 code)	Class 2	Failure to have new or altered plumbing system tested.	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
<u>27-929.1</u>	<u>Class 2</u>	<u>Failure to file report - automatic sprinkler</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
[28- 104.2.2]	[Class 2]	[Failure to provide approved/accepted construction documents at job site at time of inspection.]	[Yes]	[No]	[\$625]	[Yes]	[\$3,125]	[\$1,563]	[\$6,250]	[\$3,125]	[\$10,000]
<u>28-110.1</u>	<u>Class 2</u>	<u>Failed to provide the required information for a site safety plan</u>	<u>No</u>	<u>Yes</u>	<u>\$2,500</u>	<u>Yes</u>	<u>\$10,000</u>	<u>\$3,750</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>

<u>28-120.1</u>	<u>Class 2</u>	<u>Failed to provide the required information for a tenant protection plan</u>	<u>No</u>	<u>Yes</u>	<u>\$2,500</u>	<u>Yes</u>	<u>\$10,000</u>	<u>\$3,750</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>28-204.4</u>	<u>Class 2</u>	<u>Failure to comply with the Commissioner's order to file a certificate of correction with the Department of Buildings. - Parking Structures</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>Yes</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>
<u>28-207.2.2</u>	<u>Class 1</u>	<u>Unlawfully continued work while on notice of a Stop Work Order</u>	<u>No</u>	<u>No</u>	<u>[\$5,000] \$10,000</u>	<u>No</u>	<u>\$25,000</u>	<u>[\$12,500] \$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>28-207.2.5</u>	<u>Class 1</u>	<u>Tampered with, removed or defaced a written posted Stop Work Order.</u>	<u>No</u>	<u>No</u>	<u>[\$2,500] \$5,000</u>	<u>No</u>	<u>[\$12,500] \$25,000</u>	<u>[\$6,250] \$12,500</u>	<u>\$25,000</u>	<u>[\$12,500] \$25,000</u>	<u>\$25,000</u>
<u>[28-201.1;] 28- 207.4 (2014 Code) &amp; 28-207.4.6 (2022 Code)</u>	<u>Class 1</u>	<u>Failure to obey a Vacate Order from the Commissioner [per 28-207.4]</u>	<u>No</u>	<u>No</u>	<u>[\$4,800] \$10,000</u>	<u>No</u>	<u>[\$24,000] \$25,000</u>	<u>[\$12,000] \$25,000</u>	<u>\$25,000</u>	<u>[\$24,000] \$25,000</u>	<u>\$25,000</u>
<u>28-207.4.4 (2014 Code) &amp; 28-207.4.5 (2022 Code)</u>	<u>Class 1</u>	<u>Removed or defaced a written posted Vacate Order</u>	<u>No</u>	<u>No</u>	<u>[\$2,500] \$5,000</u>	<u>No</u>	<u>[\$12,500] \$25,000</u>	<u>[\$6,250] \$12,500</u>	<u>\$25,000</u>	<u>[\$12,500] \$25,000</u>	<u>\$25,000</u>
<u>28-211.1</u>	<u>Class 1</u>	<u>Filed a certificate, form, application etc., containing a material false statement(s). - Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$20,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>

<u>28-212.11</u>	<u>Class 1</u>	<u>Occupancy of a building or vacant land that has been sealed, padlocked, or otherwise closed</u>	<u>No</u>	<u>No</u>	<u>\$10,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
28-217.1.1	Class 2	Failure to submit required report of inspection of potentially compromised buildings and structures.	Yes	Yes	[\$800] \$1,600	Yes	[\$4,000] \$8,000	[\$2,000] \$4,000	[\$8,000] \$10,000	[\$4,000] \$10,000	\$10,000
<u>28-217.1.1</u>	<u>Class 2</u>	<u>Failure to submit required report of inspection of potentially compromised buildings. - Parking Structure</u>	<u>Yes</u>	<u>Yes</u>	<u>\$1,600</u>	<u>Yes</u>	<u>\$8,000</u>	<u>\$4,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>28-217.1.4</u>	<u>Class 2</u>	<u>Failure to conduct annual inspection of potentially compromised building or structure.</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>28-217.1.6</u>	<u>Class 1</u>	<u>Failure to immediately notify Department that building or structure has become potentially compromised. - Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
28-301.1	Class 1	Failure to maintain building in code-compliant manner.	No	No	[\$1,250] \$2,500	No	[\$6,250] \$12,500	[\$3,125] \$5,000	[\$12,500] \$25,000	[\$6,250] \$12,500	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner.	Yes	Yes	[\$625] \$1,250	Yes	[\$3,125] \$6,250	[\$1,563] \$3,125	[\$6,250] \$10,000	[\$3,125] \$6,250	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: service equipment – boiler.	No	No	[\$1,250] \$2,500	No	[\$6,250] \$12,500	[\$3,125] \$5,000	[\$12,500] \$25,000	[\$6,250] \$12,500	\$25,000

