



Legislation Details (With Text)

File #: Int 0878-2008 **Version:** A **Name:** Application of the NYC construction codes to general contractors, demolition contractors and concrete contractors obtaining safety registration numbers.

Type: Introduction **Status:** Enacted
In control: Committee on Housing and Buildings

On agenda: 12/9/2008

Enactment date: 2/10/2009 **Enactment #:** 2009/008

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring safety registration numbers.

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Indexes:

Attachments: 1. Int. No. 878 - 12/9/08, 2. Committee Report 1/14/09, 3. Hearing Transcript 1/14/09, 4. Hearing Testimony 1/14/09, 5. Committee Report 1/26/09, 6. Hearing Transcript 1/26/09, 7. Hearing Testimony 1/26/09, 8. Press Release, 9. Fiscal Impact Statement, 10. Committee Report - Stated Meeting 1/26/09, 11. Hearing Transcript - Stated Meeting 1/28/09, 12. Mayor's Letter, 13. Local Law

Date	Ver.	Action By	Action	Result
12/9/2008	*	City Council	Introduced by Council	
12/9/2008	*	City Council	Referred to Comm by Council	
1/14/2009	*	Committee on Housing and Buildings	Hearing Held by Committee	
1/14/2009	*	Committee on Housing and Buildings	Laid Over by Committee	
1/26/2009	*	Committee on Housing and Buildings	Hearing Held by Committee	
1/26/2009	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
1/26/2009	*	Committee on Housing and Buildings	Amended by Committee	
1/26/2009	A	Committee on Housing and Buildings	Approved by Committee	Pass
1/28/2009	A	City Council	Approved by Council	Pass
2/10/2009	A	Mayor	Hearing Held by Mayor	
2/10/2009	A	Mayor	Signed Into Law by Mayor	
2/10/2009	A	City Council	Recved from Mayor by Council	

Int. No. 878-A

By Council Members Comrie, Fidler, Mark-Viverito, Brewer, Gonzalez, James, Nelson, Palma, Recchia, Jr., Seabrook, Vann, Gerson, DeBlasio, Vacca, White Jr., Garodnick, Gennaro, Jackson, Eugene, Weprin and Sears

A Local Law to amend the administrative code of the city of New York, in relation to requiring safety registration numbers.

Be it enacted by the Council as follows:

Section 1. Section 28-401.3 of the administrative code of the city of New York is amended by adding a definition of “safety registration recipient” in alphabetical order following the definition of “private elevator inspection agency,” to read as follows:

SAFETY REGISTRATION RECIPIENT. An individual, corporation, partnership or other business entity that applies for a permit to perform or performs, or supervises any work that requires the filing under this code of an application for (i) a new building permit; (ii) an alteration permit for work that involves a vertical or horizontal enlargement in excess of twenty-five percent of the floor area of an existing building; (iii) an alteration permit for work that involves the addition of three or more stories to an existing building; (iv) an alteration permit for work that involves alteration or demolition of more than fifty percent of the floor area of an existing building; (v) an alteration permit where the work will result in the removal of one or more floors of an existing structure; (vi) a demolition permit; or (vii) an individual, corporation, partnership or other business entity that places concrete in a building or building site in connection with excavations, foundations or superstructures, including but not limited to the placement of concrete in steel structures, where the concrete portion of the project involves the pouring of a minimum of two thousand cubic yards of concrete or such other amount as determined by rule.

§ 2. Chapter 4 of title 28 of the administrative code is amended by adding a new article 420 to read as follows:

ARTICLE 420

REQUIREMENT OF SAFETY REGISTRATION NUMBER

§28-420.1 Requirement of application for safety registration number. On and after October 1, 2009, no safety registration recipient shall conduct business for the purposes that would qualify the person as a

safety registration recipient unless such person has received the required safety registration number from the department.

