

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 47

Introduced by Council Members Dilan, Arroyo, Comrie, Koo, Wills and Gennaro (by request of the Mayor).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to signs at construction sites with fences or sheds and repealing section BC 3301.9 of the New York city building code in relation thereto.

Be it enacted by the Council as follows:

Section 1. 28-105.11 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§28-105.11 Posting of permit. The building permit or *a copy thereof* shall be posted in a conspicuous place at the work site, visible to the public for the duration of the work, or the use and operation of the equipment, or until the expiration of the permit. No such permit shall be posted or displayed at any location other than the location of the premises or equipment for which the permit was issued. *Where the permit is exposed to the weather, it shall be laminated or encased in a plastic covering to protect it from the elements.*

Exception: *Where a project information panel is required by Section 3301.9.1, of the New York city building code, the permit shall be posted in accordance with such section, and no other permits shall be posted in any location readily visible to the public, except as provided in Section 3301.9.5 of the New York city building code.*

§2. Section BC 3301.9 of the New York city building code is REPEALED and a new section 3301.9 is added to read as follows:

3301.9 Required signs. *Signs shall be posted at a construction or demolition site in accordance with Sections 3301.9.1 through 3301.9.5.*

3301.9.1 Fence project information panel. *Where a site is enclosed with a fence in accordance with Section 3307.7, a project information panel meeting the requirements of Sections 3301.9.1.1 through 3301.9.1.6 shall be posted. Required project information panels shall be in place throughout the duration that the fence remains at the site.*

Exceptions:

1. *At a site where the project permit was issued or renewed prior to July 1, 2013, signs meeting the requirement of Section 3301.9.3 may be posted in lieu of a project information panel. Such signs shall be removed and a project information panel in accordance with the requirements of this section installed upon date of the first permit renewal on or after July 1, 2013.*
2. *Project information panels at government-owned sites or at sites with government funding, may be modified in accordance with department rule.*
3. *Signs posted at construction or demolition sites for one-, two- or three-family dwellings may comply with Section 3301.9.3 in lieu of this section.*

3301.9.1.1 Project information panel content. *Project information panels shall contain the following information:*

1. *A rendering, elevation drawing, or zoning diagram of the building exterior that does not contain logos or commercially recognizable symbols;*
2. *A title line stating “Work in Progress:” and specifying the intended type(s) of*

zoning use(s) (e.g. Residential, Commercial, Manufacturing, Retail, Office, Hospital, School);

- 3. Anticipated project completion date;*
- 4. The corporate name, address, and telephone number of the owner of the property;*
- 5. Website address or phone number to contact for project information;*
- 6. The corporate name and telephone number of the general contractor, or for a demolition site, the demolition contractor;*
- 7. The statement, in both English and Spanish, “TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311.”; and*
- 8. A copy of the primary project permit, with accompanying text “To see other permits issued on this property, visit: www.nyc.gov/buildings.” The permit shall be laminated or encased in a plastic covering to protect it from the elements or shall be printed directly onto the project information panel.*

Exception: *A rendering, elevation drawing, or zoning diagram of the building exterior is not required for demolition projects.*

3301.9.1.2 Posting of project information panels. *A project information panel shall be posted on the fence on each perimeter fronting a public thoroughfare. Where such perimeter is more than 150 feet in length, a project information panel shall be posted at each corner. Such panels shall be posted on the fence at a height of 4 feet (1219 mm) above the ground, with such distance measured from the ground to the bottom edge of the panel.*

3301.9.1.3 Project information panel material. *Project information panels shall be constructed out of a durable and weatherproof material such as vinyl, plastic, or aluminum, and such material shall be flame retardant in accordance with NFPA 701 or listed under UL 214.*

3301.9.1.4 Project information panel specifications. *Project information panels shall be 6 feet (1829 mm) wide and 4 feet (1219 mm) high, with the content required by Section 3301.9.1.1 arranged in accordance with Figures 3301.9.1.4(1) and 3301.9.1.4(2). The content required by Section 3301.9.1.1, items number 2 through 7 shall be written in the Calibri font or similar sans serif font style, with letters a minimum of 1 inch (25mm) high, as measured by the upper case character. Such letters shall be white, on a blue background, with such blue color of a shade matching Pantone 296, or RGB 15, 43, 84, or CMYK 100, 88, 38, 35.*

Exceptions:

