



Legislation Text

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By Council Members Mendez, Chin, Lander, Espinal, Johnson, Kallos, Levin, Levine, Menchaca, Reynoso, Rosenthal, Cumbo, Gentile, Koo, Palma, Rodriguez, Rose, Richards, Garodnick, Van Bramer, Williams, Perkins, Torres, Dromm, Maisel, Cornegy, Ferreras-Copeland, Salamanca, Cohen and Vallone

A Local Law to amend the New York city administrative code, in relation to creating a safe construction bill of rights

Be it enacted by the Council as follows:

Section 1. Article 1 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2009.2 to read as follows:

§ 27-2009.2 Safe construction bill of rights. a. Definitions. As used in this section:

Amenity. The term “amenity” means any equipment, feature or space within a multiple dwelling that may be used in common by the building occupants, including, but not limited to, entrances, elevators, stairways, freight elevators, laundry rooms, laundry equipment, exercise rooms, community rooms, outdoor areas, parking spaces, storage units, or wireless internet.

Essential service. The term “essential service” means heat, hot water, cold water, electricity, gas, maintenance and janitorial services, and elevator service and any other services that the commissioner determines by rule to be essential.

b. Notice. 1. Contemporaneously with an application for a permit for work not constituting minor alterations or ordinary repairs, contemporaneously with the owner’s notification of the department that an emergency work permit is being sought, or, for new buildings, immediately upon application for a temporary certificate of occupancy, the owner of a multiple dwelling shall (i) distribute a notice, titled the “Safe

Construction Bill of Rights,” to each occupied dwelling unit or (ii) post such notice, in a conspicuous manner in the building lobby, adjacent to the posted notice required pursuant to chapter 11 of title 26 of the code, and on every floor within 10 feet of every elevator bank, or, in a building with no elevator, within 10 feet of or inside every main stairwell.

2. Such notice shall remain posted until the completion of the described permitted work.

c. Notice content. The notice required pursuant to this section shall contain the following information, and shall be updated within one week of any change to such information:

1. A description of the type of work being conducted and the locations in the multiple dwelling where the work will take place;

2. The hours of construction;

3. The projected timeline for the completion of the work;

4. A description of the amenities or essential services anticipated to be unavailable or interrupted during the work and how the owner will minimize such unavailability or interruption;

5. The contact information, including a telephone number, for an agent or employee of the owner who can be reached for non-emergency matters pertaining to the work being performed;

6. The contact information, including a telephone number, for an agent or employee of the owner who can be reached for emergency matters pertaining to the work being performed 24 hours a day, 7 days a week during the period of construction; and

7. The contact information for the relevant city and state agencies where occupants may submit complaints or ask questions about the work being performed.

d. Tenant protection plan. When notice is required pursuant to this section, the owner shall (i) distribute a notice meeting the requirements of section 28-104.8.4.3 of the code regarding the tenant protection plan to

each occupied dwelling unit or (ii) post such notice in a conspicuous manner in the building lobby, as well as on each floor within 10 feet of the elevator, or in a building where there is no elevator, within 10 feet of the main stairwell on such floor.

e. Language requirement. The notice required pursuant to this section shall be published in English, Spanish and such other languages as the department may provide by rule.

f. Protection. All postings required by this section shall be laminated or encased in a plastic covering deemed appropriate by the commissioner.

g. Enforcement. The provisions of this section may be enforced by the department or the department of buildings.

h. Violations and penalties. Any owner who fails to comply this section shall be liable for an immediately hazardous violation and subject to penalties associated with such violation, as defined in section 27-2115 of the code.

§ 2. This local law shall take effect 120 days after its enactment provided that the department of housing preservation and development may take actions necessary, including rulemaking, to implement the requirements of this local law prior to its effective date.

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