



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 # 43

Source: Local Law 160 of 2017, effective December 28, 2017.

This update includes the following pages:

GENERAL ADMINISTRATIVE PROVISIONS	
<u>Section</u>	<u>Page Number</u>
28-105.1.2	20a – b
28-105.5.2	22b
28-105.5.2.1	22b

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.
Source: Local Law 160 of 2017, effective December 28, 2017.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages 20 and 21 of your bound volume of the NYC General Administrative Provisions.

Add new section 28-105.1.2 to read as follows:

§28-105.1.2 Denial of permits for certain arrears. The commissioner shall not issue a permit for a new building, demolition, place of assembly or major alteration that will change the use, egress or occupancy for a property if \$25,000 or more in covered arrears is owed to the city with respect to such property or if the owners of such property owe, in aggregate, \$25,000 or more in covered arrears to the city, provided that, where a dwelling unit within a property is owned as a condominium or held by a shareholder of a cooperative corporation under a proprietary lease, covered arrears owed to the city for such unit shall not be considered covered arrears owed to the city for such property. For the purposes of this section, the term “covered arrears” may include any of the following, but shall not include any such items that are currently in the appeals process:

1. Unpaid fines, civil penalties or judgments entered by a court of competent jurisdiction or the environmental control board pursuant to chapter 2 of this title or chapter 2 of title 28 of the code; and
2. Unpaid and past due fees or other charges lawfully assessed by the commissioner.

Exceptions:

1. The commissioner may issue a permit for a property if the applicant submits a certification from the department of finance that binding agreements are in force requiring payment of all covered arrears owed by the owners of such property, and such owners are in compliance with such agreement.
2. The commissioner may issue a permit for a property where the issuance of such permit is necessary to correct an outstanding violation of this code, the housing maintenance code or any other applicable provisions of law or rule or where the commissioner determines that issuance of such permit is necessary to perform work to protect public health and safety.
3. The commissioner may issue a permit for a portion of a property occupied by a tenant who is not an owner of such property or responsible for any covered arrears owed with respect to such property.
4. The commissioner may issue a permit, for a dwelling unit within a property that is owned by a condominium or held by a shareholder of a cooperative corporation under a proprietary lease, if the owners of record for such unit do not owe, in aggregate, \$25,000 or more in covered arrears to the city.

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5. The commissioner may issue a permit where a property was the subject of an in rem foreclosure judgment in favor of the city and was transferred by the city to a third party pursuant to section 11-412.1 of the code.
6. The commissioner may issue a permit where a property is the subject of a court order appointing an administrator pursuant to article 7-a of the real property actions and proceedings law in a case brought by the department of housing preservation and development.
7. The commissioner may issue a permit where a property is the subject of a loan provided by or through the department of housing preservation and development or the New York city housing development corporation for the purpose of rehabilitation that has closed within the five years preceding the application for such permit.
8. The commissioner may issue a permit for a property where the department of housing preservation and development or the New York city housing development corporation notifies the commissioner that the permit is required for participation in a program that involves rehabilitation of such property.

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Source: Local Law 160 of 2017, effective December 28, 2017.

GENERAL ADMINISTRATIVE PROVISIONS

Insert between pages 22a and 23 of your bound volume of the NYC General Administrative Provisions.

Add new sections 28-105.5.2 & 28-105.5.2.1 to read as follows:

§28-105.5.2 Owner statement. All applications for permits shall include a certification by the owner of the property for which the permit is sought stating the following:

1. A statement as to whether \$25,000 or more in covered arrears, that are not currently in the appeals process, are owed to the city with respect to such property;
2. A statement as to whether the owners of the property owe, in aggregate, \$25,000 or more in covered arrears to the city;
3. For each owner of the property:
 - 3.1. The person's full name and business address;
 - 3.2. A list of properties in the city for which the person owes covered arrears to the city and, for each such property, the amount of such covered arrears owed; and
 - 3.3. A list of properties in the city for which the person is an owner;
4. If an exception to section 28-105.1.2 of the code applies to such owner, a description of such exception.

§28-105.5.2.1 Audit. The commissioner shall each year, in consultation with the department of finance and each other appropriate city agency, audit at least 25 percent of the statements submitted under section 28-105.5.2 of the code.