

## CHAPTER 33

# SAFEGUARDS DURING CONSTRUCTION OR DEMOLITION

### SECTION BC 3301 GENERAL

**3301.1 Scope.** The provisions of this chapter shall govern the conduct of all construction or demolition operations with regard to the safety of the public and property. For regulations relating to the safety of persons employed in construction or demolition operations, OSHA standards shall apply.

**3301.1.1 Responsibility for safety.** Nothing in this chapter shall be construed to relieve persons engaged in construction or demolition operations from complying with other applicable provisions of law, nor is it intended to alter or diminish any obligation otherwise imposed by law on any party engaged in a construction or demolition operation, including but not limited to the owner, construction manager, general contractor, sub-contractors, material men, registered design professionals, or other party to engage in sound design and engineering, safe construction or demolition practices, including but not limited to debris removal, and to act in a reasonable and responsible manner to maintain a safe construction or demolition site.

**3301.1.2 Fire code.** In addition to the requirements of this chapter, construction or demolition operations shall also be conducted in conformance with the *New York City Fire Code*.

**3301.1.3 Manufacturer specifications.** All equipment shall be used in accordance with the specifications of the manufacturer, where such specifications exist, and the requirements of this code. Where there is a discrepancy, the stricter requirement shall apply.

**3301.2 Safety measures and standards.** Contractors, construction managers, and subcontractors engaged construction or demolition operations shall institute and maintain all safety measures required by this chapter and provide all equipment or temporary construction necessary to safeguard the public and property affected by such contractor's operations.

**\*3301.3 Site safety managers, coordinators and superintendent of construction.** A site safety manager or site safety coordinator must be designated and present at the construction or demolition of a major building in accordance with Section 3310. A superintendent of construction is required for the construction or demolition of such other buildings as identified in Section 3301.13.3.

*\*Section 3301.3 was amended by [Local Law 81 of 2017](#). This law has an effective date of November 6, 2017.*

**3301.4 Inspection.** Structures, temporary construction, operations, and equipment shall be inspected as required by this code. Where this code does not provide for specific inspection criteria, any equipment, except hand tools, that would affect the safety of the public and property when operated shall be inspected by a competent person designated by the contractor using the equipment before the equipment is used at the site and on a periodic basis thereafter throughout the duration of the job. A record of such inspections shall be kept at the site.

**3301.5 Unsafe conditions and equipment.** Any structure, temporary construction, operation, or equipment found to be defective or unsafe, and posing a risk to the public and property, shall be immediately secured and corrected, or removed from the site.

**3301.6 Design, sizes, and capacity of materials, structures, temporary construction, and equipment.** Design, sizes, and capacities of materials, structures, temporary construction, and equipment shall be in accordance with the requirements of Sections 3301.6.1 through 3301.6.3.

**3301.6.1 Design.** Whenever design is specifically required by the provisions of this chapter, such design shall be in accordance with the requirements of this code and executed by, or under, the supervision of a registered design professional who shall cause his or her seal and signature to be affixed to such documents that may be required for the work.

**Exception:** Where this chapter specifically indicates that the design may be executed by another individual.

**3301.6.2 Sizes.** All sizes and dimensions prescribed in this chapter are minimum requirements. Lumber sizes are nominal or commercial except where stated otherwise.

**3301.6.3 Capacity.** No structure, temporary construction, or equipment shall be loaded in excess of its capacity as specified by the code, manufacturer, and/or designer. Where there is a discrepancy, the stricter standard shall apply.

**3301.7 Documents to be kept on site.** Where this chapter requires construction documents, drawings, inspection reports, logs, checklists, site safety plans, fire safety and evacuation plans, tenant protection plans, occupant protection plans, or monitoring plans, copies of such shall be maintained at the site for the duration of the job and made available to the commissioner upon request. Copies of such aforementioned construction documents or drawings shall also be maintained by the permit holder and the designer. Copies of such aforementioned inspection reports, logs, or checklists shall also be maintained by the permit holder and the entity that performed the inspection. Copies of such aforementioned plans shall also be kept by the permit holder and the entity that developed the plan.

**Exception:** Where this chapter requires inspection reports, logs, checklists, site safety plans, fire safety and evacuation plans, tenant protection plans, occupant protection plans, or monitoring plans to be maintained by a specified entity other than the permit holder, such reports, logs, checklists, or plans shall be maintained by such specified entity.

**3301.8 Accidents and damage to adjoining property.** The department shall be notified immediately by the permit holder, or a duly authorized representative, of an accident at a construction or demolition site, or of any damage to adjoining property caused by construction or demolition activity at the site.

