



## Promulgation Details for 1 RCNY 101-02

This rule became effective on September, 2, 2008.

Since such date, one or more amendments have been made to this rule. Each rule amendment has its own effective date and Statement of Basis and Purpose.

Below you will find one or more rule amendments (the most recent appearing at the top), followed by the original rule.

The effective date of each amendment and the original rule can be found at the top of each "NOTICE OF ADOPTION OF RULE."

**NEW YORK CITY DEPARTMENT OF BUILDINGS**

**NOTICE OF ADOPTION OF RULE**

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to Sections 101-02 and 101-07 of Chapter 100 of the Rules of the City of New York, regarding Waiver of Certain Construction Documents Required to be Submitted by Registered Design Professionals for Certain Work and Approved Agencies, respectively.

This rule was first published on February 13, 2018 and a public hearing thereon was held on March 16, 2018.

Dated: 4.6.18  
New York, New York

  
Rick D. Chandler, P.E.  
Commissioner

## Statement of Basis and Purpose

This rule amends portions of 1 Rules of the City of New York (RCNY) §§ 101-02 and 101-07 to allow Approved Elevator Agency Directors, rather than Registered Design Professionals, to file elevator door monitoring work. The rule also allows approved elevator inspection agencies, rather than DOB inspectors, to inspect the installation of elevator door monitoring systems. The Department makes these changes in order to reduce the burden on owners who must – pursuant to section 3.10.12 of chapter K3 of Appendix K of the New York City Building Code – retrofit existing elevators to include elevator door monitoring systems by January 1, 2020.

This rule also corrects a citation error in 1 RCNY § 101-07.

The Department of Buildings' authority for this rule is found in sections 643 and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

**Section 1.** Paragraphs (2) and (3) of subdivision (a) of section 101-02 of Title 1 of the Rules of the City of New York are renumbered (3) and (4), respectively. The introductory paragraph of subdivision (a) is amended and a new paragraph (2) is added to read as follows:

(a) Pursuant to section 28-104.6[, Exception 4,] of the administrative code, the commissioner is authorized to allow persons other than registered design professionals to be the applicant for the approval of construction documents. Pursuant to section 28-104.7.12 of the administrative code, the commissioner is authorized to waive the submission of any of the required construction documents. The commissioner can waive this submission [and other data] if review of such documents is not necessary to ascertain compliance with [this code] the Construction Codes or is not required for the phase of work for which a permit is sought. Notwithstanding the following provisions, the commissioner reserves the right to require the filing of narratives or sketches showing compliance with the provisions of this code for the categories of work described below.

(2) Selected elevator work. In connection with the filing of applications for construction document approval, the Applicant is not required to be a registered design professional and design drawings are not required to be submitted for work performed pursuant to section 3.10.12 of chapter K3 of Appendix K of the New York City Building Code. This update applies to the following items (i) through (v) below:

- (i) Elevator Agency Director required. The installation application shall be filed by a Department approved elevator agency director ("Applicant");
- (ii) Design Approval. The controller manufacturer or a registered design professional approves the design and/or controller modifications in accordance with § 3.10.12 of chapter K3 of Appendix K, and the Applicant must submit with the application proof, in a form and manner acceptable to the commissioner, of such approval.
- (iii) Design drawings and any controller modifications must be dated, contain unique drawing numbers, and specify the relevant premises and elevator device number.
- (iv) The following documents must be maintained in the subject premises' machine room and made available to the Department upon request:
  - (A) A copy of the design drawings and any controller modifications with the controller manufacturer's stamp;
  - (B) A letter on the controller manufacturer or registered design professional's business letterhead, attesting that the door monitoring system's design and any controller modifications comply with the Construction Codes and all ANSI requirements.

(v) Inspection. The Applicant inspects and tests such work on behalf of the owner and in the presence of an independent approved elevator inspection agency not affiliated with the Applicant, which witnesses the test (“witnessing agency”) with following conditions:

(A) The Applicant must notify the department at least 48 hours prior to such inspection and testing.

(B) Pursuant to section 28-304.6.3 of the administrative code, the Applicant must report any unsafe or hazardous conditions to the department.

(C) Provided there are no unsafe or hazardous conditions, both the Applicant and the witnessing agency inspector(s) must sign the inspection certificate at the site before returning the device to service.

(D) Pursuant to section 28-304.6.5 of the administrative code, the Applicant submits an inspection and test report to the department.

§ 2. Subparagraphs (iii) and (iv) of paragraph (4) of subdivision (c) of Section 101-07 of Title 1 of the Rules of the City of New York are amended to read as follows:

**§101-07 Approved Agencies.**

(iii) Tests and inspections performed by an approved elevator inspection agency on behalf of the owner after the effective date of this section shall be performed in compliance with section [3012.1 ] 3014.1 of the Building Code and the reference standards set forth in [appendix] Appendix K of the Building Code.

