



## **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 # 55

Source: Local Law 205 of 2017, effective June 1, 2018.

This update includes the following pages:

<b>GENERAL ADMINISTRATIVE PROVISIONS</b>	
<b><u>Section</u></b>	<b><u>Page Number</u></b>
28-202.3	50z
28-202.3.1	50z (1)

## CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. Matter ~~stricken through~~ is deleted.  
**Source:** Local Law 205 of 2017, effective June 1, 2018.

## GENERAL ADMINISTRATIVE PROVISIONS

*Insert between pages 50y and 51 of your bound volume of the NYC General Administrative Provisions.*

Add new sections 28-202.3 and 28-202.3.1 to read as follows:

**§28-202.3 Increased civil penalties for construction sites with excessive violations.** Subject to the limitations of section 28-202.1, for any violation of this code, the 1968 building code, the zoning resolution or other laws or rules enforced by the department issued to a person who has an existing immediately hazardous or major violation with respect to the construction site for which the violation is being issued, that occurs at a construction site with a violation ratio, at the time of the issuance of such violation, that exceeds the threshold violation ratio for such site, the civil penalty imposed shall be at least twice the civil penalty that would be imposed if such site were not subject to this section 28-202.3. This section 28-202.3 shall have no effect on additional monthly or daily penalties imposed pursuant to section 28-202.1.

**Exceptions:**

1. Sites that are the subject of an in rem foreclosure judgment in favor of the city and were transferred by the city to a third party pursuant to section 11-412.1 of the code.
2. Sites that are 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.
3. Sites that are 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.

**§28-202.3.1 Definitions.** The following words and terms shall, for the purposes of section 28-202.3, have the meanings shown herein.

**THRESHOLD VIOLATION RATIO.** For a major building site, the ninetieth percentile of violation ratios for major building sites in the city as of December 31 of the immediately preceding calendar year. For a construction site that only involves work on a one-, two- or three-family building, the ninetieth percentile of violation ratios for construction sites that only involve work on a one-, two- or three-family building in the city as of December 31 of the immediately preceding calendar year. For a construction site that is not a major building site and that does not only involve work on a one-, two- or three-family building, the ninetieth percentile of violation ratios for construction sites that are not major building sites and that do not only involve work on a one-, two- or three-family building in the city as of December 31 of the immediately preceding calendar year.

**VIOLATION RATIO.** With respect to a construction site, (i) the number of immediately hazardous violations and major violations issued against such site in the preceding 12 months, excluding any violations that have been dismissed or that are currently in the appeals process, divided by the square footage of the footprint of such site or (ii) an alternative ratio established by department rule and that the department

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determines is appropriate for identifying construction sites with high rates of immediately hazardous violations, major violations or unsafe conditions for the purposes of this section 28-202.3, provided that such rule is promulgated on or after January 1, 2020.