



2014 CONSTRUCTION CODES UPDATE PAGES

Attached are 2014 Construction Codes Update Pages. These pages reflect local laws enacted and ministerial administrative corrections made after December 31, 2014. 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.

CONSTRUCTION CODES UPDATE PAGES

UPDATE # 16

Source: Local Law 105 of 2016, Local Law 106 of 2016 & Local Law 107 of 2016, effective September 28, 2016.

This update includes the following pages:

GENERAL ADMINISTRATIVE PROVISIONS	
<u>Section</u>	<u>Page Number</u>
Article 504	118a-e

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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 118 and 119 of your bound volume of the NYC General Administrative Provisions.

Amend Article 504 to read as follows:

ARTICLE 504

BICYCLE ACCESS TO ~~OFFICE~~ BUILDINGS

§28-504.1 ~~Applicability~~ Bicycle access to certain office buildings. This ~~article~~ section shall apply to buildings, that satisfy each of the following conditions: (i) the main occupancy of ~~which such building~~ is offices; that ~~(i)~~ are classified as occupancy group B, (ii) ~~such building was in existence on the effective date of this article~~ December 11, 2009, or ~~for which a permit for such building has been issued on or before such date but which have such building has not yet been completed, and (ii) have~~ (iii) such building has a freight elevator that either complies with ASME 17.1 with regard to the carrying of passengers on freight elevators, as referenced in chapter 35 of the New York city building code, or is operated by a freight elevator operator, and ~~(iii) are~~ (iv) is not subject to the bicycle parking provisions of sections 25-80, 36-70 and 44-60 of the zoning resolution. It shall be presumed that if a freight elevator is available for carrying freight, it is available for carrying bicycles.

§28-504.2 ~~§28-504.1.1~~ Request for bicycle access. The tenant or subtenant of a building to which this ~~article~~ section is applicable may request in writing, on a form provided by the department of transportation, that the owner, ~~lessee, manager or other person who controls~~ of such building complete a bicycle access plan in accordance with section ~~28-504.3~~ 28-501.1.2 and provide bicycle access in accordance with such plan. Such request shall include a certification by such tenant or subtenant that there is sufficient space within such tenant's or subtenant's premises to store the requested number of bicycles in a manner that does not violate the building or fire code or any other applicable law, rule or code, or which would impede ingress or egress to such premises or building. Such request shall be sent to ~~the such~~ owner, lessee, manager or other person who controls such building by certified mail, return receipt requested, and a copy of the request shall be filed with the department of transportation.

§28-504.3 ~~§28-504.1.2~~ Bicycle access plan. Bicycle access plans shall comply with sections 28-504.1.2.1 through 28-504.1.2.3.

1. **§28-504.1.2.1 Owner requirement.** Where a request for a bicycle access plan has been submitted pursuant to this ~~article~~ section, the owner, ~~lessee, manager or other person in control of the such~~ building shall, within 30 days after receipt of such request, complete and implement a bicycle access plan or provide to the

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tenant or subtenant a copy of the request for an exception that has been filed with the department of transportation in accordance with section ~~28-504.4~~ 28-504.1.3.

~~2. §28-504.1.2.2 Contents of plan.~~ A bicycle access plan shall be completed on a form provided by the department of transportation and shall include, at a minimum: ~~the~~