**3301.8.1 Use and tampering prohibited.** Following an accident, no person shall permit any of the following without the permission of the commissioner, or without a lawful order from the New York City Police or Fire Department:

1. Use or operation of any equipment or structure damaged or involved in the accident; or
2. Removal or alteration of any equipment, structure, material, or evidence related to the accident.

**Exception:** Immediate emergency procedures taken to secure structures, temporary construction, operations, or equipment that pose a continued imminent danger or to facilitate assistance for persons who are trapped or who have sustained bodily injury.

**3301.9 Required signs.** Signs shall be posted at a construction or demolition site in accordance with Sections 3301.9.1 through 3301.9.5.

**3301.9.1 Fence project information panel.** Where a site is enclosed with a fence in accordance with Section 3307.7, a project information panel meeting the requirements of Sections 3301.9.1.1 through 3301.9.1.6 shall be posted. Required project information panels shall be in place throughout the duration that the fence remains at the site.

**Exceptions:**

1. At a site where the project permit was issued or renewed prior to July 1, 2013, signs meeting the requirement of Section 3301.9.3 may be posted in lieu of a project information panel. Such signs shall be removed and a project information panel in accordance with the requirements of this section installed upon date of the first permit renewal on or after July 1, 2013.
2. Project information panels at government-owned sites or at sites with government funding, may be modified in accordance with department rule.
3. Signs posted at construction or demolition sites for one-, two- or three-family dwellings may comply with Section 3301.9.3 in lieu of this section.

**3301.9.1.1 Project information panel content.** Project information panels shall contain the following information:

1. A rendering, elevation drawing, or zoning diagram of the building exterior that does not contain logos or commercially recognizable symbols;
2. A title stating "Work in Progress:" and specifying the intended type(s) of zoning use(s) (e.g. Residential, Commercial, Manufacturing, Retail, Office, Hospital, School);
3. Anticipated project completion date;
4. The corporate name, address, and telephone number of the owner of the property;
5. Website address or phone number to contact for project information;
6. The corporate name and telephone number of the general contractor, or for a demolition site, the demolition contractor;
7. The statement, in both English and Spanish, "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311."; and
8. A copy of the primary project permit, with accompanying text "To see other permits issued on this property, visit: [www.nyc.gov/buildings](http://www.nyc.gov/buildings)." The permit shall be laminated or encased in plastic covering to protect it from

the elements or shall be printed directly onto the project information panel.

**Exception:** A rendering, elevation drawing, or zoning diagram of the building exterior is not required for demolition projects.

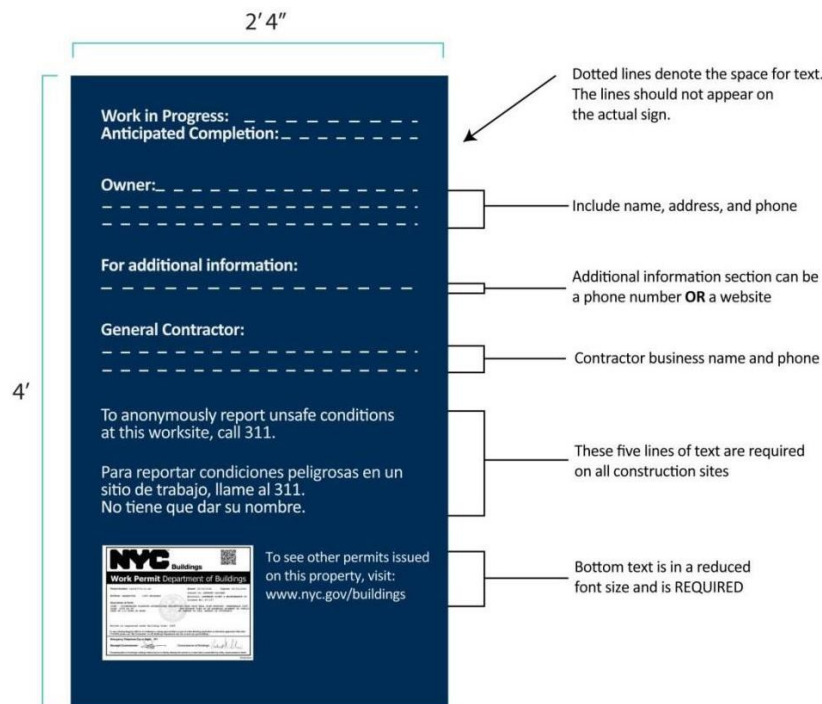
**3301.9.1.2 Posting of project information panels.** A project information panel shall be posted on the fence on each perimeter fronting a public thoroughfare. Where such perimeter is more than 150 feet in length, a project information panel shall be posted at each corner. Such panels shall be posted on the fence at a height of 4 feet (1219 mm) above the ground, with such distance measured from the ground to the bottom edge of the panel.

