


NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to Section 102-01 of Subchapter B of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding Violation Classification and Certification of Correction.

This rule was first published on May 9, 2023, and a public hearing thereon was held on June 8, 2023.

Dated: 6/23/23
New York, New York


James S. Oddo
Commissioner

K.V. 6/22/23

Statement of Basis and Purpose

New York City Council's Local Law 126 of 2021 (LL 126) was enacted on November 7, 2021, and went into effect on November 7, 2022. LL 126 updates the Administrative Code of the City of New York, the New York City Plumbing Code, the New York City Building Code, the New York City Mechanical Code and the New York City Fuel Gas Code (hereinafter referred to as "the Construction Codes") to conform with the 2015 editions of the International Building, Mechanical, Fuel Gas and Plumbing Codes.

This rule amends 1 RCNY 102-01 in Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York to conform to amendments in the Construction Codes, DOB's existing methodology for classifying violations of the Codes and calculating penalty amounts for such violations.

Specifically, the rule amends section 102-01 to:

- Specify that references to the 2022 code relate to amendments and additions to the Construction Codes that took effect on November 7, 2022;
- Amend the reduction of default penalty language to clarify that the penalty amount shall not be reduced to less than the standard penalty;
- Amend existing violations and penalties related to several provisions of the Construction Codes and applicable rules to conform to LL 126;
- Amend certain violations for consistency with DOB's existing framework for classifying violations and determining penalty amounts;
- Add or amend certain violations related to construction and demolition safety; and
- Add or remove the option to cure for certain violations.

DOB's authority for this rule is found in Sections 643 and 1043(a) of the New York City Charter, Local Law 126 of 2021 and Section 28-201.2 of the Administrative Code of the City of New York.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (i) of section 102-01 of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new paragraph (11). to read as follows:

(11) 2022 code. References to the 2022 code pertain to the amendments

and additions to the New York City Construction Codes effective on November 7, 2022 and any applicable subsequent amendments.

§ 2. Subdivision (j) of section 102-01 of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(j) *Reduction of default penalties upon proof of compliance.* With the exception of daily penalties charged under section 28-202.1 of the Administrative Code for continued Class 1 violations of sections 28-210.1 or 28-210.3 of the Administrative Code, any imposed Default Penalty, Aggravated I Default Penalty or Aggravated II Default Penalty will be reduced by one-half (1/2) or to the standard penalty amount, whichever is greater, after:

- (1) Respondent files an acceptable certificate of correction with the Department;
- and
- (2) ECB receives notification from the Department of its acceptance of such certificate of correction.

§ 3. The following rows of the table in subdivision (k) of section 102-01 of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default – Max Penalty
BC 3301.13.7 through BC 3301.13.13	Class 2	Construction Superintendent failed to perform duties per code.	No	No	\$5,000	[Yes] <u>No</u>	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
[1 RCNY 3319-02(j)(3)] <u>1 RCNY 3319-02(j)</u>	Class 1	Lift director failed to conduct/record meeting (pre-shift or subsequent).	No	[Yes] <u>No</u>	\$5,000	[Yes] <u>No</u>	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
27-369, BC 1020.2 (2008 code), [&] BC 1023.2 (2014 code), & BC 1024.2 (2022 code)	Class 1	Failure to provide unobstructed exit passageway.	No	No	\$1,250	No	\$6,250	\$3,125	\$12,500	\$6,250	\$25,000
27-371, BC 715.3.7 (2008 code) [&] BC 715.4.8 (2014 code), & BC 716.5.9 (2022 code)	Class 2	Exit door not self-closing.	Yes	No	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
27-382 [&] BC 1006.3 (2014 code), & BC 1008.3 (2022 code)	Class 2	Failure to provide power foremergency exit lighting.	Yes	No	\$1250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000

