

LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 1980

**No. 10**

Introduced by **Council Member Manton (by request of the Mayor)**; also **Council Members** Crispino, Eisland, Foster, Friedlander, Messinger, Michels, Trichter and Olmedo

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to requiring periodic inspection of exterior walls and exterior appurtenances of buildings and requiring a record of such inspection to be kept on the premises.**

*Be it enacted by the Council as follows:*

Section 1. Sub-article 105.0 of article one of part two of title C of chapter twenty-six of the administrative code of the city of New York is hereby amended by adding thereto a new section C26-105.3, to read as follows:

§ C26-105.3. **Exterior walls and appurtenances thereof.**-In order to maintain a building's exterior walls and appurtenances thereof in a safe condition, the following additional requirements shall apply to all existing buildings or buildings hereafter erected which are greater than six stories in height:

(a) Inspection requirements. --A critical examination of an applicable building's exterior walls and appurtenances thereof shall be conducted at periodic intervals as set forth by rule or regulation of the commissioner, but such examination shall be conducted at least once every five years.

(1) The initial examination for any existing building shall be conducted within two years of the effective date of this local law and the initial examination for any building hereafter constructed shall be conducted in the fifth year following the erection or installation of any exterior wall and/or enclosures.

(2) Such examination shall be conducted and witnessed by or under the direct supervision of a licensed architect or licensed professional engineer by or on behalf of the owner of the building.

(3) Such examination shall include, in addition to an inspection, a complete review of the most recently prepared report.

(4) Such examination shall also be conducted in accordance with applicable rules and regulations promulgated by the commissioner.

(b) Report of examination- Such architect or engineer shall submit a written report certifying the results of such examination to the commissioner, clearly documenting the condition of the exterior walls and appurtenances thereto. The report shall include a record of all significant deterioration, unsafe conditions and movement observed as well as a statement concerning the watertightness of the exterior surfaces. Such report must be signed by and bear the professional seal of such architect or engineer.

(c) Necessary repairs.-Upon the filing of the architect's or engineer's report of unsafe condition with the commissioner, the owner, his agent or the person in charge shall immediately commence such repairs, reinforcements or precautionary measures as may be required to make the building's front walls or appurtenances thereof conform to the provisions of this code. Such ameliorative work shall be completed within a time period to be established by rule or regulation of the commissioner.

(d) Exceptions.-The additional requirements imposed by this section shall not be applied to:

1. Exterior walls set back more than twenty-five feet from the street and/or any paved pedestrian walkway.

(2) Buildings having an on-going maintenance program subject to rules and regulations promulgated by the Department of Buildings for the exterior walls and appurtenances thereof, under the supervision of a licensed architect or licensed professional engineer retained by or on behalf of the owner.

(e) Violations.-Any person who shall violate, or refuse, or neglect to comply with any provisions of this section shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment not exceeding six months, or both; and any such person shall, also, for each offense, be subject to the payment of a penalty in the sum of two hundred fifty dollars for each month there is non-compliance, to be recovered in a civil action brought in the name of the commissioner.

§2. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, S.S.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 5, 1980, and approved by the Mayor on February 21, 1980. DAVID N. DINKINS, City Clerk, Clerk of the Council.

CFRTIFICATION PURSUANT TO MUNICIPAL Home RULE LAW SECTION 27

Pursuant to the provisions of Municipal Home Rule Law Section 27, I hereby certify that the enclosed local law (Local Law No. 10 of 1960, Council Int. No. 748-A), contains the correct text and received the following vote at the meeting of the New York City Council on February 5, 1980: 41 for; none against,

Was approved by the Mayor on February 21,1980.

Was returned to the City Clerk on February 21, 1980.

ALLEN G. SCHWARTZ, Corporation Counsel.