**3301.9.1.3 Project information panel material.** Project information panels shall be constructed out of a durable and weatherproof material such as vinyl, plastic, or aluminum, and such material shall be flame retardant in accordance with NFPA 701 or listed under UL 214.

**3301.9.1.4 Project information panel specifications.** Project information panels shall be 6 feet (1829 mm) wide and 4 feet (1219 mm) high, with the content required by Section 3301.9.1.1 arranged in accordance with Figures 3301.9.1.4(1) and 3301.9.1.4(2). The content required by Section 3301.9.1.1, Items 2 through 7 shall be written in the Calibri font or similar sans serif font style, with letters a minimum of 1 inch (25 mm) high, as measured by the upper case character. Such letters shall be white, on a blue background, with such blue color of a shade matching Pantone 296, or RGB 15, 43, 84, or CMYK 100, 88, 38, 35.

**Exceptions:**

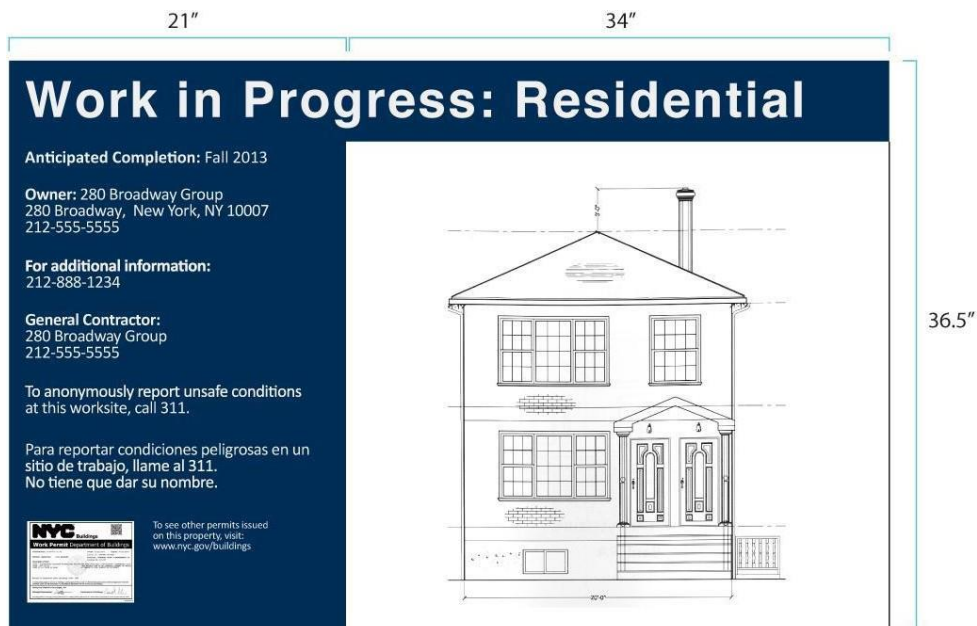
1. The dimensions for a project information panel posted in conjunction with a demolition project shall be 2 feet 4 inches (711 mm) wide and 4 feet (1219 mm) high, in accordance with Figure 3301.9.1.4(1).
2. For construction sites with a street frontage less than 60 feet (18 288 mm), the dimensions for a project information panel, other than that posted in conjunction with a demolition project, shall be 55 inches (1397 mm) wide and 36.5 inches (927 mm) high, in accordance with Figure 3301.9.1.4(3).



**FIGURE 3301.9.1.4(1)**  
**FENCE PROJECT INFORMATION PANEL TEXT DETAIL**



**FIGURE 3301.9.1.4(2)**  
**FENCE PROJECT INFORMATION PANEL LAYOUT**



**FIGURE 3301.9.1.4(3)**  
**FENCE PROJECT INFORMATION PANEL LAYOUT FOR SMALL LOTS**

**3301.9.1.5 Updating content.** When content required by Section 3301.9.1.1 changes, the project information panel shall be updated.

**3301.9.1.6 Maintenance of project information panels.** Project information panels shall be maintained so that the panel remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards. Content required by Section 3301.9.1.1 shall not be obscured by panel attachments, including but not limited to grommets or grommet holes.