28-301.1	Class 2	Failure to maintain building in code-compliant manner: service equipment – boiler.	Yes	Yes	[\$625] <u>\$1,250</u>	Yes	[\$3,125] <u>\$6,250</u>	[\$1,563] <u>\$3,125</u>	[\$6,250] <u>\$10,000</u>	[\$3,125] <u>\$6,250</u>	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Use of prohibited door and/or hardware per BC 1008.1.8 (2014 code); 27-371; BC 1008.1.9 (2014 code); BC 1010.1.8 (2022 code); BC 1010.1.9 (2022 code).	No	No	[\$1,250] <u>\$2,500</u>	No	[\$6,250] <u>\$12,500</u>	[\$3,125] <u>\$5,000</u>	[\$12,500] <u>\$25,000</u>	[\$6,250] <u>\$12,500</u>	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: Use of prohibited door and/or hardware per BC 1008.1.8 (2014 code); 27-371; BC 1008.1.9 (2014 code); BC 1010.1.8 (2022 code); BC 1010.1.9 (2022 code).	Yes	No	[\$625] <u>\$1,250</u>	Yes	[\$3,125] <u>\$6,250</u>	[\$1,563] <u>\$3,125</u>	[\$6,250] <u>\$10,000</u>	[\$3,125] <u>\$6,250</u>	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: illumination for exits, exit discharges and public corridors per BC 1006.1 (2014 code); 27-381; BC 1008.1 (2022 code).	No	No	[\$1,250] <u>\$2,500</u>	No	[\$6,250] <u>\$12,500</u>	[\$3,125] <u>\$5,000</u>	[\$12,500] <u>\$25,000</u>	[\$6,250] <u>\$12,500</u>	\$25,000



28-301.1	Class 2	Failure to maintain building in code-compliant manner: illumination for exits, exit discharges and public corridors per BC 1006.1 (2014 code); 27-381_BC 1008.1 (2022 code).	Yes	No	<u>[\$625]</u> <u>\$1,250</u>	Yes	<u>[\$3,125]</u> <u>\$6,250</u>	<u>[\$1,563]</u> <u>\$3,125</u>	<u>[\$6,250]</u> <u>\$10,000</u>	<u>[\$3,125]</u> <u>\$6,250</u>	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: floor numbering signs missing and/or defective per BC 1019.1.7 (2008 code); 27-392; BC 1022.8 (2014 code); BC 1023.9 (2022 code).	No	No	<u>[\$1,250]</u> <u>\$2,500</u>	No	<u>[\$6,250]</u> <u>\$12,500</u>	<u>[\$3,125]</u> <u>\$5,000</u>	<u>[\$12,500]</u> <u>\$25,000</u>	<u>[\$6,250]</u> <u>\$12,500</u>	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: floor numbering signs missing and/or defective per BC 1019.1.7 (2008 code); 27-392; BC 1022.8 (2014 code); BC 1023.9 (2022 code).	Yes	Yes	<u>[\$625]</u> <u>\$1,250</u>	Yes	<u>[\$3,125]</u> <u>\$6,250</u>	<u>[\$1,563]</u> <u>\$3,125</u>	<u>[\$6,250]</u> <u>\$10,000</u>	<u>[\$3,125]</u> <u>\$6,250</u>	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Improper exit/exit access doorway arrangement per BC 1014.2 (2008 code); 27-361; BC 1015.2 (2014 code); BC 1016.1 (2022 code).	No	No	<u>[\$1,250]</u> <u>\$2,500</u>	No	<u>[\$6,250]</u> <u>\$12,500</u>	<u>[\$3,125]</u> <u>\$5,000</u>	<u>[\$12,500]</u> <u>\$25,000</u>	<u>[\$6,250]</u> <u>\$12,500</u>	\$25,000

