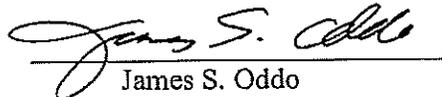


NEW YORK CITY DEPARTMENT OF BUILDINGS

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 the amendments to Section 101-03 of Subchapter A of Chapter 100 and Sections 103-04 and 103-13 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York regarding fees and waivers for façade inspection reports, parking structure compliance reports, and parking structures in general. This rule was first published on November 7, 2025, and a public hearing thereon was held on December 8, 2025.

Dated: 12/23/25
New York, New York


James S. Oddo
Commissioner

Statement of Basis and Purpose of Rule

Articles 302 and 323 of Title 28 of the New York City Administrative Code require inspection, maintenance, repair and reporting of the conditions of exterior walls (façades) and parking garages, respectively.

The rule amends section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York to both increase certain existing fees and add new fees related to façade inspection reports, parking structure compliance reports, and parking structures in general. These changes account for the administrative and personnel costs of processing reports, reviewing requests, and conducting inspections of structures. Specifically, the amendments:

- Add fees for:
 - Submitting a request for a waiver of penalties, as set forth in 1 RCNY §103-04, for penalties incurred for violations of Article 302 of Title 28 of the Administrative Code and/or 1 RCNY §103-04;
 - Submitting a request for a waiver of penalties, as set forth in 1 RCNY §103-13, for penalties incurred for violations of Article 323 of Title 28 of the Administrative Code and/or 1 RCNY §103-13;
 - An inspection resulting from a failure to file the required parking structure compliance report;
 - A request for parking structure verification, and
 - A request for parking structure removal of partial public protection.
- Increase the fees for parking structure compliance reports

The rule also amends the waiver provisions of section 103-04 of chapter 100 of Title 1 of the Rules of the City of New York to specify that a fee must be paid to request a waiver of penalties assessed for a violation of Article 302 of Title 18 of the Administrative Code or the rules of the Department. The rule also requires that any such waiver requests be made through the Department's website. The rule further amends section 103-04 of the Rules of the City of New York to specify that, when the full demolition of a building occurs within the relevant inspection cycle, a waiver may only be granted if such demolition was approved by the Department.

The rule amends section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York to establish a mechanism through which an owner of a building may verify whether a parking structure is subject to the periodic inspection requirements of section 103-13.

The rule amends section 103-13 of the Rules of the City of New York to specify that a fee must be paid to request a waiver of penalties assessed for a violation of Article 323 of Title 28 of the Administrative Code and require any such waiver request be made through the Department's website.

The rule further amends section 103-13 of the Rules of the City of New York to specify that, when the full demolition of a building occurs within the relevant inspection cycle, a waiver of penalties assessed for a violation of Article 323 of Title 28 of the Administrative Code may only be granted if such demolition was approved by the Department.

The rule also adds a filing fee for a request to remove public protection from a section of a formerly unsafe building when work to correct the unsafe condition on that part of the building is complete.

Additionally, the rule amends section 103-13(c)(3)(iii)(L)(1) of the Rules of the City of New York to require that a plan detailing a proposed monitoring program must include the method and frequency of monitoring.

Lastly, the rule amends section 103-13(c)(4)(viii) of the Rules of the City of New York to require that, where a report has been deemed administratively incomplete, a revised report be filed within 5 days of the date on which the report was deemed administratively incomplete.

The proposed amendments to the rule were published in the City Record on November 7, 2025. A hearing was held on December 8, 2025. No comments were received.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and section 28-112.1 and Articles 302 and 323 of Title 28 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate unamended text.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. The façade inspection reports fees and parking structure compliance reports fees set forth in section 101-03 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

Façade inspection reports	
• Initial filing	\$425
• Amended/subsequent filing	\$425
• Application for extension of time to complete repairs	\$305
• <u>Request for waiver of penalties</u>	<u>\$140</u>

Parking structure compliance reports	
• Initial Filing	\$[305] 485
• Amended[/subsequent] filing	\$[85] 940
• <u>Subsequent filing</u>	<u>\$485</u>
• Application for extension of time to complete repairs	\$[65] 95
• <u>Request for waiver of penalties</u>	<u>\$140</u>