**3301.9.2 Sidewalk shed parapet panel.** Where a sidewalk shed is installed, a sidewalk shed parapet panel meeting the requirements of Sections 3301.9.2.1 through 3301.9.2.6 shall be posted. Required sidewalk shed parapet panels shall be in place throughout the duration that the sidewalk shed remains at the site.

**Exceptions:**

1. At a site where the sidewalk shed permit was issued or renewed prior to July 1, 2013, signs meeting the requirement of Section 3301.9.4 may be posted in lieu of a sidewalk shed parapet panel. Such signs shall be removed and a sidewalk shed parapet panel in accordance with the requirements of this section installed upon date of the first permit renewal on or after July 1, 2013.
2. Signs posted at construction or demolition sites for one-, two- or three-family dwellings may comply with Section 3301.9.4 in lieu of this section.

**3301.9.2.1 Sidewalk shed parapet panel content.** Sidewalk shed parapet panels shall comply with the requirements of either section 3301.9.2.1.1 or 3301.9.2.1.2., as applicable:

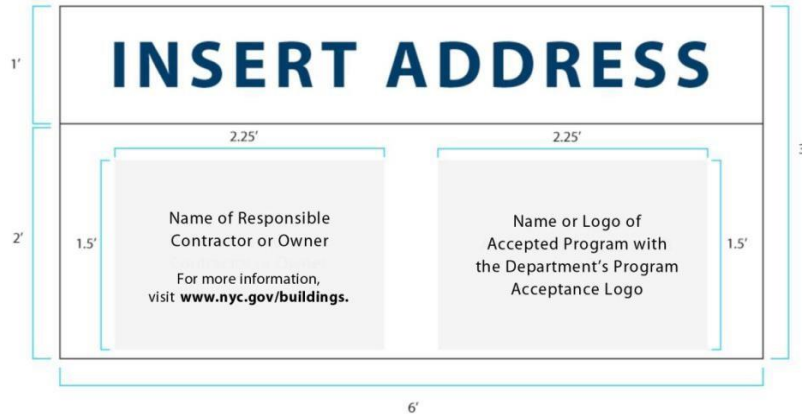
**3301.9.2.1.1 Sidewalk shed parapet panel content for sites not included in a best construction site management program.** Sidewalk shed parapet panels not included in a best construction site management program shall contain the following information and be arranged in accordance with Figure 3301.9.2.1(1):

1. The street address of the site;
2. Name (which may incorporate a logo) of the contractor responsible for the site or where there is no contractor, the name (which may incorporate a logo) of the owner of the site; and
3. The statement “For more information, visit [www.nyc.gov/buildings](http://www.nyc.gov/buildings).”

**3301.9.2.1.2 Sidewalk shed parapet panel content for sites included in a best construction site management program.** In addition to the requirements of section 3301.9.2.1.1, for site maintained in accordance with a best construction site management program accepted by the commissioner as set forth in Section 3301.9.2.7, either the name or logo of such program, with the department’s program acceptance logo, may be placed on the sidewalk shed parapet panel in accordance with Figure 3301.9.2.1(2).



**FIGURE 3301.9.2.1(1)**  
**SIDEWALK SHED PARAPET PANEL LAYOUT**



**FIGURE 3301.9.2.1(2)**

**SIDEWALK SHED PARAPET PANEL LAYOUT FOR ACCEPTED SITE MANAGEMENT PROGRAMS**

**3301.9.2.2 Posting of sidewalk shed parapet panels.** Sidewalk shed parapet panels shall be posted on the parapet that runs along the long axis of the sidewalk shed. Such sign:

1. Shall not be posted above or below the level of the parapet; and
2. Shall be posted at least 3 feet (914 mm) and no more than 6 feet (1828 mm) from the left edge of the sidewalk shed parapet, as viewed from the perspective of an individual on the sidewalk opposite the long axis of the sidewalk shed and facing the sidewalk shed; or
3. Where a project information panel in accordance with Section 3301.9.1 is posted on the fence, the horizontal center of the sidewalk shed parapet panel shall be in line with a vertical plane drawn through the horizontal center of the project information panel and the sidewalk shed parapet shall be posted in accordance with Figure 3301.9.2.2.



**FIGURE 3301.9.2.2**

**PANEL POSTING ELEVATION DIAGRAM**

**3301.9.2.3 Sidewalk shed parapet panel material.** Sidewalk shed parapet panels shall be constructed out of a durable and weatherproof material such as vinyl, plastic, or aluminum, and such material shall be flame retardant in accordance with NFPA 701 or listed under UL 214.