(iv) [Effective January 1, 2009, periodic] Periodic elevator inspections and tests performed by an approved elevator inspection agency on behalf of the owner as required by section 28-304.6.1 and Section 3.10.12 of chapter K3 of Appendix K of the Administrative Code shall be performed in compliance with the following requirements:

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This amendment has an effective date of 04-15-10.

### NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to subdivision a of section 101-02 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding submission of construction documents.

This rule was first published on January 11, 2010 and a public hearing thereon was held on February 23, 2010.

Dated: 3/5/10  
New York, New York

  
\_\_\_\_\_  
Robert D. LiMandri  
Commissioner

Section 1. Subdivision a of Section 101-02 of Chapter 100 of title 1 of the Rules of the City of New York is amended to add a new paragraph (3) to read as follows:

(3) Selected fire suppression work. In connection with the filing of applications for construction document approval, the applicant need not be a registered design professional and required plans need not be submitted for the following types of fire suppression applications which shall be classified as Limited Sprinkler Applications:

(i) An alteration to an existing sprinkler system where the total cost of the proposed work in the building does not exceed twenty five thousand dollars in any 12-month period and the proposed work is limited to the following:

(A) Replacement of parts required for the operation of a sprinkler system;

(B) Replacement of sprinkler heads, provided that orifice sizes, type and deflector positions remain the same;

(C) Changes that do not alter the type of sprinkler system;

(D) Relocation of piping that does not affect the operation of the sprinkler system;

(E) Rearrangement of not more than 20 sprinkler heads in areas presently sprinklered in light hazard occupancy, as such term is defined in reference standards, which will remain in such occupancy, provided that the addition of sprinkler heads in existing systems shall be limited to light hazard occupancies in rooms or spaces not exceeding 800 square feet (74.3 m<sup>2</sup>) requiring only one head with the maximum spacing allowed by the code, and provided that the number of new heads does not exceed a total of five; or

(F) Rearrangement of not more than 20 sprinkler heads in areas presently sprinklered in restaurant service areas classified in Group 1 ordinary hazard occupancy or mercantile areas classified in Group 2 ordinary hazard occupancy, as such term is defined in reference standards as modified by Appendix Q of the building code, which will remain in such occupancy, provided that the addition of sprinkler heads in existing systems shall be limited to such occupancies in rooms or spaces not exceeding 800 square feet (74.3 m<sup>2</sup>) requiring only one head with the maximum spacing allowed by the code, and provided that the number of new heads does not exceed a total of five.

## **STATEMENT OF BASIS AND PURPOSE**

This rule is promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043 of the New York City Charter.

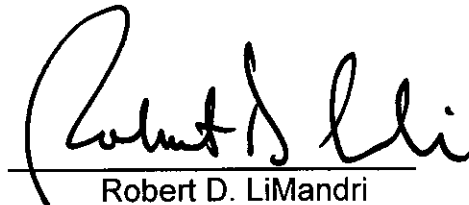
This rule amends section 101-02 to implement the provisions of Exception 4 of Section 28-104.6 of the New York City Administrative Code that authorize the Department to permit the applicant to be an individual other than a registered design professional for certain categories of work enumerated by rule. Section 28-104.6 also authorizes applications classified as limited sprinkler application to be submitted by individuals other than a registered design professional. This rule provides that the scope of occupancies that may satisfy the requirements of a limited sprinkler application in accordance with section 28-105.1, shall include certain ordinary hazard occupancies provided that the extent of work is within the limitations as prescribed.

This rule amendment facilitates the filing of an application for limited sprinkler work and hence will expedite the alteration application process for restaurant and retail occupancies in spaces that frequently undergo changes in tenancy.

## NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to subdivision a of section 101-02 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding submission of construction documents

This rule was first published on April 20, 2009 and a public hearing thereon was held on May 20, 2009. This rule shall take effect 30 days from the date hereof.



Dated: July 29, 2009  
New York, New York

Robert D. LiMandri  
Commissioner

Subdivision a and paragraph 1 of subdivision a of Section 101-02 of Chapter 100 of title 1 of the Rules of the City of New York are amended to read as follows:

(a) Pursuant to section [28-104.6.4] 28-104.6, Exception 4, of the administrative code, the commissioner is authorized to allow persons other than registered design professionals to be the applicant for the approval of construction documents. Pursuant to section 28-104.7.12 of the administrative code, the commissioner is authorized to waive the submission of any of the required construction documents and other data if review of such documents is not necessary to ascertain compliance with this code or not required for the phase of work for which a permit is sought. Notwithstanding the following provisions, the commissioner reserves the right to require the filing of narratives or sketches showing compliance with the provisions of this code for the categories of work described below.