27-393, BC 1019.1.7 (2008 code) [&], BC 1022.8 (2014 code), & BC 1023.9 (2022 code)	Class 2	Stair and/or floor identification signs missing and/or defective.	Yes	Yes	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
27-901(z)(1) & PC 301.6	Class 2	[Piping] Plumbing systems and/or piping shall not be installed in elevator/counterweight hoistway and/or shaft or equipment rooms as per 27-901(z)(1); PC 301.6.	Yes	No	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-103.21.1	Class 1	Failed to notify the department of an incident that resulted in a fatality or injury	No	No	[\$5,000] \$10,000	No	\$25,000	[\$12,500] \$25,000	\$25,000	\$25,000	\$25,000
28-103.21.1	Class 2	Failure to notify the department of an incident that resulted in a fatality or injury in a timely fashion	No	No	[\$2,500] \$5,000	No	\$10,000	[\$5,000] \$10,000	\$10,000	\$10,000	\$10,000
28-103.21.1	Class 1	Failure to include the information required by 28-103.21 when notifying the department of an incident that resulted in a fatality or injury	No	No	[\$2,500] \$5,000	No	[\$12,500] \$25,000	[\$5,000] \$12,500	\$25,000	\$25,000	\$25,000

28-103.21.1	Class 2	Failure to include the information required by 28-103.21 when notifying the department of an incident that resulted in a fatality or injury.	[Yes] <u>No</u>	[Yes] <u>No</u>	[\$1,250] \$2,500	No	[\$6,250] \$10,000	[\$3,125] \$6,250	\$10,000	[\$6,250] \$10,000	\$10,000
[28-103.27.2] 28-103.30.2	Class 2	[Fail] Failure to notify department prior to the commencement of alteration or addition.	No	No	\$1,250	No	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
28-110.1(20) (2014 code) & 28-110.1(17) (2022 code)	Class 1	Failure to provide evidence of workers attending construction & safety course.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
28-207.4.4 (2014 code) & 28-207.4.5 (2022 code)	Class 1	Removed or defaced a written posted Vacate Order.	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
28-301.1	Class 1	Failure to maintain building in code compliant manner: Lack of required number of means of egress for every floor per BC 1018.1 (2008 code); 27-366; BC 1021.1 (2014 code); BC 1006.3 (2022 code).	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000

28-301.1	Class 2	Failure to maintain building in code compliant manner. Exhaust discharge must be no closer than 10 feet from building openings as per MC 501.2 (2014 code); MC 501.3 (2022 code) and RS 13-1 Sec. 2-2.1.4.	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Use of prohibited door and/or hardware per BC [1008.1.8] 1008.1 (2014 code); 27-371; BC 1008.1.9 (2014 code); BC 1010.1.8 (2022 code); BC 1010.1.9 (2022 code).	No	No	\$1,250	No	\$6,250	\$3,125	\$12,500	\$6,250	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: Use of prohibited door and/or hardware per BC [1008.1.8] 1008.1. (2014 code); 27-371; BC 1008.1.9 (2014 code); BC 1010.1.8 (2022 code) BC 1010.1.9 (2022 code).	Yes	No	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: illumination for exits, exit discharges and public corridors per BC 1006.1 (2014 code); 27-381 BC 1008.1 (2022 code).	No	No	\$1,250	No	\$6,250	\$3,125	\$12,500	\$6,250	\$25,000

28-301.1	Class 2	Failure to maintain building in code-compliant manner: illumination for exits, exit discharges and public corridors per BC 1006.1 (2014 code); 27-381; BC 1008.1 (2022 code).	Yes	No	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: floor numbering signs missing and/or defective per BC 1019.1.7 (2008 code); 27-392; BC 1022.8 (2014 code); BC 1023.9 (2022 code).	No	No	\$1,250	No	\$6,250	\$3,125	\$12,500	\$6,250	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: floor numbering signs missing and/or defective per BC 1019.1.7 (2008 code); 27-392; BC 1022.8 (2014 code); BC 1023.9 (2022 code).	Yes	Yes	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: high-rise to provide exit sign requirement(s) within exits per BC 1011.1.1 (2014 code); [27-383.1] 27-383; BC 1013.1.1 (2022 code); BC 403.4.8.1 (2014 code); BC 403.4.8.4.1 (2022 code).	No	No	\$2,500	[No] <u>Yes</u>	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: high-rise to provide exit sign requirement(s) within exits per BC 1011.1.1 (2014 code); [27-383.1] 27-383; BC 1013.1.1 (2022 code); BC 403.4.8.1 (2014 code); BC 403.4.8.4.1 (2022 code).	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000

