

**RESCINDED BY
BUILDINGS BULLETIN 2015-019**



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner

December 10, 1987

GEORGE E. BERGER, P.E.
Assistant Commissioner
Building Construction

Mr. Christopher Compton, R.A.
134 Fifth Avenue
New York, New York 10011

**Re: LOCAL LAW 58/87 (HANDICAPPED ACCESS LAW)
APPEAL PROCEDURE**

Dear Mr. Compton:

Recent correspondence with this office indicates that there remains some confusion regarding the newly-instituted appeal procedure from the requirements of Local Law 58.

All appeals which request a waiver of the requirements shall be initiated at the appropriate Borough Office. After receiving the objection(s), the applicant must obtain an advisory opinion from the Mayor's Office for the Handicapped, pursuant to Section 27-292.6. The applicant then includes the MOH advisory opinion with the request for reconsideration. The reconsideration is then treated in the usual manner, including appeal through the chain of command at the Borough Office, the Borough Superintendents Technical Meeting, and the Commissioner.

Appeals in which the issue is the interpretation of the law's requirements, rather than a waiver of the requirements, need not be reviewed by the Mayor's Office for the Handicapped, pursuant to Section 643 *et seq.* of the Charter, which places responsibility for interpretation and enforcement of the Code on this Department.

The opinion of the Mayor's Office for the Handicapped may, however, be sought either by the Department or the applicant.

If you have any further questions, please contact this office.

Very truly yours,

George E. Berger, P.E.
Assistant Commissioner

GEB:RSH:rmr

cc: Borough Superintendents

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