



Legislation Details (With Text)

File #: Int 0391-2024 **Version:** A **Name:** Studying sidewalk shed designs and improving the aesthetics of existing sidewalk sheds.

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

On agenda: 2/28/2024

Enactment date: 4/17/2025 **Enactment #:** 2025/047

Title: A Local Law to amend the New York city building code, in relation to studying sidewalk shed designs and improving the aesthetics of existing sidewalk sheds

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Indexes: Agency Rule-making Required, Report Required, Sunset Date Applies

Attachments: 1. Summary of Int. No. 391-A, 2. Summary of Int. No. 391, 3. Int. No. 391, 4. February 28, 2024 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 2-28-24, 6. Minutes of the Stated Meeting - February 28, 2024, 7. Committee Report 6/25/24, 8. Hearing Testimony 6/25/24, 9. Hearing Transcript 6/25/24, 10. Proposed Int. No. 391-A - 3/19/25, 11. Committee Report 3/26/25, 12. Hearing Transcript 3/26/25, 13. Committee Report - Stated Meeting, 14. March 26, 2025 - Stated Meeting Agenda, 15. Int. No. 391-A (FINAL), 16. Fiscal Impact Statement - City Council, 17. Fiscal Impact Statement - OMB, 18. Hearing Transcript - Stated Meeting 3-26-25

Date	Ver.	Action By	Action	Result
2/28/2024	*	City Council	Introduced by Council	
2/28/2024	*	City Council	Referred to Comm by Council	
6/25/2024	*	Committee on Housing and Buildings	Hearing Held by Committee	
6/25/2024	*	Committee on Housing and Buildings	Laid Over by Committee	
3/26/2025	*	Committee on Housing and Buildings	Hearing Held by Committee	
3/26/2025	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
3/26/2025	*	Committee on Housing and Buildings	Amended by Committee	
3/26/2025	A	Committee on Housing and Buildings	Approved by Committee	Pass
3/26/2025	A	City Council	Approved by Council	Pass
3/26/2025	A	City Council	Sent to Mayor by Council	
4/8/2025	A	Mayor	Hearing Held by Mayor	
4/17/2025	A	Mayor	Bill Signing Scheduled by Mayor	
4/17/2025	A	Mayor	Signed Into Law by Mayor	
4/17/2025	A	City Council	Recved from Mayor by Council	

Int. No. 391-A

By Council Members Powers, Bottcher, Sanchez, Abreu, Restler, Brewer, Hanif, Hudson, Schulman, Krishnan, Rivera, Salaam, Banks, Louis, Marte, Dinowitz, Ung, Menin, De La Rosa, Brooks-Powers, Ayala, Joseph, Hanks, Gutiérrez and Ariola (in conjunction with the Manhattan Borough President)

A Local Law to amend the New York city building code, in relation to studying sidewalk shed designs and improving the aesthetics of existing sidewalk sheds

Be it enacted by the Council as follows:

Section 1. The department of buildings shall evaluate sidewalk shed practices and designs to determine whether improvements over existing shed designs can be made. Such evaluation shall consider whether improvements can be made to sidewalk shed designs to improve the pedestrian experience, including designs that are unobtrusive and aesthetically pleasing, without diminishing the safety of such sidewalk shed, with the goal of proposing new designs that can be made available for use through revisions of the New York city building code. The department of buildings shall complete such study and make recommendations for improving sidewalk shed designs to the speaker of the city council by September 30, 2025, including what designs can be made mandatory for use and under what conditions alternatives may be accepted.

§ 2. Chapter 33 of the New York city building code is amended by adding a new section 3307.6.2.1 to read as follows:

3307.6.2.1 Sidewalk shed alternatives. The department shall promulgate rules for the use of containment netting as an alternative to a sidewalk shed for areas with no public access or for use on a building exposure adjoining the exposure where façade work is to occur.

§ 3. Section 3307.6.3 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.3 Area to be protected. The decking of the sidewalk shed shall extend:

1. The full length of the area that falls within the zone specified in Section 3307.6.2, plus an additional 5 feet (1524 mm) beyond such length, or to within 18 inches (457 mm) of the curb line, whichever is less; or where the sidewalk shed is installed to protect against an unenclosed façade, work, or equipment that is greater than 100 feet (30 480 mm) above the ground, the decking of the sidewalk shed shall extend the full length of the area that falls within in the zone specified in Section 3307.6.2, plus an additional 20 feet (6096 mm) on both ends beyond such length, or to within 18 inches (457 mm) of the curb line, whichever is less.

2. The full width of the sidewalk, walkway, or pathway that falls within the zone specified in Section 3307.6.2, except for a clearance to avoid existing obstructions, not to exceed 18 inches (457 mm) along the

curb.