1. Provisions for at least one freight elevator to satisfy each of the following conditions:
 - 1.1. Such elevator will be made available for bicycle access for each building tenant or subtenant who requests such access, and employees thereof, during the regular operating hours of such elevator;
 - 1.2. Bicycles will be allowed to be transported to and from such elevator along each route that is used to transport freight to and from such elevator, to the extent practicable and where such routes do not present substantial safety risks;
 - 1.3. No escort by building personnel will be required for a person transporting a bicycle to or from such elevator if no such escort is required when a person is transporting freight to or from such elevator;
 - 1.4. A person transporting a bicycle to or from such elevator, and any package or other material in such person's possession, shall be subject to the same or substantially similar security measures applicable to other persons entering such building or such elevator;
2. Provisions allowing bicycles to be brought in or out of such building using one or more designated passenger elevators that the building owner may designate as temporary freight elevators at any time when no freight elevator satisfying the conditions of item 2.1 is operational;
3. The location of building entrances; ~~route~~
4. The route to freight elevators that accommodate bicycle access; ~~the~~
5. The route to a designated area for bicycle parking on an accessible level if such bicycle parking is made available; ~~and such~~
6. A notice to tenants and subtenants informing them of their responsibilities with respect to bicycle storage; and
7. Such other information as the department of transportation may require.
~~The plan shall provide that bicycle access is available, at a minimum, during the regular operating hours of the freight elevator, if such freight elevator is used for bicycle access in such building. Bicycle access shall be~~

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~~granted to the requesting tenant or subtenant and its employees in accordance with such plan.~~

3. **§28-504.1.2.3 Amendment of plan.** ~~The~~ A bicycle access plan may be amended from time to time to accommodate requests from other tenants or subtenants to provide bicycle access pursuant to this article.

§28-504.1.2.4 Limitations. If an owner of a building is issued a violation of this code or the New York city fire code, or a rule promulgated thereunder, that results from storage of a bicycle, and such owner shows that such violation occurred in an area of such building that is under the control of a tenant or subtenant, such owner may restrict or limit bicycle access under the bicycle access plan for such tenant or subtenant.

~~§28-504.4~~ **§28-504.1.3 Exceptions.** Bicycle access need not be provided pursuant to this ~~article~~ section if the commissioner of transportation grants an exception for such building under this section. Such commissioner may grant such an exception if an owner, lessee, manager or other person who controls a ~~of such~~ building applies to the ~~such~~ commissioner of transportation for an exception, on a form provided by the department of transportation and sent to the department of transportation by certified mail, return receipt requested, within fifteen days of receipt of ~~after such owner has received~~ a request for a bicycle access plan, and certifies that either:

1. ~~The building's~~ No freight elevator in such building is ~~not~~ available for the use described in this ~~article~~ section because unique circumstances exist involving substantial safety risks directly related to the use of each such elevator. Such application shall include the reasons for such assertion and supporting documentation; or
2. There is sufficient secure alternate covered no-cost off-street bicycle parking or sufficient secure alternate indoor no-cost bicycle parking available on the premises or within ~~three~~ four blocks or ~~seven hundred fifty~~ 1,000 feet (304.8 m), whichever is less, of such building to accommodate all tenants or subtenants of such building requesting bicycle access and that such off-street parking is accessible on a 24-hour basis. Such application shall include supporting documentation for such assertion, including proof that such alternate off-street or indoor parking is available to or under the control of such owner, lessee, manager or other person who controls the building.

If an exception is sought ~~for the reasons set forth in subdivision one~~ pursuant to item 1 of this section, the department shall conduct an inspection of the building and each freight elevator and shall thereafter issue a final determination as to whether to grant an exception. If an exception is sought ~~for the reasons set forth in subdivision two~~ pursuant to item 2 of this section, the department, in consultation with the department of transportation, shall thereafter conduct an inspection of the secure alternate no-cost covered off-street bicycle parking, ~~or~~ secure indoor no-cost bicycle

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parking and the department of transportation shall thereafter issue a final determination as to whether to grant an exception. In either event, a letter of exception or denial shall be sent by certified mail, return receipt requested, to the owner, lessee, manager or other person in control of the building. If the exception is denied, a bicycle access plan shall be posted within 20 days ~~of~~ after receipt of such determination. Failure to timely post a bicycle access plan shall be cause for the issuance of a violation.

~~§28-504.5 Emergencies. In an emergency, whenever elevator use is prohibited, bicycles shall not be permitted to be transported through any means of egress.~~

~~§28-504.6~~ §28-504.1.4 Posting and availability of bicycle access plan or letter of exception. Bicycle access plans shall be posted and made available as provided in sections 28-504.1.4.1 through 28-504.1.4.3.

