

STATE OF NEW YORK

9407

IN ASSEMBLY

March 2, 2022

Introduced by M. of A. GLICK -- read once and referred to the Committee on Housing

AN ACT to amend the administrative code of the city of New York, in relation to sidewalk shed permit renewal

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

1 Section 1. Section 105.8.3 of the New York city building code, as
2 amended by section 1 of subpart 1 of part C of local law number 141 of
3 the city of New York for the year 2013, is amended to read as follows:

4 105.8.3 Special provisions for renewal of permit for a sidewalk shed.
5 An application for the renewal of a construction equipment permit for a
6 sidewalk shed used in connection with the alteration of a building shall
7 be accompanied by a report, acceptable to the department, prepared by a
8 registered design professional who has examined that part of the prem-
9 ises on which the work requiring the use of a sidewalk shed is being
10 performed. Such report shall document the condition of the applicable
11 part of the premises and the scope of work that has been performed ther-
12 eon since the issuance of the permit and shall provide an estimate of
13 the additional time needed to complete the work.

14 No sidewalk shed permit shall be renewed unless the commissioner
15 determines that such sidewalk shed is being used as part of an ongoing
16 construction project. In making such determination, the commissioner
17 shall conduct an inspection of the construction site for which such
18 permit renewal is sought. A contractor or licensee shall submit to the
19 commissioner documentation in support of permit renewal indicating the
20 dates and times persons employed in the construction project have
21 utilized the sidewalk shed that is the subject of a permit renewal
22 request. A contractor or licensee who submits or causes to be submitted
23 documentation that contains false or misleading statements shall be
24 subject to a civil penalty not to exceed one thousand dollars.

25 The commissioner shall promulgate such rules and regulations as may be
26 necessary to implement the provisions of this section.

27 An "ongoing construction project" shall mean any construction project
28 during which persons employed in construction work are utilizing such

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

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1 sidewalk shed at least ten days per month over the course of the year
2 immediately preceding a request to renew a sidewalk shed permit.

3 § 2. Section 106.8.3 of the New York city building code, as amended by
4 section 2 of part C of local law number 126 of the city of New York for
5 the year 2021, is amended to read as follows:

6 106.8.3 Special provisions for renewal of permit for a sidewalk shed.
7 An application for the renewal of a temporary construction installation
8 permit for a sidewalk shed used in connection with the alteration of a
9 building shall be accompanied by a report, acceptable to the department,
10 prepared by a registered design professional who has examined that part
11 of the premises on which the work requiring the use of a sidewalk shed
12 is being performed. Such report shall document the condition of the
13 applicable part of the premises and the scope of work that has been
14 performed thereon since the issuance of the permit and shall provide an
15 estimate of the additional time needed to complete the work.

16 No sidewalk shed permit shall be renewed unless the commissioner
17 determines that such sidewalk shed is being used as part of an ongoing
18 construction project. In making such determination, the commissioner
19 shall conduct an inspection of the construction site for which such
20 permit renewal is sought. A contractor or licensee shall submit to the
21 commissioner documentation in support of permit renewal indicating the
22 dates and times persons employed in the construction project have
23 utilized the sidewalk shed that is the subject of a permit renewal
24 request. A contractor or licensee who submits or causes to be submitted
25 documentation that contains false or misleading statements shall be
26 subject to a civil penalty not to exceed one thousand dollars.

27 The commissioner shall promulgate such rules and regulations as may be
28 necessary to implement the provisions of this section.

29 An "ongoing construction project" shall mean any construction project
30 during which persons employed in construction work are utilizing such
31 sidewalk shed at least ten days per month over the course of the year
32 immediately preceding a request to renew a sidewalk shed permit.

33 § 3. This act shall take effect on the thirtieth day after it shall
34 have become a law; provided that section two of this act shall take
35 effect on the same date as section 2 of part C of local law number 126
36 of the city of New York for the year 2021, takes effect.