

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2017**

---

**No. 149**

---

Introduced by Council Members Chin, Menchaca, Johnson, Kallos, Levin, Levine, Mendez, Reynoso, Rosenthal, Lander, Rodriguez, Van Bramer, Rose, Richards, Salamanca, Cumbo, Williams, Perkins, Espinal, Torres, Cornegy, Dromm, Maisel, Ferreras-Copeland and Cohen.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to professionally certified applications for construction document approval and final inspections of permitted work**

*Be it enacted by the Council as follows:*

Section 1. Section 28-104.2.1 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

**§28-104.2.1 Less than full examination of applications for construction and related document approval.** The commissioner may, in the commissioner's discretion, establish a program whereby construction and related documents may be accepted with less than full examination by the department based on the professional certification of an applicant who is a registered design professional. *On a monthly basis, the commissioner shall audit no less than 25 percent of construction documents which are for multiple dwellings where 25 percent or more of the dwelling units are occupied and such multiple dwellings, in whole or in part, either (i) are subject to rent regulation, (ii) are being rehabilitated or maintained as affordable housing through a department of housing preservation and development program, (iii) are subject to a city regulatory agreement mandating the creation or preservation of a certain number of affordable units, (iv) contain affordable housing units created, sponsored or preserved through other city programs or initiatives, or (v) where the department knows or has reason to know, are the subject of a rent overcharge application which is in the process of being investigated by the New York State division of housing and community renewal.*

***Exception:*** Construction or related documents may not be subject to less than full examination if the building is listed on the department of housing preservation and development's website pursuant to paragraph 6 of subdivision m of section 27-2115.

§2. Section 28-116.2.4.2 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding an exception to read as follows:

***Exception:*** Final inspection shall be performed by the department for permitted work in R-2 occupancies if the building is listed on the department of housing preservation and development's website pursuant to paragraph 6 of subdivision m of section 27-2115.

§ 3. Section 28-105.5 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding a new section 28-105.5.1 to read as follows:

***§ 28-105.5.1 Application for permit where a building is occupied.*** All applications for permits for work on a building having more than three dwelling shall state the total number of units, and the number of units occupied at the time the application is filed.

§ 4. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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 August 9, 2017 and approved by the Mayor on August 30, 2017.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 149 of 2017, Council Int. No. 918-A of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.