



Legislation Text

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Int. No. 220

By Council Members Mendez, the Public Advocate (Ms. James), Chin, Barron, Gentile, Johnson, Koo, Levine, Richards, Koslowitz, Rosenthal, Rodriguez and Salamanca (by request of the Manhattan Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to conduct structural inspections of those multiple dwellings that have a dangerous number of hazardous or immediately hazardous violations and the department of housing preservation and development to correct structural defects when the owner fails to do so.

Be it enacted by the Council as follows:

Section 1. Article 216 of chapter two of title 28 of the administrative code of the city of New York is amended to read as follows:

§28-216.12 Buildings and structures that are potentially compromised. For purposes of this section 28-216.12, "potentially compromised" shall include a building or structure that has had an open roof for sixty days or longer, that has been shored and braced or repaired pursuant to an emergency declaration issued by the commissioner, that has been subject to a precept as a compromised structure under Article 216 of this code [or], that may have suffered structural damage by fire or other cause as determined by the commissioner or that has been referred to the department by the department of housing preservation and development pursuant to subdivision b of section 27-2096.1 of the administrative code.

§28-216.12.1 Structural inspections of potentially compromised buildings or structures. a. When a building or structure has become potentially compromised, the [owner] department shall [cause] conduct a structural inspection of such building or structure [to be performed]. Such inspection shall be performed within sixty days of the opening of the roof, within sixty days of the shoring and bracing or repair work[, or], within sixty days of a determination by the commissioner that the building has suffered structural damage

by fire or other cause, or within sixty days of a referral to the department by the department of housing preservation and development pursuant to subdivision b of section 27-2096.1 of the administrative code. A report of such inspection shall be filed with the department within thirty days thereafter in such form and detail and with provision for periodic monitoring of the building or structure as the commissioner may require.

b. Where an inspection of a multiple dwelling pursuant to subdivision a reveals a structural defect, the department shall issue an order directing the respondent to correct such condition as provided in section 28-204.2 of this code.

c. Where the condition is not certified as corrected within the time specified in section 28-204.2, the department shall notify the department of housing preservation and development, which shall correct such condition if possible pursuant to subdivision a of section 27-2125.

§28-216.12.5. The [owner] department shall perform or cause a registered design professional to perform a structural inspection of buildings and structures subject to section 28-216.12 prior to the issuance of a permit to alter, repair, demolish or enlarge such building or structure, except that the commissioner may waive such inspection if a structural inspection of the entire building or structure has been performed within the prior year.

§2. Article one of subchapter four of chapter two of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2096.1 to read as follows:

§27-2096.1 Mandatory referral and repair. a. For purposes of this section the following terms shall be defined as follows:

1. "Violation of record," shall mean violation of chapter two of title twenty-seven of this code.
2. "Dangerous number of violations of record," shall mean
 - i. Twenty-five or more violations or record that are classified as immediately hazardous; or
 - ii. Fifty or more violations of record that are classified as hazardous or immediately hazardous;

or

iii. Any number of violations of record that are classified as hazardous or immediately hazardous that in the aggregate are equal to or greater than two times the total number of dwelling units in the multiple dwelling.

b. After identifying a multiple dwelling that contains a dangerous number of violations of record, the department shall notify the department of buildings of such identification and the department of buildings shall conduct a structural inspection of such multiple dwelling pursuant to subdivision a of section 28-216.12 of this code.

§3. This local law shall take effect ninety days after its enactment, except that the commissioner of buildings shall take such action as is necessary for its implementation, including the promulgation of rules, prior to such effective date.

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