<u>28-301.1</u>	<u>Class 1</u>	<u>Failure to maintain building in a code compliant manner: lack of fire alarm system where required by BC 907.2</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>28-301.1</u>	<u>Class 2</u>	<u>Failure to maintain building in a code compliant manner: lack of fire alarm system where required by BC 907.2</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>28-301.1.1 &amp; 28-301.2</u>	<u>Class 2</u>	<u>Failure to provide required annual parapet observation report on request</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>28-302.1</u>	<u>Class 1</u>	<u>Failure to maintain building wall(s) or appurtenances.</u>	<u>No</u>	<u>No</u>	<u>[\$2,500] \$5,000</u>	<u>No</u>	<u>[\$12,500] \$25,000</u>	<u>[\$6,250] \$7,500</u>	<u>\$25,000</u>	<u>[\$12,500] \$18,750</u>	<u>\$25,000</u>
<u>28-302.1</u>	<u>Class 2</u>	<u>Failure to maintain building wall(s) or appurtenances.</u>	<u>Yes</u>	<u>Yes</u>	<u>[\$1,250] \$2,500</u>	<u>Yes</u>	<u>[\$6,250] \$10,000</u>	<u>[\$3,125] \$6,250</u>	<u>\$10,000</u>	<u>[\$6,250] \$10,000</u>	<u>\$10,000</u>
<u>28-302.3</u>	<u>Class 1</u>	<u>Failure of registered design professional to immediately notify the department of unsafe façade condition(s).</u>	<u>No</u>	<u>No</u>	<u>[\$2,500] \$5,000</u>	<u>No</u>	<u>[\$12,500] \$25,000</u>	<u>[\$6,250] \$12,500</u>	<u>\$25,000</u>	<u>[\$12,500] \$25,000</u>	<u>\$25,000</u>
<u>28-302.4</u>	<u>Class 2</u>	<u>Failure to submit a required report of critical examination documenting condition of exterior wall and appurtenances.</u>	<u>Yes</u>	<u>No</u>	<u>[\$1,250] \$2,500</u>	<u>Yes</u>	<u>[\$6,250] \$10,000</u>	<u>[\$3,125] \$6,250</u>	<u>\$10,000</u>	<u>[\$6,250] \$10,000</u>	<u>\$10,000</u>
<u>28-323.1</u>	<u>Class 1</u>	<u>Failure to maintain building in code-compliant manner. - Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$5,000</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>

<u>28-323.1</u>	<u>Class 2</u>	<u>Failure to maintain building in code-compliant manner. - Parking Structure</u>	<u>Yes</u>	<u>Yes</u>	<u>\$1,250</u>	<u>No</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>28-323.5</u>	<u>Class 2</u>	<u>Failure to submit a condition assessment report - Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>28-323.7</u>	<u>Class 1</u>	<u>Failure to timely notify the Department of an unsafe condition - Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$15,625</u>	<u>\$25,000</u>
<u>28-323.8</u>	<u>Class 1</u>	<u>Failure to take required measures to ensure public safety - unsafe Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$10,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>28-323.8</u>	<u>Class 2</u>	<u>Failure to take required measures to ensure public safety - unsafe Parking Structure</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>28-323.8</u>	<u>Class 2</u>	<u>Failure to submit required amended report of parking structure assessment certifying that unsafe conditions have been corrected.</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>28-323.9.1</u>	<u>Class 2</u>	<u>Failure to submit required amended report of parking structure assessment no more than 2 years after initial SREM report - Parking Structures</u>	<u>Yes</u>	<u>Yes</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>

<u>BC 105.8.2 (2014 code) &amp; BC 106.8.2 (2022 code)</u>	<u>Class 2</u>	<u>Temporary Construction Equipment or Installation on Site – Expired Permit (Shed).</u>	<u>Yes</u>	<u>Yes</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
BC 3301.2 [& 27-1009(a)]	Class 1	Failure to safeguard [all persons] <u>the public</u> and property affected by construction operations.	No	No	\$10,000	No	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
BC 3301.2 [& 27-1009(a)]	Class 2	Failure to safeguard [all persons] <u>the public</u> and property affected by construction operations.	No	No	\$5,000	No	\$10,000	\$10,000	\$10,000	\$10,000	\$1,000
EC 230.72 (A)	Class 1	Failure to properly group/label disconnects	[Yes] <u>No</u>	No	\$1,000	Yes	\$5,000	\$2,500	\$10,000	\$5,000	\$25,000
ZR 42-[52] <u>62</u>	Class 1	Outdoor Advertising sign not permitted in M District.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 42-[53] <u>63</u>	Class 1	Outdoor Advertising sign in M District exceeds surface area limits.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 42-[543] <u>643</u>	Class 1	Outdoor Advertising Company sign in M District exceeds height limit.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** 2024 RG 093

**REFERENCE NUMBER:** Amendment of Penalty Schedule for Violations Involving Parking Structures

**RULEMAKING AGENCY:** Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: November 15, 2024

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Amendment of Penalty Schedule for Violations Involving Parking Structures**

**REFERENCE NUMBER: DOB-190**

**RULEMAKING AGENCY: Department of Buildings**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) A cure period is provided.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

November 6, 2024  
Date