STATE OF NEW YORK

5823--B

R. R. 60

2017-2018 Regular Sessions

IN ASSEMBLY

February 16, 2017

Introduced by M. of A. WRIGHT, SEPULVEDA, RICHARDSON, PERRY -- read once and referred to the Committee on Cities -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- ordered to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the special order of third reading

AN ACT to amend the administrative code of the city of New York, in relation to requiring notice to adjoining owners of construction or demolition work

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 28-104.2 of the administrative code of the city of New York, as amended by section 10 of part A of local law number 141 of the city of New York for the year 2013, is amended to read as follows:

§ 28-104.2 Application for approval of construction documents. The department shall assign an application number to and docket all applications for approval of construction documents and any amendments thereto filed with it. The department shall examine the construction documents promptly after their submission. The examination shall be made under the direction of the commissioner for compliance with the provisions of this code and other applicable laws and rules. The personnel employed for the examination of construction documents shall be qualified registered design professionals, experienced in building construction and design. **The department shall provide written notification to owners of adjoining property at the time such application is submitted.**

§ 2. Section 28-105.5 of the administrative code of the city of New York, as amended by section 11 of part A of local law number 141 of the city of New York for the year 2013, is amended to read as follows:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD07149-05-7

§ 28-105.5 Application for permit. All applications for permits shall be submitted on forms furnished by the department. Applications shall include all information required by this code, other applicable law or the rules of the department. The applicant shall list any portions of the design that have been approved for deferred submittal in accordance with section 28-104.2.6. The application shall set forth an inspection program for the project. An application for a permit shall be submitted no later than 12 months after the approval of all required construction documents (other than those documents approved for deferred submittal). **The department shall provide written notification to owners of adjoining property at the time such application is submitted.**

§ 3. Section 28-105.12.7.1 of the administrative code of the city of New York, as amended by section 11 of part A of local law number 141 of the city of New York for the year 2013, is amended to read as follows:

§ 28-105.12.7.1 Insurance coverage for adjacent properties. A person who obtains a permit for construction or demolition operations shall, at such person's own expense, procure and maintain for the duration of the operations, insurance of a kind and in an amount specified by rule of the department, to insure any and all adjacent property owners and their lawful occupants fully for all risks of loss, damage to property or injury to or death of persons, arising out of or in connection with the performance of the proposed work. Such person shall submit proof of insurance to the department when applying for a permit for construction or demolition work. **The department shall provide such proof of such insurance together with the permit to the owners of adjoining property thirty days prior to the commencement of the construction or demolition work, except in the event that emergency work is authorized as defined in section 28-105.4.1 of this code. If such emergency work is necessary, the permit and proof of insurance shall be provided to owners of adjoining property within a reasonable timeframe.**

§ 4. This act shall take effect immediately.