- 1. The dimensions for a project information panel posted in conjunction with a demolition project shall be 2 feet 4 inches (711 mm) wide and 4 feet (1219 mm) high, in accordance with Figure 3301.9.1.4(1).*
- 2. For construction sites with a street frontage less than 60 feet (18 288 mm), the dimensions for a project information panel, other than that posted in conjunction with a demolition project, shall be 55 inches (1397 mm) wide and 36.5 inches (927 mm) high, in accordance with Figure 3301.9.1.4(3).*

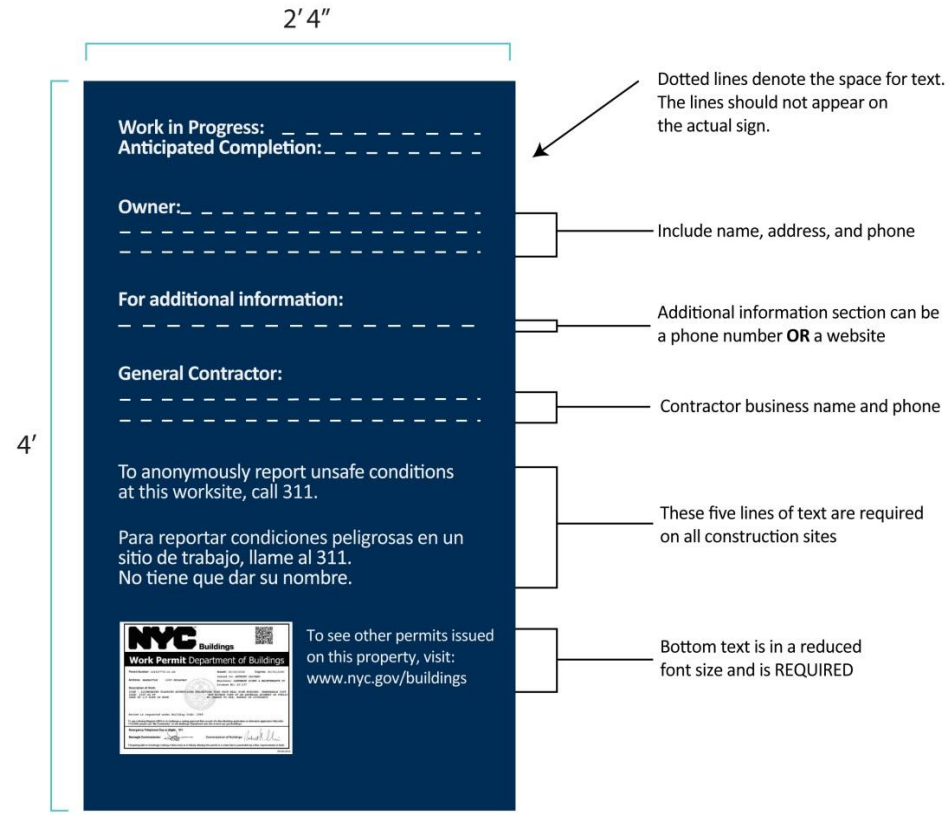


FIGURE 3301.9.1.4(1)
FENCE PROJECT INFORMATION PANEL TEXT DETAIL

2' 4"

3' 8"

Work in Progress: Commercial

Anticipated Completion: Fall 2013

Owner: 280 Broadway Group
280 Broadway, New York, NY 10007
212-555-5555

For additional information:
212-888-1234

General Contractor:
280 Broadway Group
212-555-5555

To anonymously report unsafe conditions at this worksite, call 311.

Para reportar condiciones peligrosas en un sitio de trabajo, llame al 311.
No tiene que dar su nombre.



To see other permits issued on this property, visit:
www.nyc.gov/buildings



4'

6'

FIGURE 3301.9.1.4(2)
FENCE PROJECT INFORMATION PANEL LAYOUT

21"

34"

Work in Progress: Residential

Anticipated Completion: Fall 2013

Owner: 280 Broadway Group
280 Broadway, New York, NY 10007
212-555-5555

For additional information:
212-888-1234

General Contractor:
280 Broadway Group
212-555-5555

To anonymously report unsafe conditions
at this worksite, call 311.

Para reportar condiciones peligrosas en un
sitio de trabajo, llame al 311.
No tiene que dar su nombre.