§28-420.2 Application requirements. An application for a safety registration number shall be made in writing to the commissioner on a form provided by the department and shall be accompanied by the following:

1. If the applicant is an individual: the applicant's full name, residence address, business address, and business telephone number, and an email address for the receipt of notifications;

2. If the applicant is a corporation:

2.1. The corporate name, address, telephone number and email address of the applicant's principal office or place of business for the receipt of notifications;

2.2. The date and state of incorporation;

2.3. Proof that the corporation is in good standing under the laws of the state of New York;

3. If the applicant is a partnership:

3.1. The name, address, telephone number and email address of the applicant's principal office or place of business for the receipt of notifications;

3.2. The name and telephone number of all partners;

4. The name, telephone number and e-mail address of all corporate officers and registered agents and any person owning or controlling an interest of ten percent or more in the applicant's business;

5. The name, address, and telephone number of any entity in which the applicant is an employee, participates in the management of, or in which the applicant has a controlling interest and which files for permits with the department.

6. The name and address of the principal location from which the applicant has engaged in the business that would qualify it as a safety registration recipient at any time within the last five years;

7. If the applicant is not a sole proprietor, proof that the applicant is authorized to do

business in the state of New York;

8. Proof of insurance as required by Title 28 of this code and the rules of the department;

9. The name, address and e-mail address of the officer, principal or director of the applicant who is designated to receive official notices from the department;

10. The name, address and telephone number and e-mail address of the officer(s), principal (s) or director(s) of the applicant who should be contacted in the event of an emergency; and

11. The commissioner shall waive the requirements of items one through seven of section 28 -420.2 for any applicant who has submitted a Vendex questionnaire to the Mayor's Office of Contract Services within the previous three years provided that the questionnaire contains the information required by this article and who provides a copy of the Vendex questionnaire to the department with such proof of submission as the department may require.

§28-420.3 Duties and Responsibilities. The recipient of a safety registration number shall comply with the following requirements:

1. Subcontractor information. The recipient of a safety registration number shall maintain at each work site the names, business addresses and contact information of the superintendent(s) of the subcontractors who hold subcontracts with the prime contractor, as well as the particular work they perform, and shall make such information available to department personnel upon request;

2. Special inspection reports. The recipient of a safety registration number shall maintain at the work site such special inspection reports as specified in the building code and shall make such reports available to department personnel on request.

§28-420.4. Submission of plan to reduce rate of immediately hazardous violations. The commissioner may require any safety registration recipient to provide the department with a plan to improve its rate of immediately hazardous violations. The plan must be approved by the Department and may include such measures as employment of a safety compliance officer to ensure compliance with the approved plan.

§28-420.5 Submission of a report to the city council. Within six months of the date by which all safety registration recipients shall have been required by section 420.1 of this article to have a safety registration number, the commissioner shall, after consultation with representatives of affected industries, including but not limited to representatives and employers of building and construction industry labor organizations and real estate owners, submit to the mayor and the city council recommendations for the establishment of objective criteria on which the commissioner may base a determination to commence a proceeding to suspend, revoke, or refuse to renew a safety registration number as well as the data used in the analysis and formulation of such recommendations. Within three months of the submission, the council shall review and may amend this provision to incorporate standards for the revocation and non-renewal of a safety registration number.

§28-420.6 Expiration of safety registration number. A safety registration number shall expire on the third anniversary that such safety registration number was issued or such other date as determined by the commissioner by rule so as to evenly distribute the expiration dates of the safety registration numbers.

§28-420.7 Unlawful use of safety registration number. On and after October 1, 2009, it shall be unlawful to represent or cause to be represented that a person who would qualify as a safety registration recipient has been issued a safety registration number by the department or to otherwise convey the impression that an individual, corporation, partnership or other business entity, or any person it employs, conducts business for the purposes that would qualify it as a safety registration recipient that has been issued a safety registration number, unless such individual, corporation, partnership or other business entity has received a safety registration number from the department in accordance with the provisions of this article.

§ 3. Section 28-418.1.1 of title 28 of the administrative code of the city of New York, as added by local law number 8 for the year 2008, is amended to read as follows:

§28-418.1.1 Expiration of registration. A general contractor registration shall expire on the [second] third anniversary of such registration or such other date as determined by the commissioner by rule so

as to distribute the expiration dates of the registrations evenly over the course of a year.

