



Legislation Text

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Int. No. 1635

By Council Members Cumbo and Brannan

A Local Law to amend the New York city charter and the New York city building code in relation to the display of artwork on temporary protective structures on construction sites

Be it enacted by the Council as follows:

Section 1. Section 857 of the New York city charter is amended by adding a new subdivision c to read as follows:

c. The commission shall annually solicit from the public the submission of works of art for display on temporary protective structures at construction sites. The commission, in consultation with the department of buildings and the department of cultural affairs, shall annually approve at least four such works of art for such display purposes, provided, however, that no such work of art shall be a sign or advertising sign as such terms are defined in the zoning resolution. No later than January 1, 2019, and annually thereafter, the commissioner shall make such approved works of art available in downloadable form on the commission's website.

§ 2. Section 3307 of the New York city building code is amended by adding a new section 3307.11 to read as follows:

**3307.11. Artwork on temporary protective structures.** Artwork may be installed on temporary protective structures located on or over city-owned buildings, sidewalks and streets as provided in this section.

**3307.11.1. Temporary protective structure types.** Temporary protective structures covered by this section include (i) sidewalk sheds, (ii) construction fences, (iii) supported scaffolds, and (iv) alternative systems approved pursuant to section 3308.8.

**3307.11.2. Approved artwork.** For the purposes of this section, the term "artwork" means a work of art approved by the public design commission for display on temporary protective structures at construction sites pursuant to section 857 of the New York city charter.

**3307.11.3. Sponsorship messages.** A sponsorship message may be displayed with artwork installed pursuant

to this section. A sponsor may be any entity that has agreed to defray the costs of posting such artwork, including the developer, builder or an outside organization. Sponsorship messages shall meet the size and location requirements described in Section 3307.11.8. Sponsorship messages may include the name and corporate logo of the sponsor, but shall not include an advertising message or product depiction. If the artwork is removed, the property owner or developer shall remove the sponsorship message.

**3307.11.4. Illumination prohibited.** Artwork and sponsorship messages installed pursuant to this section shall not be illuminated.

**3307.11.5. Required signs to be unobstructed.** Artwork installed pursuant to this section shall not obscure any sign required to be posted pursuant to section 3301.9.

**3307.11.6. Artist credit.** A project site displaying artwork pursuant to this section shall display an artist credit. Such artist credit shall conform to size and design standards promulgated by the public design commission. If a project site has a construction fence, such artist credit shall be posted at eye-level and on the opposite end of such fence from any signage required pursuant to Section 3301.9. If a site does not have a construction fence, such artist credit shall be posted on the sidewalk shed.

**3307.11.7. Materials.** Artwork installed pursuant to this section shall be printed on completely flat surfaces and shall not include any illumination, electronic signage, protrusions, or projections. Artwork shall be printed on materials that are durable, flame retardant, and able to withstand all weather conditions. All such materials shall comply with the New York city construction codes, including the building code, and other applicable requirements.

**3307.11.7.1. Sidewalk sheds.** Artwork displayed on a sidewalk shed shall be printed on lightweight, solid vinyl material that can be installed on the outer sides and ends of sheds either by stretching such vinyl material over the shed and fastening to the back or by affixing such vinyl material to self-adhesive panels that adhere directly to the shed. Artwork shall not extend above or below the shed parapet. Materials shall be flame resistant in accordance with NFPA 701 or listed under UL 214.

**3307.11.7.2. Construction fences.** Artwork displayed on construction fences shall be printed on lightweight, solid, vinyl material that can be installed on the outside of the construction fence either by stretching such vinyl material over the fence and fastening to the back or by affixing such vinyl material to self-adhesive panels that adhere directly to the fence structure. Artwork shall not extend beyond the top of the fence. Materials shall be flame resistant in accordance with NFPA 701 or listed under UL 214.

**3307.11.7.3. Safety netting systems.** Artwork displayed on safety netting systems or approved alternative systems shall be printed directly onto the material or shall adhere to it, shall be installed in accordance with the plans for the site as approved by the department, and meet all applicable flame resistance or retardance, wind and load requirements.

**3307.11.8. Installation.** Artwork displayed on a temporary protective structure pursuant to this section shall be installed in conformity with rules promulgated by the department in consultation with the public design commission and the department of cultural affairs.

§ 3. This local law takes effect on June 1, 2018.

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