



ISSUANCE #564

**DEPARTMENT OF BUILDINGS**

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TECHNICAL  
POLICY AND PROCEDURE NOTICE #8/99

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TO: Distribution

FROM: Satish K. Babbar, R.A. 

DATE: April 1, 1999

SUBJECT: **Periodic Inspection of Exterior Walls and Appurtenances of Buildings;  
Local Law 11 of 1998 - CLARIFICATIONS**

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**Effective:** Immediately

**Reference:** Building Code of The City Of New York: Local Law 11 of 1998 and Rule §32-03 of the Department of Buildings, relating to Periodic Inspection of Exterior Walls and Appurtenances of Buildings, effective February 22, 1999.

**Purpose:** To clarify the inspection method for conducting "critical examination" of the facade and appurtenances of buildings under Local Law 11 of 1998 and amended Rule §32-03 requirements.

**Specifics:** New requirements and language has been added by the Local Law and the Rule. This is to further explain **standard reporting period**, required **scaffold drop** and **methods of critical examination** as per the amended Rule.

1. **Standard Reporting Period; Section 32-03(a)**

The Commissioner of Buildings has established 5 years to be the standard reporting time interval for each successive "critical examination" of a building. The definition of "safe" includes the provision that the condition of a building will not become unsafe during the next five years. ***This shall mean that the building would remain "safe" in the judgment of the professional filing such report until the end of the next report filing period.***

Local Law 11 of 1998 also requires that the initial critical examination of an exterior wall, which was not previously subject to the law be conducted prior to March 1, 2000. The amended Rule permits filing of a combined critical examination of previously unexamined facades with the report for the fifth cycle filing between February 21, 1999 and March 1, 2000. The sixth cycle starts February 21, 2005 and the report for this cycle may be filed within two years of this date. Therefore, the **current cycle** period could extend up to **eight years**, and during this period the building must remain safe in the judgment of the filing professional. In other cycles, the duration of this period may be up to seven years from the beginning of a filing period.

**2. Scaffold Drop: Section 32-03 (b)(2)(iv)**

For a representative sample of the facade condition, at least one scaffold drop or other observation platform configuration is required for a street front wall physical examination. It is left to the licensed professional to determine if additional walls and appurtenances require such an examination due to site orientation (exposure to sun, wind, rain, etc.), the materials used or the condition of the walls.

When a building has more than one street front, the professional shall determine from which of such walls to drop a scaffold, and the number of drops necessary to obtain a true representative sample for the building, although only one drop is required.

In a multiple building complex, some buildings may only be facing an interior private street, walkway, plaza, etc. In such situations, the scaffold drop shall be from a wall facing the interior street, walkway, plaza, etc.

When the inspection involves probing, removal of wall or appurtenance material, safety netting on all open sides of the scaffold drop or other observation platform shall be provided. In addition, adequate protection at the sidewalk or public space below shall be provided. This may be in the form of roping off part of the sidewalk, installation of a partial sidewalk shed or any other method determined by the professional to be adequate for the safety of the public and property. Necessary permits must be obtained from appropriate authorities.

A person with a valid New York City Rigger's License must supervise the operation of the scaffolding, following all safety procedures as required.

**3. Methods of Critical Examination: Section 32-03(a)**

It is up to the judgment of the professional as to the best inspection methods to utilize for the examination of the facade and appurtenances. Unless otherwise required, a visual inspection may still be a valid choice for critical examination.