Legislation Details (With Text)

File #:	Int 1128-2018 **Version:** A	**Name:**	Fences at stalled construction sites.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Housing and Buildings
On agenda:	9/26/2018		
Enactment date:	6/27/2021	**Enactment #:**	2021/074

Title: A Local Law to amend the administrative code of the city of New York, in relation to fences at stalled construction sites

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Date	Ver.	Action By	Action	Result
9/26/2018	*	City Council	Introduced by Council	
9/26/2018	*	City Council	Referred to Comm by Council	
1/29/2019	*	Committee on Housing and Buildings	Hearing Held by Committee	
1/29/2019	*	Committee on Housing and Buildings	Laid Over by Committee	
5/27/2021	*	Committee on Housing and Buildings	Hearing Held by Committee	
5/27/2021	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
5/27/2021	*	Committee on Housing and Buildings	Amended by Committee	
5/27/2021	A	Committee on Housing and Buildings	Approved by Committee	Pass
5/27/2021	A	City Council	Approved by Council	Pass
5/27/2021	A	City Council	Sent to Mayor by Council	
6/27/2021	A	Administration	City Charter Rule Adopted	
6/28/2021	A	City Council	Returned Unsigned by Mayor	

Int. No. 1128-A

By Council Members Holden, Borelli, Ulrich, Yeger, Gjonaj, Dromm, Rodriquez, Koo, Moya Gennaro and Koslowitz

A Local Law to amend the administrative code of the city of New York, in relation to fences at stalled

construction sites

Be it enacted by the Council as follows:

Section 1. Section 3307.7 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

3307.7 Fences. All sites where a new building is being constructed, or a building is being demolished to grade, shall be enclosed with a fence. Fences shall also be installed to fully or partially enclose sites, as necessary, where there exists an open excavation, an unenclosed portion of a building accessible at grade, or other hazard to the public. Such fences shall be at least 8 feet (2438 mm) high, built solid for their entire length out of wood or other suitable material, and shall be returned at the ends to the extent necessary to effectively close off the site.

Exceptions:

1. The commissioner may approve the use of a chain link fence to:

[1.] (i) Secure a site where work has been interrupted or abandoned and discontinued, and a registered design professional has certified that all construction or demolition equipment and material that pose a hazard to the safety of the public and property have been removed from the site or safely secured. Prior to the resumption of work, the chain link fence shall be replaced by a solid fence meeting the requirements of this section.

[2.] (ii) Secure portions of a site where a one- two- or three-family building, or a commercial building 40 feet (12 192 mm) or less in height, is being constructed or demolished and such building is setback at least 15 feet (4572 mm) from sidewalks or spaces accessible to the public and 5 feet (1524 mm) from adjoining buildings or structures.

2. Chain link fence shall be installed and maintained to secure a site where work has been discontinued for not less than two continuous years after a registered design professional has certified that all construction or demolition equipment and material that pose a hazard to the safety of the public and property have been removed from the site or safely secured. Prior to the resumption of work, the chain link fence shall be replaced by a solid fence meeting the requirements of this section.

§ 2. This local law takes effect 180 days after it becomes law and shall only apply to sites where work has been discontinued for two continuous years after such effective date.

CCF/GZ
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5.19.21 3:25 pm