



Legislation Details (With Text)

**File #:** Int 0831-2015 **Version:** A **Name:** Permit filing fees for new buildings and alterations.  
**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Housing and Buildings

**On agenda:** 6/10/2015

**Enactment date:** 5/10/2016 **Enactment #:** 2016/056

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to permit filing fees for new buildings and alterations

**Sponsors:** Jumaane D. Williams, Helen K. Rosenthal, Ritchie J. Torres, Paul A. Vallone, Ben Kallos, (by request of the Mayor)

**Indexes:**

**Attachments:** 1. Legislative History Report, 2. Summary of Int. No. 831, 3. Int. No. 831 - 6/10/15, 4. June 10, 2015 - Stated Meeting Agenda with Links to Files, 5. Committee Report 9/16/15, 6. Hearing Testimony 9/16/15, 7. Hearing Transcript 9/16/15, 8. Committee Report 4/18/16, 9. Hearing Transcript 4/18/16, 10. April 20, 2016 - Stated Meeting Agenda with Links to Files, 11. Fiscal Impact Statement, 12. Int. No. 831-A - FINAL, 13. Mayor's Letter, 14. Hearing Transcript - Stated Meeting 4-20-16, 15. Minutes of the Stated Meeting - April 20, 2016, 16. Local Law 56

Date	Ver.	Action By	Action	Result
6/10/2015	*	City Council	Introduced by Council	
6/10/2015	*	City Council	Referred to Comm by Council	
9/16/2015	*	Committee on Housing and Buildings	Hearing Held by Committee	
9/16/2015	*	Committee on Housing and Buildings	Laid Over by Committee	
4/18/2016	*	Committee on Housing and Buildings	Hearing Held by Committee	
4/18/2016	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
4/18/2016	*	Committee on Housing and Buildings	Amended by Committee	
4/18/2016	A	Committee on Housing and Buildings	Approved by Committee	Pass
4/20/2016	A	City Council	Approved by Council	Pass
4/20/2016	A	City Council	Sent to Mayor by Council	
5/10/2016	A	Mayor	Hearing Held by Mayor	
5/10/2016	A	Mayor	Signed Into Law by Mayor	
5/10/2016	A	City Council	Recved from Mayor by Council	

Int. No. 831-A

By Council Members Williams, Rosenthal, Torres, Vallone and Kallos (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to permit filing fees for new buildings and alterations

Be it enacted by the Council as follows:

Section 1. Table 28-112.2 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:

**Table 28-112.2**

Permit Type	Filing Fee	Renewal Fee	Comments
<i>New Buildings</i>			
New building work permit: One-, two- or three-family dwelling, where no existing building elements are to be retained in place as part of the new building. • Subsequent applications related to initial new building work permit application, filed prior to the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued	[\$0.12]0.06 for each square foot, or fraction thereof, of the total floor area of the new building, but not less than \$100 for each structure. <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u> \$100	\$100 \$100	For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.
New building work permit: One-, two- or three-family dwelling, where any existing building elements are to be retained in place as part of the new building, pursuant to section 28-101.4.5.	Minimum Filing Fee - \$[170]100 Minimum filing fee for the first five thousand dollars or fraction thereof, of the cost of alteration; plus \$[5.15]2.60 for each one thousand dollars, or fraction thereof, of cost of alterations in excess of five thousand dollars. <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u>	\$100	For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.
New building work permit: Garage for not more than three cars when accessory to and filed with plans for one-, two- or three-family dwelling to which it is accessory on the same lot	\$100	\$100	
New building work permit: All other new buildings <u>fewer than 7 stories and less than 100,000 square feet</u> , where no existing building elements are to be retained in place as part of the new building. • Subsequent applications related to initial new building work permit application, filed prior to the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued	\$0.26 for each square foot, or fraction thereof, of the total floor area of the new building, but not less than \$[100]280 for each structure. <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u> \$100	\$100 \$100	For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade

<p>New building work permit: All other new buildings fewer than 7 stories and less than 100,000 square feet, where any existing building elements are to be retained in place as part of the new building, pursuant to section 28-101.4.5.</p>	<p>Minimum Filing Fee - \$280                  Minimum filing fee for the first three thousand dollars, or fraction thereof, of the cost of alteration; plus \$[20 for each one thousand dollars, or fraction thereof, of the next two thousand dollars of such cost; plus \$]10.30 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of [five] three thousand dollars. <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u></p>	<p>\$100</p>	<p>For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.</p>
<p>New building work permit: All other new buildings 7 stories or more or 100,000 square feet or more, classified in occupancy group R-2, where at least 50 percent of the occupancy units are affordable to households whose income is less than 165 percent of the area median income for New York city, as determined by the United States department of housing and urban development or successor agency, which are financed entirely or in part by a grant or loan from the city of New York or the New York city housing and development corporation, and where no existing building elements are to be retained in place as part of the new building.                  • Subsequent applications related to initial new building work permit application, filed prior to the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued</p>	<p>\$0.26 for each square foot, or fraction thereof, of the total floor area of the new building, but not less than \$100 for each structure. <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u>      \$100</p>	<p>\$100</p>	<p>For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.</p>

<p><u>New building work permit: All other new buildings 7 stories or more or 100,000 square feet or more, classified in occupancy group R-2, where at least 50 percent of the occupancy units are affordable to households whose income is less than 165 percent of the area median income for New York city, as determined by the United States department of housing and urban development or successor agency, which are financed entirely or in part by a grant or loan from the city of New York or the New York city housing and development corporation, and where any existing building elements are to be retained in place as part of the new building, pursuant to section 28-101.4.5.</u></p>	<p><u>Minimum Filing Fee - \$280 Minimum filing fee for the first \$3,000 or fraction thereof, of the cost of alteration; plus \$10.30 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of three thousand dollars. The rates and fees set forth above shall be subject to increases as provided by department rules.</u></p>	<p>\$100</p>	<p><u>For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.</u></p>
<p><u>New building work permit: All other new buildings 7 stories or more, or 100,000 square feet or more, where no existing building elements are to be retained in place as part of the new building.</u>  <ul style="list-style-type: none"> <li>• <u>Subsequent applications related to initial new building work permit application, filed prior to the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued</u></li> </ul> </p>	<p><u>\$0.45 for each square foot, or fraction thereof, of the total floor area of the new building, but not less than \$290 for each structure. The rates and fees set forth above shall be subject to increases as provided by department rules. \$100</u></p>	<p>\$100 \$100</p>	<p><u>For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.</u></p>
<p><u>New building work permit: All other new buildings 7 stories or more, or 100,000 square feet or more, where any existing building elements are to be retained in place as part of the new building, pursuant to section 28-101.4.5.</u></p>	<p><u>Minimum Filing Fee - \$290 Minimum filing fee for the first three thousand dollars, or fraction thereof, of the cost of alteration; plus \$17.75 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of three thousand dollars. The rates and fees set forth above shall be subject to increases as provided by department rules.</u></p>	<p>\$100</p>	<p><u>For the purposes of this fee schedule item, “building elements” means any portion of an existing building or structure, including but not limited to party walls foundations, footings, piles and slabs on grade.</u></p>
<p><b><i>Alterations</i></b></p>			