To see other permits issued
on this property, visit
www.nyc.gov/buildings



36.5"

FIGURE 3301.9.1.4(3)
FENCE PROJECT INFORMATION PANEL LAYOUT FOR SMALL LOTS

3301.9.1.5 Updating content. *When content required by Section 3301.9.1.1 changes, the project information panel shall be updated.*

3301.9.1.6 Maintenance of project information panels. *Project information panels shall be maintained so that the panel remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards. Content required by Section 3301.9.1.1 shall not be obscured by panel attachments, including but not limited to grommets or grommet holes.*

3301.9.2 Sidewalk shed parapet panel. *Where a sidewalk shed is installed, a sidewalk shed parapet panel meeting the requirements of Sections 3301.9.2.1 through 3301.9.2.6 shall be posted. Required sidewalk shed parapet panels shall be in place throughout the duration that the sidewalk shed remains at the site.*

Exceptions:

- 1. At a site where the sidewalk shed permit was issued or renewed prior to July 1, 2013, signs meeting the requirement of Section 3301.9.4 may be posted in lieu of a sidewalk shed parapet panel. Such signs shall be removed and a sidewalk shed parapet panel in accordance with the requirements of this section installed upon date of the first permit renewal on or after July 1, 2013.*
- 2. Signs posted at construction or demolition sites for one-, two- or three-family dwellings may comply with Section 3301.9.4 in lieu of this section.*

3301.9.2.1 Sidewalk shed parapet panel content. Sidewalk shed parapet panels shall comply with the requirements of either section 3301.9.2.1.1 or 3301.9.2.1.2., as applicable:

3301.9.2.1.1 Sidewalk Shed parapet panel content for sites not included in a best construction site management program. Sidewalk shed parapet panels not included in a best construction site management program shall contain the following information and be arranged in accordance with Figure 3301.9.2.1(1):

1. The street address of the site;
2. Name (which may incorporate a logo) of the contractor responsible for the site or where there is no contractor, the name (which may incorporate a logo) of the owner of the site; and
3. The statement “For more information, visit www.nyc.gov/buildings.”

3301.9.2.1.2 Sidewalk Shed parapet panel content for sites included in a best construction site management program. In addition to the requirements of section 3301.9.2.1.1, for a site maintained in accordance with a best construction site management program accepted by the commissioner as set forth in Section 3301.9.2.7, either the name or logo of such program, with the department’s program acceptance logo, may be placed on the sidewalk shed parapet panel in accordance with Figure 3301.9.2.1(2).



FIGURE 3301.9.2.1(1)
SIDEWALK SHED PARAPET PANEL LAYOUT

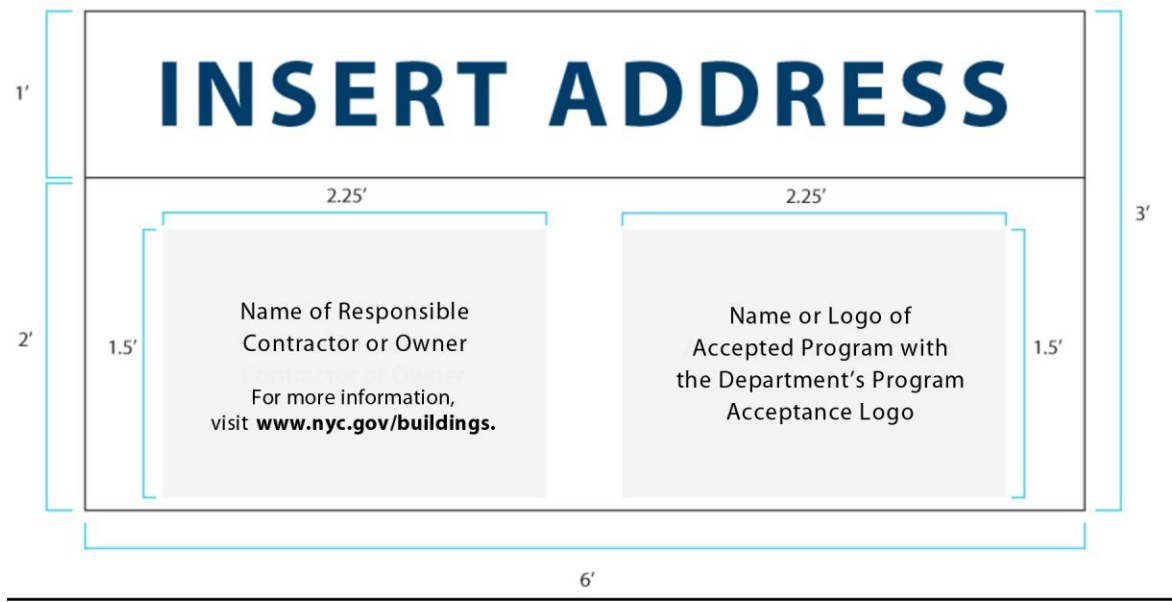


FIGURE 3301.9.2.1(2)
SIDEWALK SHED PARAPET PANEL LAYOUT FOR ACCEPTED SITE MANAGEMENT PROGRAMS

3301.9.2.2 Posting of sidewalk shed parapet panels. *Sidewalk shed parapet panels shall be posted on the parapet that runs along the long axis of the sidewalk shed. Such sign:*