		(2022 code).										
28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of emergency power or storage battery connection to exit signs per BC 1011.5.3 (2014 code); 27-384(c); BC 1013.6.3 (2022 code).	No	No	\$5,000	Yes	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000	
28-301.1	Class 2	Failure to maintain building in code-compliant manner: high-rise to provide exit sign requirement(s) within exits per BC 1011.1.1 (2014 code); [27-383.1] 27-383; BC 1013.1.1 (2022 code); BC 403.4.8.1 (2014 code); BC 403.4.8.4.1 (2022 code).	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000	
28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of emergency power or storage battery connection to exit signs per BC 1011.5.3 (2014 code); 27-384(c); BC 1013.6.3 (2022 code).	No	No	\$5,000	Yes	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000	
28-301.1	Class 2	Failure to maintain building in code-compliant manner: high-rise to provide exit sign requirement(s) within exits per BC 1011.1.1 (2014 code); [27-383.1] 27-383; BC 1013.1.1 (2022 code); BC 403.4.8.1 (2014 code); BC 403.4.8.4.1 (2022 code).	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000	

28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of emergency power or storage battery connection to exit signs per BC 1011.5.3 (2014 code); 27-384(c); BC 1013.6.3 (2022 code).	No	No	\$5,000	Yes	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of emergency lighting for exits, exit discharges and public corridors per BC 1006.1 (2014 code); 27-542; BC 1008.2 (2022).	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: lack of emergency lighting for exits, exit discharges and public corridors per BC 1006.1 (2014 code); 27-542; BC 1008.2 (2022).	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: failure to provide non-combustible proscenium curtain or stage water curtain per BC 410.3.5; 27-546; 27-546 F-1a.	Yes	Yes	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: no fire stopping per BC 712.3 (2014 code); 27-345; BC 711.2.4 (2022 code).	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000

28-301.1	Class 2	Failure to maintain building in code-compliant manner: no fire stopping per BC 712.3 (2014 code); 27-345; BC 711.2.4 (2022 code).	Yes	No	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Improper exit/exit access doorway arrangement per BC 1014.2 (2008 code); 27-361; BC 1015.2 (2014 code); BC 1016.1 (2022 code).	No	No	\$1,250	No	\$6,250	\$3,125	\$12,500	\$6,250	\$25,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: Gas vent reduced or undersized as per FGC 504.2; 27-887.	No	No	\$625	[Yes] <u>No</u>	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-301.1	Class 2	Failure to maintain building in code-compliant manner: failure to comply with law for water supply system per PC 602.3; 27-908(c).	No	No	\$625	[Yes] <u>No</u>	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
28-303.7	Class 2	Failure to file a complete boiler inspection report.	Yes	No	\$625	[No] <u>Yes</u>	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000

BC 105.8.2 (2014 code) & BC 106.8.2 (2022 code)	Class 2	Temporary Construction Equipment or Installation on Site –Expired Permit.	Yes	Yes	\$1,250	Yes	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 903.6	Class 2	Failure to paint dedicated sprinkler piping/valves in accordance with section.	[No] Yes	No	\$2,500	Yes	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000
BC 905.11	Class 2	Failure to paint dedicated standpipe/valves in accordance with section.	[No] Yes	No	\$2,500	Yes	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000
BC [1016.2] 1018.2 (2014 code) & 1020.2 (2022 code)	Class2	Failure to maintain building in code-compliant manner: provide required corridor width per BC [1016.2] 1018.2 (2014 code); BC 1020.2 (2022 code); 27-369.	Yes	No	\$625	Yes	\$3,125	\$1,563	\$6,250	\$3,125	\$10,000
BC 1704.4 (2014 code) & 1705.3 (2022 code)	Class2	Failure to perform special inspections and verifications for concrete construction as required by section and Table 1704.4 (2014 code) and Table 1705.3 (2022 code).	No	No	\$2,500	No	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000