(1) Selected plumbing work. In connection with the filing of applications for construction document approval, the applicant need not be a registered design professional and required plans need not be submitted for [temporary] the following types of plumbing applications:



(i) Temporary exhibits. Temporary exhibits defined for purposes of this rule as plumbing for temporary installations used for exhibition purposes when not designed for sanitary use and not directly connected to a sewerage, water supply, or water distribution system.

(ii) Domestic gas dryers in residential occupancies. Domestic gas dryers in residential occupancies that are vented directly through an exterior wall and that comply with items A through I, below:

(A) Licensed Master Plumber required. The installation application shall be filed by a Licensed Master Plumber (LMP) as a Limited Alteration Application (LAA1).

(B) Limitation to R-3 occupancies. The installation shall be limited to a one- or two-family residence, three stories or fewer in height.

(C) Testing and installation of gas dryers. The gas dryers shall comply with the reference standards in Section FGC 613 and the installation shall comply with the manufacturer's instructions including any special vent pipe material for relatively low flue gas temperatures as recommended by the manufacturer.

(D) Wall penetration. The vent and combustion air wall penetration shall be limited to a single penetration of four inches in diameter or one opening that is a maximum of four inches square. The entire exhaust system shall be supported and secured in place.

(E) Dryer duct. The maximum length of a clothes dryer duct shall not exceed 25 feet from dryer location to the outlet terminal. Deductions for bends must be accounted for as outlined in Sections MC 504.6.1 and FGC 614.6.1.

(F) Sketches required. The LMP shall submit detailed sketches of the piping installation and wall penetration. (See Figure 1 below).

(G) Vent termination. The location of the vent termination shall comply with Section FGC 614.4, the manufacturer's specifications, and the following:

1. Vent termination shall not be located at lot line walls or within three feet of lot lines;
2. The front, side or rear wall vent terminations shall be free of obstructions;
3. The vent opening shall not be located or constructed so as to create a fire or health hazard;

