



CONSTRUCTION CODES UPDATE PAGES

Attached are Construction Codes Update Pages. These pages reflect local laws enacted and ministerial administrative corrections made after July 1, 2008. Please note that the source of a particular update, the local law number, and year is indicated on each page. Please visit our [webpage](#) to ensure that your codes are complete and up to date as the City Council may periodically pass Local Laws that affect the Construction Codes.

Instructions:

Please place each page, according to its page number found on the bottom right hand corner, into your Construction Codes books. The pages contain letters after the page number and should be placed in alphabetical order following the number, i.e. 5, 6, 6a, 6b, etc.

- Place Title Pages in the front of your Code books for easy reference.
- Note: If you have all four Construction Codes (Building, Mechanical, Plumbing & Fuel Gas), please make sure to insert updates made to the Administrative Provisions into each of the four Code books.

CONSTRUCTION CODES UPDATE PAGES

UPDATE # 14

Source: Local Law 06 of 2009, effective May 11, 2009.

This update includes the following pages:

GENERAL ADMINISTRATIVE PROVISIONS (PRECEDING THE BUILDING, FUEL GAS, MECHANICAL AND PLUMBING CODES)	
<u>Article</u>	<u>Page Number</u>
Article 217	A-50c - d

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Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.
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GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages A-50b and A-51 of your bound volumes of the NYC Building Code, NYC Plumbing Code, NYC Mechanical Code and NYC Fuel Gas Code.

Add the following new article 217:

ARTICLE 217 **SAFETY COMPLIANCE OFFICER**

§28-217.1 Definition. For purposes of this article, the terms "Safety Compliance Officer" and "SCO" shall mean a person whose presence is required by the commissioner pursuant to section 28-217.2 and who satisfies the qualifications of section 28-217.4.

§28-217.2 Safety Compliance Officer. In addition to any other remedies or penalties authorized by law, the commissioner in his or her discretion may require the presence of a SCO at any permitted site that has received immediately hazardous violations that the commissioner determines adversely affect public safety and require the presence of a SCO to protect public safety. In any circumstance where a SCO is required, the commissioner shall state in writing the circumstances necessitating the SCO, and the duration of the compliance monitoring and/or conditions that must be satisfied prior to the termination of the compliance monitoring.

§28-217.3 Compliance monitoring. The SCO shall monitor the operations related to the circumstances and conditions that the commissioner has identified pursuant to section 28-217.2 until the areas of concern set forth by the commissioner have been addressed as determined by the commissioner, but in no case shall any monitoring period exceed ninety days. For such purpose, the SCO and his or her employees shall be designated as authorized representatives of the commissioner with authority pursuant to section 28-103.13 of this code to enter upon and examine and inspect at all reasonable times any site, building or structure. In the event that the conditions set-out in the commissioner's determination, pursuant to section 28-217.2, to require a SCO have not been satisfied within the prescribed monitoring period, the commissioner may appoint another SCO, who shall be a different SCO than the initial SCO, to monitor operations for an additional period not to exceed ninety days.

§28-217.4 Qualifications. Safety Compliance Officers shall have experience in supervising the construction operations being monitored. They shall be an architect or engineer who has experience supervising construction projects in New York City, a licensed site safety manager or coordinator or other licensee of the department, or a special inspector as provided for in article 115 of this title. Safety Compliance Officers shall carry insurance as required by the department.

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§28-217.5 Cost of a Safety Compliance Officer. The owner of the site where the services of the SCO have been required shall reimburse the department for all direct costs and any related administrative expenses incurred by the department in the operation of the SCO program provided for in this article. Reimbursement shall be made at such times as the department shall require, but in any event, before a temporary or permanent certificate of occupancy is issued for the building or structure that is being monitored. No permit shall be issued for the job site at which a SCO has been assigned if reimbursements for the cost of the monitor are outstanding for more than thirty days. The department shall adopt rules establishing a process for the resolution of disputes concerning the costs of the SCO.

§28-217.6 The SCO shall document with photographs or other means any violation of the code. The SCO shall submit an interim report, to be submitted at the midpoint of the appointment period, and a final report to the department in the manner and form prescribed by the commissioner. The department will share the results of these reports with the general contractor and provide the general contractor an opportunity to comment.

§28-217.7 Records. The SCO shall keep and maintain records relating to the services performed on behalf of the department in such manner and for such period of time as shall be established by the commissioner by rule or by direction of the commissioner.