BC 1704.21.1 (2008 code) & BC 1704.23.1 (2014 code) & BC 1705.29.1 (2022 code)	Class 1	Failure to perform successful hydrostatic pressure test of sprinkler system.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 1704.22.1 (2008 code) & BC 1704.24.1 (2014 code) & BC 1705.30.1 (2022 code)	Class 1	Failure to perform successful hydrostatic pressure test of standpipe system.	No	No	\$2,400	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3301.1.3 (2014 code)	Class 2	Failure to comply with manufacturer specifications.	[Yes] <u>No</u>	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 3301.2 & 27-1009(a)	Class 1	Failure to institute/maintain safety equipment measures or temporary construction – Noguard rails.	No	No	\$5,000	[Yes] <u>No</u>	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3301.7 (2014 code)	Class 1	Failure to maintain/display onsite documents required by BC Chapter 33.	No	No	\$2,500	[Yes] <u>No</u>	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000

BC 3301.7 (2014 code)	Class 2	Failure to maintain/display onsite documents required by BC Chapter 33.	[Yes] <u>No</u>	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 3301.8	Class 1	Failure to promptly notify the Department of an accident, incident, or damage to adjoining property at construction/demolition site.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3301.9	Class 2	Project Information Panel/Sidewalk Shed Parapet Panel/Construction Sign not provided or not in compliance with section.	[Yes] <u>No</u>	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 3301.11.5	Class 1	Failure to maintain a record of orientations performed at worksite.	No	No	\$5,000	[Yes] <u>No</u>	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3301.12.3	Class 1	Failure to maintain record of pre-shift safety meeting for each worker.	No	No	\$5,000	[Yes] <u>No</u>	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000

BC 3303.4 & 27-1018	Class 2	Failure to maintain adequate housekeeping per section requirements.	Yes	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 3303.7.3	Class 2	Failure to post No Smoking signs at construction/demolition sites per Fire Code.	[Yes] <u>No</u>	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC [3303.8.1] 3303.8	Class 1	Failure to provide standpipe or air pressurized alarm system for standpipe system during construction or demolition operation.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3304.3 & 1 RCNY 52-01(b)	Class 2	Failure to notify the Department prior to the cancellation of earthwork.	No	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC [3306] 3306.1 & 27-1039	Class 1	Failure to carry out demolition operations as required by [section] BC 3306.1; 27-1039.	No	No	\$5,000	[Yes] <u>No</u>	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000

BC 3306.2.1 (2014 code) & BC 3306.2.2 (2022 code)	Class 1	Failure to provide safety zone for demolition operations.	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
BC 3307.1.1 (2008 code) [&], BC 3307.4.6 (2014 code), & BC 3301.9 (2022 code)	Class 1	Prohibited Outdoor Advertising Company sign on sidewalk shed or construction fence.	No	No	\$10,000	[Yes] <u>No</u>	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
BC 3307.1.1 (2008 code) [&], BC 3307.4.6 (2014 code), & BC 3301.9 (2022 code)	Class 2	Posting of unlawful signs, information, pictorial representation, business or advertising messages on protective structures.	[Yes] <u>No</u>	No	\$2,500	[Yes] <u>No</u>	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000
BC 3307.6.4 (2008 code) & BC 3307.6.4.11 (2014 code)	Class 2	Sidewalk shed does not meet color specification.	[Yes] <u>No</u>	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 3307.7	Class 2	Job site fence not constructed or maintained pursuant to section.	[Yes] <u>No</u>	No	\$1000	[Yes] <u>No</u>	\$5,000	\$2,500	\$10,000	\$5,000	\$10,000