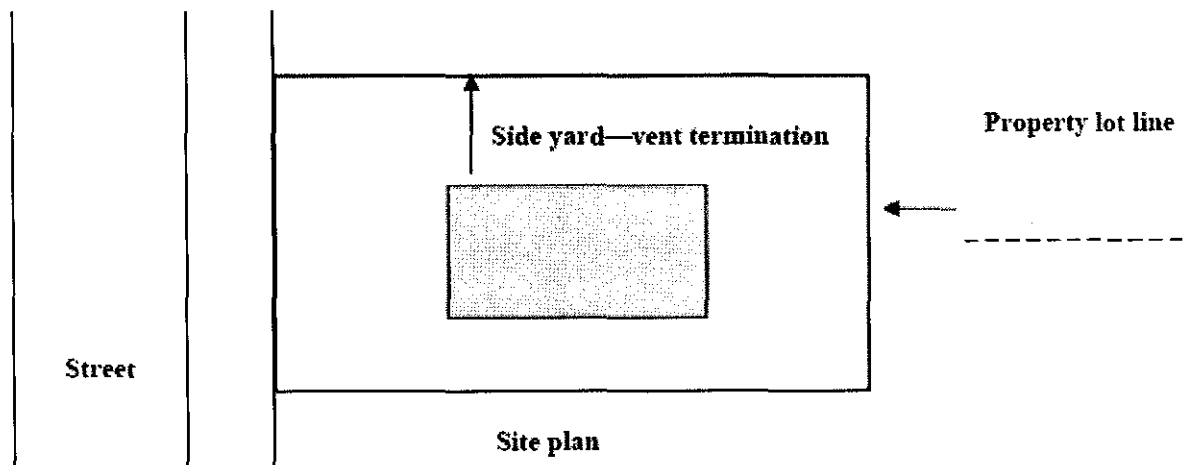
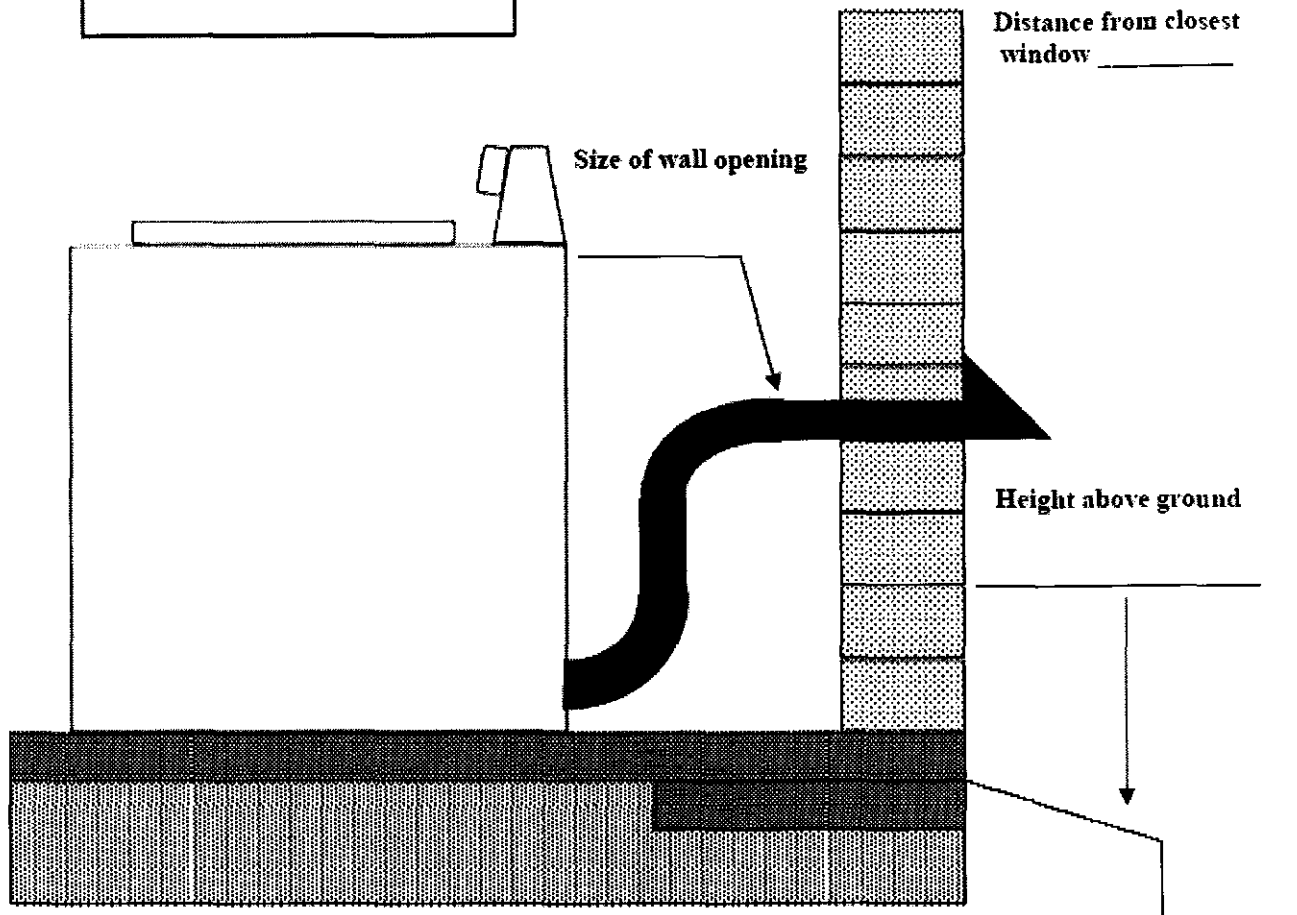
4. The LMP shall ensure that the building's structural integrity is not compromised due to the wall penetration opening. Openings shall be located so as to avoid cutting into studs, joists, or any other structural member;
5. Clearance from regional snow line. The vent shall be a minimum of three feet above the adjacent grade; and
6. Vent termination shall be thermally sealed in accordance with section 402.4 of the Energy Conservation Construction Code of New York State (ECCCNYS).

(H) Inspection. A gas roughing-in, gas test and gas finish inspection by the Department of Buildings or self certification shall be required on new installations. When filing for existing dryers that vent through the outer wall, only a finish inspection is required when filed on an LAA1 form.

(I) Gas authorization. Upon successful inspections, the LMP shall request gas authorization and an LAA1 sign-off.

# Domestic Gas Dryer Installation

Figure 1-sample sketch to be submitted with LAA-1



(iii) In-kind replacement of gas-fired boilers, hot water heaters and furnaces. In-kind replacement of gas-fired boilers, hot water heaters and furnaces that are vented directly through exterior walls, and comply with items A through I, below:

(A) Licensed Master Plumber required. The installation application shall be filed by a Licensed Master Plumber (LMP) as a Limited Alteration Application (LAA1).

(B) Limitation to R-3 occupancies. The installation shall be limited to a one- or two-family residence, three stories or fewer in height.

(C) Testing and installation of gas-fired boiler, hot water heater or furnace. The gas-fired boiler, hot water heater or furnace shall be tested in accordance with Section FGC 631.1 and the installation shall comply with the manufacturer's instructions, including any special vent pipe material for relatively low flue gas temperatures

(D) Efficiency and input capacity. The boiler, heater, or furnace must have a minimum efficiency of 85% or as required by the ECCCNY, whichever is greater, and an input capacity of 350,000 Btu/hr or less.

(E) Wall penetration. The vent and combustion air wall penetration shall be limited to a single penetration of six inches in diameter or one opening that is a maximum of six inches square. The Department may permit two separate penetrations of four inches in diameter, provided the LMP performing the work certifies in the job description of the LAA1 that no adapter is available from the manufacturer for the given equipment and provides valid manufacturer's contact information for verification of the unavailability of adapters.