- 1. Shall not be posted above or below the level of the parapet; and*
- 2. Shall be posted at least 3 feet (914 mm) and no more than 6 feet (1828 mm) from the left edge of the sidewalk shed parapet, as viewed from the perspective of an individual on the sidewalk opposite the long axis of the sidewalk shed and facing the sidewalk shed; or*
- 3. Where a project information panel in accordance with Section 3301.9.1 is posted on the fence, the horizontal center of the sidewalk shed parapet panel shall be in line with a vertical plane drawn through the horizontal center of the project information panel and the sidewalk shed parapet panel shall be posted in accordance with Figure 3301.9.2.2.*



***FIGURE 3301.9.2.2
PANEL POSTING ELEVATION DIAGRAM***

3301.9.2.3 Sidewalk shed parapet panel material. Sidewalk shed parapet panels shall be constructed out of a durable and weatherproof material such as vinyl, plastic, or aluminum, and such material shall be flame retardant in accordance with NFPA 701 or listed under UL 214.

3301.9.2.4 Sidewalk shed parapet panel specifications. Sidewalk shed parapet panels shall be 3 feet (914 mm) high and 6 feet (1829 mm) wide, with the content required by Section 3301.9.2.1 arranged in accordance with Figures 3301.9.2.1(1) or 3301.9.2.1(2). The sign shall have a white background. The content required by item number 1 of Section 3301.9.2.1.1 must be written in Calibri font or similar sans serif font style, and such letters shall be blue, with such blue color a shade matching Pantone 296, or RGB 15, 43, 84, or CMYK 100, 88, 38, 35.

3301.9.2.5 Updating content. When content required by Section 3301.9.2.1 changes, the sidewalk shed parapet panel shall be updated.

3301.9.2.6 Maintenance of sidewalk shed parapet panels. Sidewalk shed parapet panels shall be maintained so that the panel remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards. Content required by Section 3301.9.2.1 shall not be obscured by sign attachments, including but not limited to grommets or grommet holes.

3301.9.2.7 Best construction site management program. The department shall have the authority to create standards established by rule for the acceptance of a program that ensures best construction site management practices, and to set forth the basis and process for removal of such acceptance and for the removal of the program's name and logo from the sidewalk shed parapet panel located at a particular site.

3301.9.3 Existing fence signs and signs at construction or demolition sites for one-, two- or three-family dwellings. *Where a site is enclosed with a fence in accordance with Section 3307.7, and a project information panel is not required in accordance with Section 3301.9.1, a sign or signs meeting the requirements of Sections 3301.9.3.1 through 3301.9.3.3 shall be posted. Required signs shall be in place throughout the duration that the fence remains at the site.*

3301.9.3.1 Sign content and posting. *One or more signs needed to accommodate the following information shall be posted on the fence on each perimeter fronting a public thoroughfare at a height of no more than 12 feet (3658 mm) above the ground, with such distance measured from the ground to the top of the sign:*

- 1. The name, address, and telephone number of the owner of the property;*
- 2. The name, address, and telephone number of the general contractor, or for a demolition site, the demolition contractor; and*
- 3. The statement, in both English and Spanish, "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE THAT ENDANGER WORKERS, CALL 311."*

3301.9.3.2 Maintenance of fence signs. *Fence signs shall be maintained so that the sign remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards.*

3301.9.3.3 Fence sign specifications. *Fence signs shall be constructed of ¾ inch (19 mm) plywood or material of equivalent strength, durability and weatherproofing, including but not limited to sheet metal, aluminum, vinyl, or plastic. The letters on such signs shall be black on a white background. Such signs shall be no larger than that needed to*

accommodate the information required by Section 3301.9.3.1 in letters no less than 3 inches (76 mm) high.

3301.9.4 Existing sidewalk shed signs and signs at construction or demolition sites for one-, two- or three-family dwellings. *Where a sidewalk shed is installed, and a sidewalk shed parapet panel is not required in accordance with Section 3301.9.2, a sign readily visible from the street shall be posted on the parapet that runs along the long axis of the sidewalk shed. Such sidewalk shed sign shall be in place throughout the duration that the sidewalk shed remains at the site. Such sidewalk shed sign shall include:*

- 1. The corporate name, address, and telephone number of the sidewalk shed permit holder;*
- 2. The sidewalk shed permit number; and*
- 3. The expiration date of the sidewalk shed permit.*

3301.9.5 Other signs. *Signs required by law to be displayed at a construction or demolition site shall be posted within the site, readily visible to workers, and shall not be posted in any location readily visible to the public unless otherwise required by law.*

§3. Section BC 3307.1.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

3307.1.1 Signs. Other than as specified in Section 3301.9 and 3301.10, there shall be no sign, information, pictorial representation, or any business or advertising messages posted on a sidewalk shed, bridge, fence, or other *protective* structure listed in this section that is erected at the construction or demolition site.

