

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2009**

No. 57

Introduced by Council Member Dilan, the Speaker (Council Member Quinn), and Council Members Fidler, Gonzalez, James, Liu, Nelson, Seabrook, Stewart, Weprin, Baez, White Jr., Recchia Jr., Gentile, Vann, Garodnick, Katz, Lappin, Vallone Jr. and Mitchell (in conjunction with the Mayor).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to submittal documents for demolition.

Be it enacted by the Council as follows:

Section 1. Section 3306.5 of section 3306 of the New York city building code, as added by local law number 33 for the year 2007, is REPEALED and a new section 3306.5 is added to read as follows:

3306.5 Submittal documents for demolition. Submittal documents for full and partial demolition shall comply with Sections 3306.5.1 through 3306.5.3.

Exceptions: Section 3306.5 shall not apply to:

- 1. Demolitions performed as emergency work pursuant to Section 28-215.1 of the Administrative Code when such work is monitored by a qualified person with experience in demolition operations who is employed by the city agency that has been directed to perform or arrange for the performance of such work. If the department or such city agency determines that there is a need for supervision of the work by an engineer, such city agency shall retain an engineer or cause an engineer to be retained to supervise the demolition operations.***

2. *Full demolition where the demolition is to be accomplished without any mechanical demolition equipment, including handheld mechanical equipment, for:*

2.1. *One-, two- or three-family dwellings that are three stories or less; or*

2.2. *Buildings that are three stories or less and with a floor area of 5,000 square feet (1524 m²) or less per story.*

3306.5.1 Required documents. *Submittal documents shall be approved by the department before demolition work begins. Such submittal documents shall be signed, sealed, and submitted by a registered design professional and shall contain, at a minimum, the following:*

1. *Plans, sections, and details of the building or portion thereof to be demolished clearly showing the extent, sequence, and means and methods of demolition;*
2. *Bracing and shoring necessary to support all demolition operations through all sequences of the demolition;*
3. *Where mechanical demolition equipment, other than hand held devices, is to be used, a listing and description of all such proposed equipment to be used in the demolition, including the scope of equipment work and positioning of equipment on the existing structure. The description of the equipment shall include calculations showing the adequacy of the existing structure to support loads imposed by such equipment. If more than one piece of demolition equipment is proposed to be used at the same time, the effect of the simultaneous loads imposed on the existing structure shall be described and investigated; and*
4. *A description of compliance with the applicable provisions of Section 3306.9 of this code.*

3306.5.1.1 Submittal documents for full or partial demolition using mechanical equipment other than handheld. *Submittal documents for full or partial demolition using mechanical equipment other than handheld shall be signed, sealed and submitted by an engineer.*

3306.5.2 Maintenance of submittal documents. The approved set of submittal documents shall be kept at the site at all times and be accessible for inspection. It shall be a violation of this code to use mechanical equipment, whether handheld or other than handheld, to perform full or partial demolitions unless the approved submittal documents required by Section 3306.5.1 are available for inspection. Failure to make submittal documents available on site may result in the issuance of a stop work order.

3306.5.3 Filing requirements. Where submittal documents are required in connection with full or partial demolition in accordance with Section 3306.5, applications shall be filed by the registered design professional in accordance with Article 104 of Chapter 1 of Title 28 of the Administrative Code and shall be approved prior to issuance of the work permit.

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

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onAugust 20, 2009..... and approved by the Mayor onSeptember 3, 2009.....

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 57 of 2009, Council Int. No. 993-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on August 20, 2009:
43 for, 0 against, 0 not voting.
Was signed by the Mayor on September 3, 2009
Was returned to the City Clerk on September 3, 2009

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.