(F) Sketches required. The LMP shall submit a detailed sketch of the piping installation and wall penetration. (See Figure 2 below).

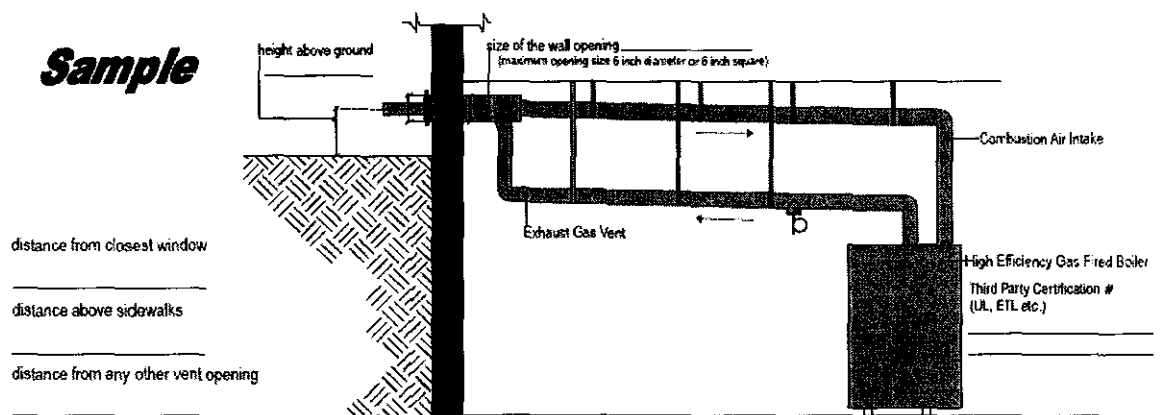
(G) Vent termination. The location of the vent termination shall comply with ANSI Z21.13, the manufacturer's specifications, and the following:

1. Vent termination shall not be located at lot line walls or within three feet of lot lines;

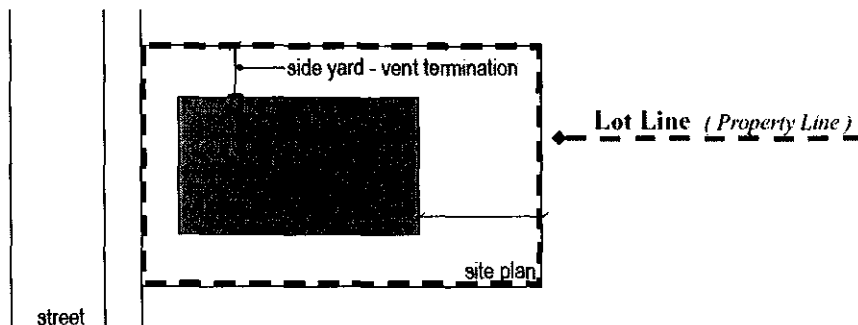
2. The front, side or rear wall vent terminations shall be free of obstructions;
3. The vent opening shall not be located or constructed so as to create a fire or health hazard;
4. The LMP shall ensure that the building's structural integrity is not compromised due to the wall penetration opening. Openings shall be located so as to avoid cutting into studs, joists, or any other structural member;
5. Clearance from regional snow line. The vent shall be a minimum of three feet above the adjacent grade; and
6. Vent termination shall be thermally sealed in accordance with ECCCNYS section 402.4

(H) Inspection. A gas roughing-in, gas test and gas finish inspection by the Department of Buildings shall be required. Self certification shall not be permitted.

(I) Gas authorization. Upon successful inspections, the LMP shall request gas authorization and an LAA1 sign-off.



Typical High Efficiency Boiler Piping Layout



**Sample**

SAMPLE DIAGRAM FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL SITE CONDITIONS SHALL BE INDICATED BY LMP RESPONSIBLE FOR FILING.

**Figure 2 – Sample sketch to be submitted with LAA1**

## **STATEMENT OF BASIS AND PURPOSE**

This rule is proposed pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043 of the New York City Charter.

Effective April 18, 2009, section 100-02 was renumbered 101-02. This rule amends section 101-02 to implement the provisions of Exception 4 of Section 28-104.6 of the New York City Administrative Code that authorize the Department to permit the applicant to be an individual other than a registered design professional for certain categories of work enumerated by rule. Section 28-104.7.12 authorizes the commissioner to waive the submission of construction documents. This rule provides that sketches, rather than plans, are required to be submitted by a Licensed Master Plumber for the installation of domestic gas dryers and for in-kind replacement of gas-fired boilers, hot water heaters and furnaces in residential occupancies provided such equipment is vented directly through an exterior wall.

This rule amendment facilitates the filing of an application for domestic gas dryers, boilers, hot water heaters and furnaces, thus encouraging homeowners to replace their existing, possibly less efficient boilers, hot water heaters or furnances with energy saving, high efficiency units.