~~1. §28-504.1.4.1 Posting of plan.~~ Every ~~The~~ owner, lessee, manager or other person in control of a building subject to this ~~article~~ section shall either post in such building each bicycle access plan that is in effect, notifying the requesting tenants and subtenants of their right to bicycle access in accordance with such plan, or shall post a notice in the building lobby indicating that such plan is available in the office of the building manager upon request. Either such posting shall be made within five days ~~of~~ after completion ~~and implementation~~ of such plan. Such posting or notice shall indicate the other tenants or subtenants are entitled to access according to the plan upon request, provided such tenants and subtenants, upon making such request, certify that there is sufficient space within such tenant's or subtenant's premises to store the requested number of bicycles in a manner that does not violate the building or fire code or any other applicable law, rule or code, or which would impede ingress or egress to such premises or building.

~~2. §28-504.1.4.2 Posting of exception letter.~~ Every ~~The~~ owner, lessee, manager or other person in control of such building shall post in such building any letter of exception granted by the commissioner or commissioner of transportation, including the basis or bases for the exception and, if applicable, the route to alternate off-street or indoor parking, as provided in section ~~28-504.4~~ 28-504.1.3, or shall post a notice in the building lobby indicating that such letter is available in the office of the building manager upon request. Either such posting shall be made within five days ~~of~~ after receipt of such letter of exception.

~~3. §28-504.1.4.3 Location.~~ Plans, letters of exception or notices of availability of either shall be posted in a prominent location easily visible to a building's tenants, subtenants and the building's employees, and shall be made available upon request by the department, the department of transportation or authorized representatives of any other city agency.

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~~§28-504.7~~ §28-504.1.5 **Filing of plan.** The department or department of transportation may require that plans implemented pursuant to the provisions of this ~~article~~ section be filed with either such agency.

~~§28-504.8~~ §28-504.2 **Construction.** Nothing in this article shall be construed to require an owner, lessee, manager or other person who is in control of a building governed by this article to provide space for bicycles brought into such building or to permit a bicycle to be parked in a manner that violates building or fire codes or any other applicable law, rule or code, or which otherwise impedes ingress or egress to such building.

§28-504.3 **Foldable bicycle access.** It shall be unlawful for an owner of a building the main occupancy of which is offices that are classified in occupancy group B to bar a tenant or subtenant from transporting a foldable bicycle to or from such tenant or subtenants space on a passenger elevator, provided that such bicycle is fully folded. For purposes of this section, the term "foldable bicycle" means a bicycle designed to fold into a compact assembly not exceeding 20 inches (508 mm) by 36 inches (914 mm) by 32 inches (813 mm).

§28-504.4 **Emergencies.** In an emergency that requires an evacuation of all or part of such a building, the owner may limit or restrict bicycles and foldable bicycles from being transported through any means of egress.

§28-504.5 **Bicycle access to residential buildings.** In any building the main use or dominant occupancy of which is classified as occupancy group R-2 it shall be unlawful for an owner to bar a tenant or subtenant from using a passenger elevator to transport a bicycle to and from such tenant's or subtenant's dwelling unit.

Exceptions:

1. An owner may bar tenants or subtenants from utilizing passenger elevators to transport bicycles where (i) a freight elevator is provided for bicycle access to and from such tenants' or subtenants' dwelling units, provided that passenger elevators may be used during any period of time such freight elevator is not operating and (ii) there is no requirement that building personnel escort such tenants or subtenants when using the freight elevator.
2. An owner may limit bicycle access to one or more passenger elevators designated for such access.

§28-504.6 **Foldable bicycles on passenger elevators in residential buildings.** In any building classified in occupancy group R, it shall be unlawful for an owner to bar a tenant or subtenant from transporting a foldable bicycle on a passenger elevator provided that such bicycle is fully folded. For purposes of this section, the term "foldable bicycle" means a bicycle designed to fold into a compact assembly not exceeding 20 inches by 36 inches by 32 inches.