§2. Section 101-03 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>Inspection made necessary by a failure to file required parking structure compliance report</u>	<u>\$575</u>
<u>Parking Structure Verification Request</u>	<u>\$685</u>
<u>Parking Structure Partial Protection Removal Request</u>	<u>\$695</u>

§3. The introductory paragraph and paragraph (2) of subdivision (e) of section 103-04 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

(e) *Full or partial penalty waivers; eligibility and evidentiary requirements.* Owners may request a full or partial waiver of penalties assessed for violation of Article 302 of Title 28 of the Administrative Code, the New York City Building Code and/or rules enforced by the Department. Requests must be made [in writing] through the Department's website, submitted with the filing fee, and must meet eligibility and evidentiary requirements as follows:

(2) *Building status.* An owner [requesting a waiver because the building was demolished must submit city or departmental records evidencing the demolition of the building prior to the filing deadline] may be granted a waiver if the full demolition of the building occurred prior to the inspection cycle for which the report was due, and such demolition was signed off by the Department.

§4. Subdivision (a) of Section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding new definitions of “Partial Protection Removal Request” and “Verification Request” in alphabetical order, to read as follows:

(a) *Definitions.* For the purposes of this section, the following terms have the following meanings:

Partial Protection Removal Request. A request submitted by the QPSI to remove public protection from only a section of a building that is classified as “unsafe” and has a large footprint, when work to correct the unsafe conditions on that section is complete.

Verification Request. A request submitted by the QPSI or building owner in order to verify that a parking structure is subject to periodic inspection under this rule.

§5. Paragraph (1) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

- (1) Periodic inspection requirements. In order to maintain a parking structure and its appurtenances in a safe condition, and in accordance with Article 323 of Title 28 of the Administrative Code, a condition assessment of all components of a parking structure must be conducted at periodic intervals specified herein. In order to verify if a parking structure is subject to periodic inspection under this rule, a QPSI or an owner can submit a Verification Request, along with a filing fee as specified in section 101-03 of the rules of the Department.

§6. Item 1 of clause (L) of subparagraph (iii) of paragraph (3) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

1. A plan detailing the proposed monitoring program, including method and frequency of monitoring;

§7. Subparagraph (viii) of paragraph (4) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

- (viii) If the report is not acceptable and is rejected by the Department, a revised report must be filed within 45 days of the date of the Department's rejection, or within 5 days of the date it was deemed administratively incomplete, after which the original file date will no longer be valid.

§8. Subparagraph (iv) of paragraph (5) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

- (iv) Within two weeks after repairs to correct the unsafe condition have been completed, the QPSI must inspect the premises. The QPSI must promptly file with the Department a detailed amended report stating the revised report status of the parking structure, along with a filing fee as specified in the rules of the Department and the owner must obtain permit sign-offs as appropriate. If the report is not acceptable and is rejected by the Department, a revised report must be filed within 45 days of the date of the Department's rejection after which the original filing date will no longer be valid. If the report is not acceptable after two rejections, a new amended filing fee as specified in the rules of the Department is required. Protective measures must remain in place until an amended report is accepted; however, the QPSI may request permission for the removal of the protective measures, shoring or any other public safety measures upon submission of a [signed and sealed statement] Partial Protection Removal Request, along with a filing fee as specified in section 101-03 of the rules of the Department, certifying that an inspection was conducted, the conditions were corrected, and the protective measures are no longer required.

§9. The introductory paragraph and paragraph (2) of subdivision (f) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

- (f) ***Full or partial penalty waivers; eligibility and evidentiary requirements.*** Owners may request a full or partial waiver of penalties assessed for violation of Article 323 of Title 28 of the Administrative Code, and/or rules enforced by the Department. Requests must be made [in writing] through the Department's website, submitted with the filing fee, and must meet eligibility and evidentiary requirements as follows:

- (2) ***Building status.*** An owner [requesting a waiver because the parking structure was demolished must submit city or departmental records evidencing the demolition of the parking structure prior to the filing deadline] may be granted a waiver if the full demolition of the parking structure occurred prior to the inspection cycle for which the report was due, and such demolition was signed off by the Department.