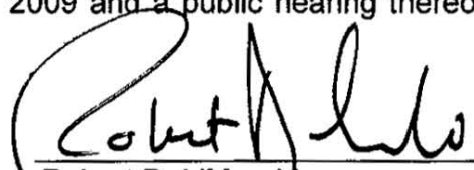
This amendment has an effective date of 04-18-09.

## NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with section 1043 of the Charter and Sections 27-3014, 27-3018, 28-112.1, 28-112.7.2, 28-112.8 and 28-401.15 of the NYC Administrative Code, that the Department of Buildings hereby renumbers and amends Sections 100-02 and 100-03 of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding fees of the Department of Buildings.

This rule was first published on February 2, 2009 and a public hearing thereon was held on March 6, 2009.

Dated: 3/10/09, 2009  
New York, New York

  
Robert D. LiMandri  
Commissioner

Section 1. Section 100-02 of Title 1 of the Rules of the City of New York is hereby renumbered as section 101-02.

§2. Section 100-03 of Title 1 of the Rules of the City of New York is hereby renumbered as section 101-03.

§3. Section 101-03 of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, as renumbered by section 2 of this rule, is amended to read as follows:

§10[0]1-03 Fees payable to the Department of Buildings. The department shall be authorized to charge the following fees:

|   |   |
|---|---|
| <p>[Equipment inspection fee:</p> <p><input type="checkbox"/> High-pressure boiler periodically inspected as provided by section 28-303.10]</p> <p><u>Periodic inspection or Reinspection [fee] of high-pressure boilers, low-pressure boilers and elevators following a violation.</u></p> | <p>[\$65 for each inspection, for each boiler.]</p> <p>\$65 <u>per device</u></p>   |
| <p>Acknowledgement.</p>   | <p>\$2 each</p>   |
| <p>Certificate of occupancy.</p>  | <p>\$5 per copy</p>   |
| <p>Certificate of pending violation: Multiple and private dwellings.</p>  | <p>\$30 per copy</p>  |
| <p>Certified copy of license.</p>   | <p>\$5 per copy</p>   |
| <p>Microfilming of applications for new buildings and alterations and associated documentation for certificates of occupancy, temporary certificates of occupancy and/or letters of completion, as required by rule of the commissioner.</p>  | <p>\$35</p>   |
| <p>Preparing only or preparing and certifying a copy of a record or document filed in the department, other than a plan, certificate of occupancy or certificate of pending violation.</p>  | <p>\$8.00 for the first page and \$5.00 for each additional page or part thereof (a page consists of one face of a card or other record)[.]</p> |



|  |  |   |   |                                      |
|--|--|---|---|--------------------------------------|
| Half-size print from microfilm of a plan thirty-six by forty-eight inches or less.   | \$8.00 per copy                        | \$5.00 per additional copy              |   |                                      |
| Half-size print from microfilm of a plan exceeding thirty-six by forty-eight inches.   | \$16.00 per copy                       | \$5.00 per additional copy              |   |                                      |
| Electrician's license.   | [Original]<br><u>Initial:</u><br>\$310 | Renewal:<br>\$90                        | Late-<br>Renewal:<br>[\$310 + \$90]<br>\$400 (initial<br>fee plus<br>renewal fee) | Reissu[er]ance:<br>\$[310] <u>50</u> |
| License examination fee:   | <u>\$350</u>                           |   |   |                                      |
| <ul style="list-style-type: none"> <li>• Elevator agency director certificate of approval.</li> <li>• Elevator agency inspector certificate of approval.</li> <li>• <u>Site safety manager certificate.</u></li> </ul> | [ \$350 ]                              |   |   |                                      |
| <u>Private elevator inspector certification.</u>   | <u>Initial:</u> \$50                   | <u>Renewal:</u><br>\$75<br>triennially  | <u>Late-renewal:</u><br>\$50  | <u>Reissuance:</u><br>\$50           |
| <u>Private elevator inspection agency certification.</u>   | <u>Initial:</u><br>\$100               | <u>Renewal:</u><br>\$150<br>triennially | <u>Late-renewal:</u><br>\$50  | <u>Reissuance:</u><br>\$50           |
| <u>Elevator agency director/co-director license.</u>   | <u>Initial:</u><br>\$100               | <u>Renewal:</u><br>\$150                | <u>Late-renewal:</u><br>\$50  | <u>Reissuance:</u><br>\$50           |
| <u>Elevator inspector license.</u>   | <u>Initial:</u> \$50                   | <u>Renewal:</u><br>\$75                 | <u>Late-renewal:</u><br>\$50  | <u>Reissuance:</u><br>\$50           |

