

# 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.