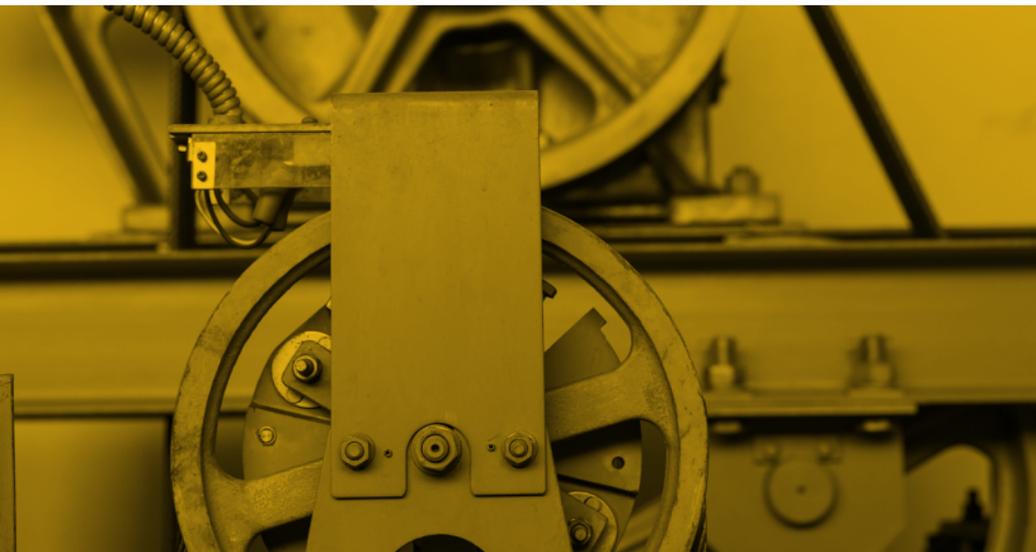


DEPARTMENT OF BUILDINGS GUIDE TO:

ELEVATORS



ELEVATORS

With approximately 71,000 elevators, escalators and other related devices in New York City, this equipment is a standard part of our lives. Our Elevator Unit supports the operational safety, reliable service and the lawful use of elevators, escalators, amusement rides and other related devices throughout our City.

Inspections

In accordance with the NYC Building Codes, elevators and escalators located within the five boroughs must be inspected and tested twice annually. **Annual Inspections** are performed by a contracted inspection agency on behalf of the Department of Buildings (DOB). These inspections are usually unannounced and owners have to provide inspectors access so they can complete the required inspections/tests. If an inspector is unable to gain access, he/she will post a notice in a visible location with instructions for rescheduling the visit.

Category Testing is performed and witnessed by approved independent third party agencies licensed by the DOB. Building owners are responsible for hiring an approved inspection agency.

- **Category One (Cat-1):** No load safety test performed between January 1st and December 31st each year
- **Category Three (Cat-3):** Performed on water hydraulic elevators only every three years from date of installation
- **Category Five (Cat-5):** Performed with rated load and speed every five years from date of installation

NYC BC 14, Appendix K, Chapter K1, Table N1 lists all required Inspection/Test Intervals and corresponding Reference Codes.

Maintenance

Building owners are required to have a current maintenance contract with an approved elevator agency available to perform elevator repair work, maintenance and replacement as defined by the American Society of Mechanical Engineers (ASME). The name, address and telephone number of the contracted agency must be readily accessible to building custodians and the Department.

The NYC Construction Code states maintenance contracts should include a **Maintenance Control Program (MCP)** that adheres to the maintenance protocol specified by the elevator manufacturer, or a MCP can be established by a design professional hired by the building owner. Additionally, a maintenance log detailing dates and description of maintenance performed on the device is required and must be kept on site along with the MCP.

In multiple dwelling units, owners are mandated to notify residents if an elevator will be out of service during planned construction or if the elevators are expected to be out of service for two or more hours. When

an application for modernization has been filed, notices must be posted at least ten business days before work begins. Notices should specify the type of work being done and indicate the start and end dates of the elevator maintenance.

All necessary permits must be obtained for work being performed on elevators. To obtain an elevator permit, a NYC licensed Elevator Director or registered design professional has to file an **Elevator Application (ELV1)** with the Department as the applicant, on behalf of the owner.

Reporting Requirements

Inspection and test reports for *Category Inspections* (ELV-3 form) must be submitted within 60 calendar days of the date of inspection. If defects are noted in the report, the defect is to be corrected within 120 days of the date of inspection and an *Affirmation of Correction* (ELV-29 form) filed within 60 days from the date the defect is corrected.

Violations and Penalties

Failure to submit an ELV-3 or ELV-29 in a timely manner will result in late penalties or full penalties. See penalty structure below. If the inspection/test report or ELV-29 is not filed within 12 months of the deadline, a *Failure to File** penalty will be imposed instead of the late penalties.

The most common elevator violations are typically the result of the **Failure to Maintain** a building device. These violations are typically issued when defects are discovered during testing. Failure to Maintain violations may be issued by a Department inspector (DOB violations) or by a private agency contracted to perform inspections on behalf of the Department (PVT/DOB violations).

If you receive a DOB violation, you must correct the violating condition within ten (10) calendar days. To dismiss a DOB Violation, you must correct the violating conditions and notify the Department. **Owners who fail to comply with this requirement may be subject to a criminal court summons.**

PVT/DOB Violations issued by a contracted agency inspector must be corrected within thirty (30) days from the date of the violation. To dismiss these violations, an Affirmation of Correction report must be submitted to the Department.

Environmental Control Board (ECB) Violations are issued by the Department for Failure to Maintain your device. To resolve ECB Violations you must correct the violating condition and certify the correction with the Department's Administrative Enforcement Unit. If you dispute the violation you must attend an ECB hearing to contest the violation. Ultimately, the violating condition must be corrected. For more information about ECB violations read our Guide to Violations.

Penalties for Failure to File & Late Fees

	BUILDINGS WITH 1-2 RESIDENTIAL UNITS	
	LATE FILING (PER ELEVATOR)	FAILURE TO FILE* (PER ELEVATOR)
INSPECTION & TEST REPORTS (ELV3 & ELV3A)	\$50.00 per month	\$1,000.00
AFFIRMATION OF CORRECTION (ELV29)	\$50.00 per month	\$1,000.00

ALL OTHER BUILDINGS

	LATE FILING (PER ELEVATOR)	FAILURE TO FILE* (PER ELEVATOR)
INSPECTION & TEST REPORTS (ELV3 & ELV3A)	CAT-1: \$150.00 per month CAT-3 or CAT-5: \$250.00 per month	CAT-1: \$3,000.00 CAT-3 or CAT-5: \$5,000.00
AFFIRMATION OF CORRECTION (ELV29)	CAT-1: \$150.00 per month	CAT-1: \$3,000.00 CAT-3 or CAT-5: \$5,000.00

NOTE: All Class 1 Failure to Maintain violating conditions must be corrected immediately and the device must be re-inspected by the Department of Buildings upon correction of the hazardous condition before the device is restored to service for public use. Building occupants may view the inspection certificate posted in the elevator cab or in the management office.

Submit filing fees to

NYC Department of Buildings
Central Filing and Billing Unit
280 Broadway, 6th Floor
New York, NY 10007

Submit penalties to

NYC Department of Buildings
Cashier
280 Broadway, 4th Floor
New York, NY 10007

Rick D. Chandler, P.E.
Commissioner, Department of Buildings

nyc.gov/buildings