|  |   |                                 |                                     |                                   |
|--|---|---------------------------------|-------------------------------------|-----------------------------------|
| <u>Concrete safety manager registration.</u>   | <u>Initial:</u><br><u>\$150</u>   | <u>Renewal:</u><br><u>\$100</u> | <u>Late-renewal:</u><br><u>\$50</u> | <u>Reissuance:</u><br><u>\$50</u> |
| <u>Electrical permit initial application (excluding minor work).</u>   | <u>\$40</u>   |                                 |                                     |                                   |
| <u>Electrical permit (excluding minor work).</u> <ul style="list-style-type: none"> <li>• <u>Each outlet, each fixture, each horsepower or fraction thereof of a motor or generator, each kilowatt or fraction thereof of a heater, each horsepower or fraction thereof of an air conditioner, each kilovolt-ampere or fraction thereof of a transformer installed, altered or repaired shall be assigned the value of one unit:</u> <ul style="list-style-type: none"> <li><u>1 - 10 units</u></li> <li><u>Over 10 units</u></li> </ul> </li> <li>• <u>For each service switch installed, altered or repaired:</u> <ul style="list-style-type: none"> <li><u>0-100 Amperes</u></li> <li><u>101-200 Amperes</u></li> <li><u>201-600 Amperes</u></li> </ul> </li> </ul> | <u>Fee per unit (NOTE: The total additional fee is computed by calculating the sum of the units. The total additional fee, due prior to electrical sign-off or as otherwise provided by the department's rules, shall not exceed five thousand dollars):</u><br><br><u>\$0</u><br><u>\$0.25</u><br><br><u>\$ 8.00</u><br><u>\$30.00</u><br><u>\$105.00</u><br><u>\$225.00</u> |                                 |                                     |                                   |

|  |                 |
|--|-----------------|
| <u>601-1200 Amperes</u>  | <u>\$375.00</u> |
| <u>Over 1200 Amperes</u>   |                 |
| • <u>For each set of service entrance cables and for each set of feeder conductors installed, altered or repaired:</u> |                 |
| <u>Up to #2 conductors</u>   | <u>\$15.00</u>  |
| <u>Over #2 to #1/0 conductors</u>  | <u>\$30.00</u>  |
| <u>Over #1/0 to 250 MCM</u>  | <u>\$45.00</u>  |
| <u>Over 250 MCM</u>  | <u>\$75.00</u>  |
| • <u>For each panel installed, altered or repaired:</u>  |                 |
| <u>1 phase up to 20-1 or 10-2 pole cutouts or breakers</u>   | <u>\$15.00</u>  |
| <u>1 phase over 20-1 or 10-2 pole cutouts or breakers</u>  | <u>\$37.50</u>  |
| <u>3 Phase up to 225 amperes</u>   | <u>\$50.00</u>  |
| <u>3 Phase over 225 amperes</u>  | <u>\$75.00</u>  |
| <u>3 Phase over 225 amperes</u>  | <u>\$40.00</u>  |
| • <u>For each sign manufactured (in-shop inspections)..</u>  |                 |
| • <u>For each sign manufactured (on-site inspections):</u>   |                 |
|  | <u>\$65.00</u>  |

|  |  |
|--|--|
| <u>0 to 30 square feet</u><br><u>31 to 60 square feet</u><br><u>Over 60 square feet</u><br><ul style="list-style-type: none"> <li>• <u>For each elevator:</u><br/> <u>10 floors or less</u><br/> <u>Every additional ten or fewer floors</u></li> <li>• <u>For wiring or rewiring boiler controls in buildings.</u></li> </ul> | <u>\$90.00</u><br><u>\$115.00</u><br><br><u>\$125.00</u><br><u>\$83.00</u><br><u>\$12.00</u> |
| <u>Electrical permit (minor work pursuant to Section 27-3018(h) of the Administrative Code).</u>   | <u>\$15</u>  |
| <u>Duplicate copy of notice of electrical violation.</u>   | <u>\$5</u>   |

## **STATEMENT OF BASIS AND PURPOSE**

The foregoing rule amendment is promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter.

The rule implements the fee structure provided for in sections 27-3014, 27-3018, 28-112.1, 28-112.7.2, 28-112.8 and 28-401.15 of the NYC Administrative Code by setting forth the fees which may be charged by the Department of Buildings pursuant to those sections.

This amendment makes corrections and additions to the fee table in order to bring the fees in line with current costs and to consolidate all fees into one section.

In addition, this amendment makes corrections to 1 RCNY rule section numbering to conform to the numbering scheme set forth in recent Construction Code-related rules.

This rule has an effective date of 09-02-08.