<p>Alteration work permit: · One-, two or three-family dwelling. • Alteration Type 1 • Alteration Type 2 • Alteration Type 3 • Limited Alteration Application</p>	<p>Minimum Filing Fee - \$170                  Minimum Filing Fee - \$130                  Minimum Filing Fee - \$130                  Minimum Filing Fee - \$130                  Minimum filing fee for the first five thousand dollars or fraction thereof, of the cost of alteration; plus \$[5.15]2.60 for each one thousand dollars, or fraction thereof, of cost of alterations in excess of five thousand dollars.  <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u></p>	<p>\$100</p>	
<p>Alteration work permit: Alterations in all other buildings and structures fewer than 7 stories and less than 100,000 square feet, including but not limited to aerial towers and masts, tank structures, fire escapes, etc., which are unoccupied and not easily valued by area. • Alteration Type 1 • Alteration Type 2 • Alteration Type 3 • Limited Alteration Application</p>	<p>Minimum Filing Fee - \$280                  Minimum Filing Fee - \$225                  Minimum Filing Fee- \$195                  Minimum Filing Fee- \$195                  Minimum filing fee for the first three thousand dollars, or fraction thereof, of the cost of alteration; plus \$[20 for each one thousand dollars, or fraction thereof, of the next two thousand dollars of such cost; plus \$]10.30 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of [five] three thousand dollars. <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u></p>	<p>\$100</p>	<p>Such alterations work shall include:                  • Applications related to new building work permit application, filed after the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued. • Installation or alteration of elevators, escalators, amusement devices and other devices regulated under this code, except those filed under a new building application.</p>
<p>Alteration work permit: Alterations in all other buildings and structures 7 stories or more, or 100,000 square feet or more, classified in occupancy group R-2, which are unoccupied and not easily valued by area, where at least 50 percent of the occupancy units are affordable to households whose income is less than 165 percent of the area median income for New York city, as determined by the United States department of housing and urban development or successor agency, and which are financed entirely or in part by a grant or loan from the city of New York or the New York city housing and development corporation. • Alteration Type 1 • Alteration Type 2 • Alteration Type 3 • Limited Alteration Application</p>	<p>Minimum Filing Fee - \$280                  Minimum Filing Fee - \$225                  Minimum Filing Fee- \$195                  Minimum Filing Fee- \$195                  Minimum filing fee for the first three thousand dollars, or fraction thereof, of the cost of alteration; plus \$10.30 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of three thousand dollars.  <u>The rates and fees set forth above shall be subject to increases as provided by department rules.</u></p>	<p>\$100</p>	<p>Such alterations work shall include:                  • <u>Applications related to new building work permit application, filed after the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued.</u> • <u>Installation or alteration of elevators, escalators, amusement devices and other devices regulated under this code, except those filed under a new building application.</u></p>

<p>Alteration work permit: Alterations in all other buildings and structures 7 stories or more, or 100,000 square feet or more, including but not limited to aerial towers and masts, tank structures, fire escapes, etc., which are unoccupied and not easily valued by area. • Alteration Type 1 • Subsequent or related filings</p>	<p>Minimum Filing Fee- \$290 Minimum Filing Fee- \$290 Minimum filing fee for the first three thousand dollars, or fraction thereof, of the cost of alteration; plus \$17.75 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of three thousand dollars. The rates and fees set forth above shall be subject to increases as provided by department rules.</p>	<p>\$100</p>	<p>Such alterations work shall include: • Applications related to new building work permit application, filed after the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued. • Installation or alteration of elevators, escalators, amusement devices and other devices regulated under this code, except those filed under a new building application.</p>
<p>Alteration work permit: Alterations in all other buildings and structures 7 stories or more, or 100,000 square feet or more, including but not limited to aerial towers and masts, tank structures, fire escapes, etc., which are unoccupied and not easily valued by area. • Alteration Type 2 • Alteration Type 3 • Limited Alteration Application</p>	<p>Minimum Filing Fee- \$225 Minimum Filing Fee- \$195 Minimum Filing Fee- \$195 Minimum filing fee for the first three thousand dollars, or fraction thereof, of the cost of alteration; plus \$10.30 for each one thousand dollars, or fraction thereof, of the alteration cost in excess of three thousand dollars. The rates and fees set forth above shall be subject to increases as provided by department rules.</p>	<p>\$100</p>	<p>Such alterations work shall include: • Applications related to new building work permit application, filed after the first temporary certificate of occupancy (TCO), or the final certificate of occupancy if no TCO is issued. • Installation or alteration of elevators, escalators, amusement devices and other devices regulated under this code, except those filed under a new building application.</p>
<p>Permit to install or alter service equipment except plumbing and fire suppression piping service equipment.</p>	<p>Filing fee calculated as for respective building alteration.</p>	<p>\$100</p>	
<p>Permit to install, alter or replace oil-burning equipment: • Where the storage tank exceeds two hundred seventy-five gallon capacity; or where the storage tank is less than two hundred seventy-five gallons and is to be buried, or is to be installed in a multiple dwelling or a place of assembly or in a building along the line of a subway, or is to deliver fuel oil to a burner installed above the lowest floor of a building with a primary Business Group B occupancy. • In all other conditions.</p>	<p>\$130      \$65</p>	<p>\$100 \$100</p>	
<p><b>Other</b></p>			
<p>Permit for foundation, earthwork or open space without roof, whether enclosed or unenclosed, on sites such as parking lots, gasoline or oil-selling stations, storage yards, sales or exhibition or show spaces used for generally similar purposes.</p>	<p>\$10 for each two thousand square feet of area or fraction thereof, but not less than \$130</p>	<p>\$100</p>	
<p>Permit for golf driving range.</p>	<p>\$7.50 for each twenty thousand square feet of area or fraction thereof, but not less than \$130.</p>	<p>\$100</p>	