**3301.9.2.4 Sidewalk shed parapet panel specifications.** Sidewalk shed parapet panels shall be 3 feet (914 mm) high and 6 feet (1829 mm) wide, with the content required by Section 3301.9.2.1 arranged in accordance with Figures 3301.9.2.1(1) or 3301.9.2.1(2). The sign shall have a white background. The content required by item number 1 of Section 3301.9.2.1.1 must be written in Calibri font or similar sans serif font style, and such letters shall be blue color a shade matching Pantone 296, or RGB 15, 43, 84, or CMYK 100, 88, 38, 35.

**3301.9.2.5 Updating content.** When content required by Section 3301.9.2.1 changes, the sidewalk shed parapet panel shall be updated.

**3301.9.2.6 Maintenance of sidewalk shed parapet panels.** Sidewalk shed parapet panels shall be maintained so that the panel remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards. Content required by Section 3301.9.2.1 shall not be obscured by sign attachments, including but not limited to grommets or grommet holes.

**3301.9.2.7 Best construction site management program.** The department shall have the authority to create standards established by rule for the acceptance of a program that ensures best construction site management practices, and to set forth the basis and process for removal of such acceptance and for the removal of the program's name and logo from the sidewalk shed parapet panel located at a particular site.

**3301.9.3 Existing fence signs and signs at construction or demolition sites for one-, two- or three-family dwellings.** Where a site is enclosed with a fence in accordance with Section 3307.7, and a project information panel is not required in accordance with Section 3301.9.1, a sign or signs meeting the requirements of Section 3301.9.3.1 through 3301.9.3.3 shall be posted. Required signs shall be in place throughout the duration that the fence remains at the site.

**3301.9.3.1 Sign content and posting.** One or more signs needed to accommodate the following information shall be posted on the fence on each perimeter fronting a public thoroughfare at a height of no more than 12 feet (3658 mm) above the ground, with such distance measured from the ground to the top of the sign:

1. The name, address, and telephone number of the owner of the property;
2. The name, address, and telephone number of the general contractor, or for a demolition site, the demolition contractor; and
3. The statement, in both English and Spanish, "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE THAT ENDANGER WORKERS, CALL 311."

**3301.9.3.2 Maintenance of fence signs.** Fence signs shall be maintained so that the sign remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards.

**3301.9.3.3 Fence sign specifications.** Fence signs shall be constructed of ¾-inch (19 mm) plywood or material of equivalent strength, durability and weatherproofing, including but not limited to sheet metal, aluminum, vinyl, or plastic. The letters on such signs shall be black on a white background. Such signs shall be no larger than that needed to accommodate the information required by Section 3301.9.3.1 in letters no less than 3 inches (76 mm) high.

**3301.9.4 Existing sidewalk shed signs and signs at construction or demolition sites for one-, two- or three-family dwellings.** Where a sidewalk shed is installed, and a sidewalk shed parapet panel is not required in accordance with Section 3301.9.2, a sign readily visible from the street shall be posted on the parapet that runs along the long axis of the sidewalk shed. Such sidewalk shed sign shall be in place throughout the duration that the sidewalk shed remains at the site. Such sidewalk shed sign shall include:

1. The corporate name, address, and telephone number of the sidewalk shed permit holder;
2. The sidewalk shed permit number; and
3. The expiration date of the sidewalk shed permit.

**3301.9.5 Other signs.** Signs required by law to be displayed at a construction or demolition site shall be posted within the site, readily visible to workers, and shall not be posted in any location readily visible to the public unless otherwise required by law.

**3301.10 Obscured lawful signs.** When a protective structure is constructed in accordance with Section 3307, a temporary sign may be posted on such protective structure when the structure is adjacent to any building and obscures from view a lawful and existing sign. The temporary sign shall comply with the following requirements:

1. The temporary sign shall be securely fastened to the face of the protective structure at a location directly in front of such business storefront;
2. No projecting temporary signs shall be permitted, and all temporary signs shall be limited to a maximum height of 4 feet (1219 mm), and when affixed to a sidewalk shed, shall not project above the parapet;
3. No temporary signs shall be permitted on the ends of any protective structure, unless the lawful and existing sign would otherwise be obscured from view by a deck or parapet of a sidewalk shed or bridge; and
4. No temporary signs shall project below the deck of any sidewalk shed.