NYC Department of Buildings  
280 Broadway, New York, NY 10007

**Robert D. LiMandri**  
**Acting Commissioner**

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New York, NY 10007  
Phone: (212) 566-3103  
Fax: (212) 566-3785

Statement of Substantial Need for Earlier Implementation

I hereby find, pursuant to §1043, subdivision e, paragraph 1(c) of the New York City Charter, and hereby represent to the Mayor, that there is substantial need for the implementation of new Section §100-02 of Title 1 of the Rules of the City of New York, governing the waiver of certain construction documents required to be submitted by registered design professionals for certain work, upon the publication in the City Record of its Notice of Adoption.

This is one of the Rules needed to implement the City's new Construction Codes, including the Building Code, which became effective on July 1, 2008. Pursuant to section 28-104.6.4 of the Administrative Code, the Commissioner is authorized to allow persons other than registered design professionals to be the applicant for the approval of construction documents. Pursuant to section 28-104.7.12 of the Administrative Code, the Commissioner is authorized to waive the submission of any of the required construction documents and other data if review of such documents is not necessary to ascertain compliance with this code or not required for the phase of work for which a permit is sought. The rule dispenses with certain filing requirements for selected plumbing and mechanical work, but changes the practice under the 1968 Building Code by requiring full filings for plumbing for temporary installations used in connection with construction operations. The new codes are in effect already and thus this rule must be in effect as soon as possible.

A handwritten signature in black ink, appearing to read "Robert D. LiMandri", written over a horizontal line.

Robert D. LiMandri  
Acting Commissioner  
Department of Buildings

APPROVED: 

Michael R. Bloomberg  
Mayor

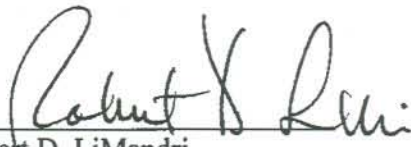
DATE: 8/21/08

## NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the addition of Section 100-02 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding the waiver of certain construction documents required to be submitted by registered design professionals for certain work.

This rule was previously published on February 20, 2008, and was revised by deleting section (a)(1)(ii) regarding construction operations and plumbing for temporary installations. This rule was then published on June 20, 2008 and had a public hearing on July 22, 2008.

Dated: 8/13, 2008  
New York, New York

  
Robert D. LiMandri  
Acting Commissioner  
Department of Buildings



Section 1. Subchapter A of chapter 100 of title 1 of the Rules of the City of New York is amended by adding a new section 100-02 to read as follows:

§100-02 Waiver of certain construction documents required to be submitted by registered design professionals for certain work.

(a) Pursuant to section 28-104.6.4 of the administrative code, the commissioner is authorized to allow persons other than registered design professionals to be the applicant for the approval of construction documents. Pursuant to section 28-104.7.12 of the administrative code, the commissioner is authorized to waive the submission of any of the required construction documents and other data if review of such documents is not necessary to ascertain compliance with this code or not required for the phase of work for which a permit is sought. Notwithstanding the following provisions, the commissioner reserves the right to require the filing of narratives or sketches showing compliance with the provisions of this code for the categories of work described below.

(1) Selected plumbing work. In connection with the filing of applications for construction document approval, the applicant need not be a registered design professional and required plans need not be submitted for temporary exhibits, defined for purposes of this rule as plumbing for temporary installations used for exhibition purposes when not designed for sanitary use and not directly connected to a sewerage, water supply, or water distribution system.

(2) Selected mechanical work. In connection with the filing of applications for construction document approval, the applicant need not be a registered design professional and required plans need not be submitted for the following types of mechanical applications :

(i) Fuel-oil burning equipment. Replacement of or alteration to existing fuel-oil burning equipment, provided that the applicant is a licensed oil burner-installer, the aggregate capacity of the equipment does not exceed 600,000 BTU per hour and the number of fuel-oil burning devices does not increase or decrease by more than one unit.

(ii) Fuel-oil storage tanks. Replacement of existing fuel-oil storage tanks, provided the applicant is a licensed oil burner-installer, the capacity of each replacement tank does not exceed 330 gallons and each such replacement tank meets the alternate tank design and construction standards contained in Section MC 1305.14.

(b) Work shall comply with all requirements of the applicable codes and other applicable laws and rules, including, where applicable, those imposed by other governmental agencies.

(c) Nothing in this rule is intended to alter or diminish any obligation otherwise imposed by law on others, including but not limited to, the owner, construction manager, general contractor, contractor, materialman, architect, engineer, site safety manager, land surveyor, or other party involved in a construction project to engage in sound engineering, design, and construction practices, and to act in a reasonable and responsible manner to maintain a safe construction site.

### **STATEMENT OF BASIS AND PURPOSE**

The foregoing rule is promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter.

The rule promotes efficiency at no expense to public safety by continuing under the new construction codes the practice under Title 27 of the Administrative Code of dispensing with certain filing requirements for selected plumbing and mechanical work. Plumbing for temporary installations used in connection with construction operations has been omitted from the exception. The adopted rule benefits the public by decreasing unnecessary bureaucracy as well as the construction industry by advancing efficiency.