Accessory building to golf driving range, not to exceed one hundred forty-four square feet.	\$130	\$100	
Permit for demolition and removal.	Multiply building frontage in feet or fraction thereof x number of stories of the building x \$2.60, but not less than \$260. For corner lot, use the longer building frontage.	\$100	
Curb cut, private dwelling	\$3 for each linear foot including splay; minimum \$130		
Curb cut, other	\$6 for each linear foot including splay; minimum \$130		
Filing of post-approval amendments to existing applications	The greater of \$100 or the fees for the additional scope or cost of work as calculated pursuant to this Table 28-112.2.		
<b>Signs</b>			
Permit to erect, install or alter sign: Ground sign.	Filing fee calculated as for respective building alteration, plus \$5 for each one hundred square feet of surface area, or fraction thereof, but not less than \$35	\$100	Each face of any sign, when fronting on different streets, shall be treated as a separate sign.
Permit to erect, install or alter sign: Roof sign having a tight, closed or solid surface.	Filing fee calculated as for respective building alteration; plus \$15 for each one hundred square feet of surface area, or fraction thereof, but not less than \$70	\$100	Each face of any sign, when fronting on different streets, shall be treated as a separate sign.
Permit to erect, install or alter sign: Roof sign without a tight, closed or solid surface, extending to a height of not more than thirty-one feet above roof level.	Filing fee calculated as for respective building alteration; plus \$15 for each one hundred square feet of surface area, or fraction thereof, but not less than \$100	\$100	Each face of any sign, when fronting on different streets, shall be treated as a separate sign.
Permit to erect, install or alter sign: Roof sign without a tight, closed or solid surface, extending to a height over thirty-one feet above roof level.	Filing fee calculated as for respective building alteration; plus \$25 for each one hundred square feet of area, or fraction thereof, but not less than \$135.	\$100	Each face of any sign, when fronting on different streets, shall be treated as a separate sign.
Permit to erect, install or alter sign: Illuminated sign projecting beyond street line having thirty square feet or less on one side.	Filing fee calculated as for respective building alteration.	\$100	Illuminated sign is subject to annual use fee: \$45.
Permit to erect, install or alter sign: Illuminated sign projecting beyond street line having more than thirty square feet but no more than fifty square feet on one side.	Filing fee calculated as for respective building alteration.	\$100	Illuminated sign is subject to annual use fee: \$70.
Permit to erect, install or alter sign: Illuminated sign projecting beyond street line and having more than fifty square feet on one side	Filing fee calculated as for respective building alteration.	\$100	Illuminated sign is subject to annual use fee: \$0.75 for each square foot or part thereof annually, but not less than \$100.
Maintenance permit for outdoor signs.	As provided by department rules.		

<b>Temporary Structures</b>			
Sidewalk shed	\$160 for the first twenty five feet or fraction thereof in the length of the shed; plus \$10 for each additional twenty-five feet or fraction thereof.	\$100	
Scaffold	\$160	\$100	
Construction Fence	\$160	\$100	
Permit for temporary shed, railing, footbridge, catch platform, building sidewalk shanty, over-the-sidewalk chute.	\$160 for each permit	\$100	
Permit for temporary structure other than those temporary structures listed above, including but not limited to tents, grandstands, stages.	For the initial 30 days of permit duration: \$130 for the first one thousand square feet or fraction thereof; plus \$0.10 for each square foot or fraction thereof in excess of one thousand square feet; \$100 for each additional 30 day period of permit duration.	\$100 for each additional 30 days	
<b>Reinstatement of Applications/Permits</b>			
Application/permit reinstatement fees: • Prior to first permit. • Following first permit issuance but prior to commencing work. • Following first permit, with work partially complete.	Full fee at the rate in effect on the date of reinstatement Full fee at the rate in effect on the date of reinstatement Based upon the full fee at the rate in effect on the date of reinstatement, the percentage of the fee equal to the percentage of work remaining as determined by the department inspector, plus the renewal fee.		

§ 2. This local law takes effect 30 days after it becomes law.

JW  
4/12/16 - 434p