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:

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

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

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

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

An "ongoing construction project" shall mean any construction project 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.

LBD03035-02-2

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

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

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

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

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

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

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