



Promulgation Details for 1 RCNY 101-13

This rule became effective on October, 25, 2008.

This rule has an effective date of 10-25-08.

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 101-13 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding the implementation of Section 28-101.4.2(1) of the Administrative Code, which enables the commissioner of buildings to make exceptions to the July 1, 2008 effective date of the codes' administrative provisions.

This rule was published on July 25, 2008 and had a public hearing on August 25, 2008.

Dated: September 19, 2008
New York, New York

Robert D. LiMandri
Commissioner-Designate
Department of Buildings

Section 1. Subchapter A of chapter 101 of title 1 of the Rules of the City of New York is amended by adding a new section 101-13 to read as follows:

101-13 Requirements for filing technical reports of inspections for applications for permits in process on July 1, 2008.

(a) Applicability. This rule shall apply to applications for construction document approval submitted, and not thereafter abandoned, that have been approved but not permitted prior to July 1, 2008 and to applications for construction document approval submitted, and not thereafter abandoned, that have been approved and partially permitted prior to July 1, 2008. For purposes of this rule, such applications shall be denominated “covered jobs.”

(b) Technical reports of inspections. Covered jobs may continue to perform and file reports of technical inspections pursuant to the provisions of law in effect prior to July 1, 2008, provided that all remaining permits for the job are secured prior to December 31, 2008 and that work pursuant to such permits is commenced within twelve (12) months after the date of issuance of the permit therefore and is diligently carried on to completion. If all remaining permits for the job are not secured prior to December 31, 2008, the covered job must comply fully with all provisions of Title 28 of the administrative code.

STATEMENT OF BASIS AND PURPOSE

This rule is promulgated pursuant to the authority of the Commissioner of Buildings under sections 643 and 1043(a) of the New York City Charter and section 28-101.4.2(1) of the New York City Administrative Code.

The rule implements Section 28-101.4.2(1) of the Administrative Code, which enables the commissioner of buildings to make exceptions to the July 1, 2008 effective date of the codes’ administrative provisions. The rule allows, with certain conditions, certain applications that are in process and that have secured approval or partial permit to use reports of technical inspections pursuant to the provisions of law in effect prior to July 1, 2008. Its purpose is to enable jobs whose review and processing are well advanced to continue to use provisions of the 1968 Building Code in order to complete their inspections and reports of inspections during the progress of the approved and/or permitted work. The rule establishes conditions to ensure that this exception is not extended indefinitely.