§ 4. Section 28-401.15 of title 28 of the administrative code of the city of New York, as amended by local law number 8 for the year 2008, is amended to read as follows:

§28-401.15 Schedule of fees.

License Type	Initial Fee	Renewal Fee	Additional Fees
Master rigger license.	\$200.	\$150 triennially.	Late-renewal fee[.]: \$50. Reissuance fee: \$50.
Special rigger license.	\$100.	\$75 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Basic hoisting machine operator license (Class A).	\$150.	\$150 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Basic hoisting machine operator license with endorsement to operate hoisting machinery without limitation or restriction (Class B).	\$200.	\$150 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Special hoisting machine operator license (Class C).	\$100.	\$75 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Concrete testing laboratory license.	\$100.	\$75 annually.	Late-renewal fee[.]: \$50. Reissuance fee: \$50.
Welder license.	\$50.	\$45 triennially.	Late-renewal fee[.]: \$50. Reissuance fee: \$50.
Master plumber license (certificate of competence).	\$200.	\$150 triennially.	Late-renewal fees: Up to 30 days late, \$50; From 31 days to five years late, \$100 for each year or part thereof. Reissuance fee: \$50.
Master plumber license plate.	\$75.	\$100 triennially.	Replacement fee upon loss of plate, w/affidavit: \$100.
Master plumber license seal.	\$50.	\$75 triennially.	Replacement fee upon loss of seal, w/affidavit: \$75.
Journeyman plumber registration.	\$50.		No renewal, no reissuance.
Master fire suppression piping contractor (class A, B or C) license (certificate of competence).	\$200.	\$150 triennially.	Late-renewal fees: Up to 30 days late, \$50; From 31 days to five years late, \$100 for each year or part thereof. Reissuance fee: \$50.
Master fire suppression piping contractor(class A, B or C) license plate.	\$75.	\$100 triennially.	Replacement fee upon loss of plate, w/affidavit: \$100.
Master fire suppression piping contractor(class A, B or C) license seal.	\$50.	\$75 triennially.	Replacement fee upon loss of seal, w/affidavit: \$75.

Journeyman fire suppression piping installer registration.	\$50.		No renewal, no reissuance.
Oil-burning equipment installer. License (class A or B).	\$100.	\$75 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
High-pressure boiler operating engineer license.	\$50.	\$45 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Portable high-pressure boiler operating engineer license.	\$50.	\$45 triennially.	Renewal fee includes renewal fee for a hoisting machine operator license. Late-renewal fee: \$50. Reissuance fee: \$50.
Master sign hanger license.	\$100.	\$75 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Special sign hanger license.	\$100.	\$75 triennially.	Late-renewal fee: \$50. Reissuance fee: \$50.
Outdoor advertising company registration.	As provided by dept rules.	As provided by dept rules.	As provided by dept rules.
Filing representative registration.	\$50.	\$50 annually.	Late-renewal fee: \$50. Reissuance fee: \$50.
Reinstatement of expired license, certificate of competence or certification without examination, if approved by commissioner, in addition to applicable renewal fees.	Same as initial license.		\$100 for each year or part thereof from date of expiration.
Site safety coordinator certificate.	\$100.	\$50.	Late-renewal fee: \$50. Reissuance fee: \$50.
Site safety manager certificate.	\$300.	\$150.	Late-renewal fee: \$50. Reissuance fee: \$50.
General contractor registration.	[\$200]300.	[\$160]240 [biennially] triennially	Late-renewal fee: [\$160]50. Reissuance fee: \$50.
Tower crane rigger license.	\$150.	\$50 triennially	Late-renewal fee: [\$20]50. Reissuance fee: \$50.
Safety registration number (concrete contractor, demolition contractor, general contractor).	\$80 each.	\$80 triennially	Late-renewal fee: \$50. Reissuance fee: \$50.

§ 5. This local law shall take effect on February 15, 2009.