Where a protective structure required by this section obscures from view a lawful existing sign, a temporary sign may be installed in accordance with Section 3301.10.

No illuminated signs shall be permitted on any protective structure required by this section.

§4. Section BC 3307.6.4 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

3307.6.4 Construction of sidewalk sheds. Sidewalk sheds shall be constructed in accordance with the following:

1. Sidewalk sheds shall be constructed out of wood, steel, or other materials having equivalent strength and suitability.
2. The members of the sidewalk shed shall be adequately braced and connected to prevent displacement or distortion of the framework. Where posts supporting the shed deck are placed beyond the curb, such posts shall be protected against displacement by vehicles as directed by the Department of Transportation. Such placement shall require a permit from the Department of Transportation.
3. The upright members of the sidewalk shed shall be plumb. The tolerance is $L/100$. "L" is measured as the distance from the ground to the first x-brace or bottom of the beam.
4. The deck of the sidewalk shed shall consist of planking laid closely and made tight.
5. Unless the top deck of the sidewalk shed is built solidly against the face of the structure in such a manner that no material can fall onto the sidewalk, the side of the shed toward the structure shall be solidly sealed with wood or other suitable material for the full height of the shed. Solid sliding or in swinging gates may be provided as necessary for the proper prosecution of the work.
6. The outer side and ends of the deck of the shed shall be provided with a substantial enclosure at least 3 feet 6 inches (1067 mm) high. Such enclosure may be vertical or inclined outward at approximately 45 degrees (0.79 rad), and shall consist of boards laid

close together and secured to braced uprights, of galvanized wire screen not less than no. 16 steel wire gage with a 1/2 inch (13 mm) mesh, of corrugated metal, or of solid plywood. Temporary removal of portions of the enclosure shall be permitted for handling material.

7. All sidewalk sheds shall provide protection for the full width of the shed extending upward at an angle of 45 degrees (*0.79 rad*) from the ends of the deck and outward a horizontal distance of at least 5 feet (1524 mm) beyond the ends of the shed. Such sloping end protection shall be constructed to meet the requirements of numbered items two and three with substantial outriggers bearing on and securely attached to the deck.
8. The passageway under the shed shall have a minimum clear ceiling height of 8 feet (2438 mm).
9. *Sidewalk sheds erected on or after July 1, 2013 shall be painted the color of hunter green.*

§5. Section BC 3307.7 of the New York city building code, as added by local law number 33 of the year 2007, is amended to read as follows:

3307.7 Fences. When required by this code, fences shall be at least 8 feet (2438 mm) high and constructed of wood or other suitable material. They shall be built solid for their entire length, except for openings with solid sliding or in swinging gates as are required for the proper prosecution of the work, and for viewing panels, which shall be blocked with plexiglass or equivalent nonfrangible material.

The fence shall be constructed along the inside edge of the sidewalk, walkway or temporary walkway. If permission to close the sidewalk has been obtained from the Department of Transportation, such fence may be erected along the curb or outside of the curb to such extent as approved by the Department of Transportation. The fence shall be returned at its ends to the extent necessary to effectively close off the site.

3307.7.1 Viewing panels. *Viewing panels shall be provided in solid fences erected on or after July 1, 2013, at a rate of one for every 25 linear feet (7.6 m) per frontage, with a minimum of one per frontage. Viewing panels shall be 12 x 12 inches (305 x 305 mm) in size and shall be blocked with plexiglass or an equivalent nonfrangible material. The top of the viewing panel shall be located no more than 6 feet (1829 mm) above the level of the ground, and the bottom of the viewing panel shall be located no less than 3 feet (914 mm) above the level of the ground.*

3307.7.2 Color of fences. *Fences erected on or after July 1, 2013, shall be painted hunter green.*

§6. This local law shall take effect on July 1, 2013, except that the commissioner of the department of buildings shall take such action 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 June 12, 2013 and approved by the Mayor on July 1, 2013.

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. 47 of 2013, Council Int. No. 1003-A of 2013) 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.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.