



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner
312-8100

ISSUANCE # 51

Administration
Policy and Procedure Notice # 13/87

TO: Distribution

From: Charles M. Foy, General Counsel

Subject: Requests From The Public For Departmental Records

Date of Issuance: October 14, 1987

Requests for copies of records which are routinely made available for public inspection shall be handled by the Department's borough offices. (See Rule 2(a)(1) and Rule 3 of the amended Regulations Relating To Public Access to Records.) In order to comply with the Freedom of Information Law, a maximum fee of twenty-five cents is to be charged for each photocopy of departmental records not in excess of nine inches by fourteen inches except for certificates of pending violations (violation searches) and photocopies of individual violations. The fees for certificates of pending violations and for photocopies of individual violations will remain as stated in Section 26-214 of the Building Code. This exception from the twenty-five cents maximum fee limit, which applies to violation searches and copies of violations, does not apply to copies of Bureau of Electrical Control notice of violations and certificates of electrical inspection. The fee charged for any photocopy of department records which is larger than nine inches by fourteen inches is to be the actual cost of reproduction.

All requests under the Freedom of Information Law for copies or the viewing of records which are not routinely available for public inspection must be made in writing to the Department's Record Access Officer, General Counsel's Office, 60 Hudson Street, New York, New York 10013.

Where the named Records Control Officer appoints a "designee," pursuant to Rule 3(a) of the amended Rules on Public Access to Records, this information should be forwarded to the Records Access Officer in the General Counsel's Office.

Department of Buildings

REGULATIONS RELATING TO PUBLIC ACCESS TO RECORDS

RULE 1. PURPOSE -- The Department of Buildings, in full accordance with the letter and spirit of the State Freedom of Information Law, effective September 1, 1974, does hereby enact regulations to permit all members of the public access to its records.

RULE 2. DEFINITIONS -- (a) The term "records" shall mean all information on file which the Department of Buildings is authorized to disclose to the public pursuant to Article 6 of the Public Officers Law and Section 1113 and 1114 of the New York City Charter. Records shall be classified in two categories as follows:

(1) Records routinely made available for public inspection. Such records include, but are not limited to: building applications, plans, certificates of occupancy, index cards and index printouts, violations and complaints with the complainant's name and address deleted.

(2) Records not routinely made available for public inspection.

(b) The term "offices" shall mean the offices of the Department of Buildings which are located as follows:

(1) Executive offices

(a) Materials and Equipment Acceptance Division, 60 Hudson Street, 14th Floor, New York, N.Y. 10013

(b) Division of Cranes and Derricks, 60 Hudson Street 14th Floor, New York, N.Y. 10013

(c) Central Billing Section, 60 Hudson Street, 14th Floor, New York, N.Y. 10013

(2) Borough offices

(a) Borough of Manhattan, 60 Hudson Street, 5th Floor, New York, N.Y. 10013

(b) Borough of the Bronx (Room 509), 1932 Arthur Avenue, Bronx, N.Y. 10457

(c) Borough of Brooklyn (Room 817), Municipal Building, Brooklyn, N.Y. 11201

(d) Borough of Queens (Room 408), 126-06 Queens Blvd., Kew Gardens, N.Y. 11415.

(e) Borough of Staten Island (Room 214), Borough Hall, St. George, N.Y. 11301.

(3) Boiler Division office, 60 Hudson Street, 14th Floor, New York, N.Y. 10013.

(4) Elevator Division office, 60 Hudson Street, 5th Floor, New York, N.Y. 10013

(5) Bureau of Electrical Control, Municipal Building, One Centre Street, New York, N.Y. 10007.

RULE 3. AVAILABILITY -- (a) Routine records may be requested at the office where such records are maintained. Requests for said records should be made to the Records Control Officer in the respective office or his/her designee.

(b) Requests for copies or the viewing of records which are not routinely available for public inspection must be made in writing to the Records Access Officer, General Counsel's Office, Department of Buildings, 60 Hudson Street, New York, N.Y. 10013.

(c) Records are available for public inspection and copying on weekdays, except holidays, during regular business hours which may vary from office to office.

RULE 4. DESIGNATION OF RECORDS CONTROL OFFICERS -- The respective records control officers of the Department of Buildings for the respective offices are hereby designated as follows:

(1) Executive offices

- (a) Materials and Equipment Acceptance Division -- Director
- (b) Division of Cranes and Derricks -- Assistant Commissioner
- (c) Central Billing Section -- Director of Fiscal Operations

(2) Borough offices

- (a) Borough of Manhattan -- Borough Manager
- (b) Borough of The Bronx -- Borough Manager
- (c) Borough of Brooklyn -- Borough Manager
- (d) Borough of Queens -- Borough Manager
- (e) Borough of Staten Island -- Borough Manager

(3) Boiler Division office -- Chief, Boiler Division

(4) Elevator Division office -- Director, Elevator Division

(5) Bureau of Electrical Control -- Director

RULE 5. FEES -- A maximum fee of twenty-five cents is to be charged for each photocopy of departmental records not in excess of nine inches by fourteen inches except for certificates of pending violations (violation searches) and photocopies of individual violations. The fee for certificates of pending violations and for photocopies of individual violations will remain as stated in Section 26-214 of the Building Code. This exception

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from the twenty-five cents maximum fee limit, which applies to violation searches and copies of violations, does not apply to copies of Bureau of Electrical Control notice of violations and certificates of electrical inspection. The fee charged for any photocopy of departmental records which is larger than nine inches by fourteen inches is to be the actual cost of reproduction.

RULE 6. REVIEW OF DENIAL OF ACCESS -- A denial by the Records Access Officer may be appealed in writing within thirty days after receipt of the denial. Appeals should be directed to the F.O.I.L. Appeals Officer, 60 Hudson Street, 14th Floor, New York, N.Y. 10013.