Exceptions:

1. Where it is not possible to bring the deck tightly against the face of an abutting building, structure, or fence, the deck shall be brought to within 1 inch (25 mm) of the face of such building, structure, or fence, with the resulting gap sealed or covered by material of sufficient manner and strength capable of trapping falling debris.
2. Openings in the deck to avoid tree trunks and branches, provided such opening is brought as close to the tree as practical without damaging the tree.
3. When installed exclusively for the maintenance or repair of an existing façade of a building, and the building does not have any setbacks above the second story, nor any permanent or temporary projections above the second story, other than air conditioning units or window lintels or sills, the sidewalk shed decking need not cover sidewalks, walkways, or pathways, or portions thereof that are more than 40 feet (12 192 mm) from such building unless the commissioner orders a larger area to be covered due to a unique hazard at the site.

§ 4. Section 3307.6.4 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4 Design and construction of sidewalk sheds. Sidewalk sheds shall be designed and constructed in accordance with the requirements of Sections 3307.6.4.1 through 3307.6.4.11. The requirements set forth in sections 3307.6.4.1 through 3307.6.4.11 may be added to, deleted, or modified by rules of the department as necessary to support the implementation of new sidewalk shed designs. Upon promulgation of such rules, the design and construction of sidewalk sheds shall be in accordance with such rules.

§ 5. Section 3307.6.4.7 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.7 Height. The passageway under the shed shall have a minimum clear ceiling height of [8 feet (2438 mm)] 12 feet (3658 mm). A lower height may be allowed if necessary to avoid interference with required light, air, or egress.

Exception: Lights that extend no more than 8 inches (203 mm) below the level of the deck shall be excluded from the clear ceiling height measurement.

§ 6. Section 3307.6.4.8 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.8 Lighting. Sidewalk shed lighting shall be in conformance with the following:

1. The underside of sidewalk sheds shall be illuminated at all times either by daylight or electric

light. The level of illumination shall be uniformly distributed along the entire length of the shed with a minimum of [1] 1.5 foot-candle ([11] 17 lux) measured at the level of the walking surface, or 5 foot-candle (55 lux) measured at the level of the walking surface when the walking surface is within 10 feet (3048 mm) of a subway entrance, bus shelter, or similar transit facility, with a minimum luminous efficacy of 45 lumens per watt or greater and be rated to operate at temperatures of 5°F (-15°C) and higher.

2. All lamps shall be enclosed in water-resistant and vandal-resistant fixtures, and all lamps, wiring, and accessory components shall conform to the requirements of the *New York City Electrical Code*.
3. Photosensors may be used to control electric lighting according to the amount of daylight available. All photosensors shall be equipped for fail-safe operation ensuring that if the sensor or control fails, the lamps will provide the lighting levels required by this section.

§ 7. Section 3307.6.4.11 of the New York city building code is REPEALED and a new section 3307.6.4.11 is added to read as follows:

3307.6.4.11 Color. Sidewalk sheds shall meet the following color requirements:

1. Parapet frames and braces, parapet panels, legs and vertical members, beams, cross bracing, and metallic elements shall be a solid acceptable color.
2. Acceptable colors are hunter green, metallic gray, or white. In addition, when the shed is installed for an existing building, other than one undergoing a full demolition or subject to the provisions of Section 28-101.4.5 of the *Administrative Code*, a color matching the façade, trim, cornice, or roof of the building, if the roof is sloped and visible from the street, is acceptable.
3. Where a fence is installed at the site in accordance with Section 3307.7, the fence and shed shall be the same color.

Exceptions: Regardless of the color of the shed:

1. Metallic elements and components of the shed may be painted metallic gray.
2. Mesh elements of parapet panels may be black.

§ 8. Section 3307.7.9 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.7.9 Color. [Fences] Solid fences [erected on or after July 1, 2013,] shall [be painted hunter green.] meet the following color requirements:

1. Acceptable colors are hunter green, metallic gray, or white. In addition, when the fence is installed for an existing building, other than one undergoing a full demolition or subject to the provisions of Section 28-101.4.5 of the *Administrative Code*, a color matching the façade, trim, cornice, or roof of the building, if

such roof is sloped and visible from the street, is acceptable.

2. Where a sidewalk shed is installed at the site in accordance with Section 3307.6, the fence and shed shall be the same color.

[**Exception:** Where the sidewalk shed installed at the site is of a model whose prototype won a design competition recognized by the city, the fence may be painted the same color as the shed.]

§ 9. This local law takes effect 120 days after it becomes law, except that section one of this local law takes effect immediately and expires and is deemed repealed upon submission of the recommendations to the speaker of the council required by such section.

Session 13:

APM

LS #9006

3/18/2025 11:21 PM

Session 12:

APM

LS #9006

3/10/2023