BC 3310.9.1	Class 1	No Concrete Safety Manager present at site as required.	No	No	\$5,000	[Yes] <u>No</u>	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3314.1.1 (2008 code) & 27-1050.1 & BC 3314.4.1.5 (2014 code)	Class 2	Failed to notify Department prior to installation or removal of Suspended Scaffold.	No	No	\$2,500	[Yes] <u>No</u>	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000
BC 3314.4.6 (2008 code) & BC 3314.4.5.8 (2014 code)	Class 2	Scaffold training certificate card not readily available for inspection.	[Yes] <u>No</u>	No	\$1,250	[Yes] <u>No</u>	\$6,250	\$3,125	\$10,000	\$6,250	\$10,000
BC 3314.6.3 [& 27-1009]	Class 1	Failure to provide/use lifeline while working on scaffold.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3314.6.3 [& 27-1009]	Class 2	Failure to provide/use lifeline while working on scaffold.	No	No	\$2,500	[Yes] <u>No</u>	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000

BC 3319.8	Class 1	Failure to provide erection, jumping, climbing, dismantling plan for tower [/ climber] crane.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC 3319.8.4.2 (2014 code) & BC 3319.8.4 (1) (2022 code)	Class 1	Failure to provide time schedule indicating erection, jumping, climbing or dismantling of crane.	No	No	\$2,000	No	\$10,000	\$5,000	\$25,000	\$10,000	\$25,000
BC 3319.8.7	Class 1	Failure to file a complete and acceptable tower [/ climber] Installation Report per BC 3319.8.7.	No	No	\$2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
BC 3319.8.8	Class 1	Erection, jumping, climbing, dismantling operations of a tower [or climber] crane not in accordance with BC 3319.8.8.	No	No	\$10,000	No	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
BC 3321.1	Class 2	Failed to ensure each worker has successfully completed the required training.	No	No	\$2,500	[Yes] <u>No</u>	\$10,000	\$5,000	\$10,000	\$10,000	\$10,000

BC [3321.2.1] <u>3321.2.(1)</u>	Class 1	Failed to ensure each worker is in compliance with BC 3321.1	No	No	\$10,000	No	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
BC [3321.2.3] <u>3321.2.(3)</u>	Class 1	Failed to have or maintain the required daily log.	No	No	\$5,000	No	\$25,000	\$12,500	\$25,000	\$25,000	\$25,000
BC [3321.2.4] <u>3321.2.(4)</u>	Class 1	Failed to produce daily log for inspection.	No	No	\$ 2,500	No	\$12,500	\$6,250	\$25,000	\$12,500	\$25,000
EC 230.72(A)	Class 1	Failure to properly group/label disconnects.	[No] <u>Yes</u>	No	\$1,000	Yes	\$5,000	\$2,500	\$10,000	\$5,000	\$25,000
Misc. – ZR Misc. – Title 28	Class 2	Misc. outdoor sign violation of ZR and/or Building Code.	Yes	No	\$2,500	[No] <u>Yes</u>	\$10,000	\$6,250	\$10,000	\$10,000	\$10,000

§ 4. The table in subdivision (k) of section 102-01 of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding the following new rows, in accordance with the table's existing organizational scheme, as follows:

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default – Max Penalty
<u>28-104.7</u>	<u>Class 2</u>	<u>Failure to submit construction documents as required.</u>	<u>Yes</u>	<u>No</u>	<u>\$625</u>	<u>Yes</u>	<u>\$3,125</u>	<u>\$1,563</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>
<u>28-105.1</u>	<u>Class 2</u>	<u>Failure to obtain a permit prior to installation/use of sidewalk shed</u>	<u>Yes</u>	<u>No</u>	<u>\$1,250</u>	<u>Yes</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>Misc. BC–Chapter 33</u>	<u>Class 1</u>	<u>Miscellaneous violations.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>Misc. BC–Chapter 33</u>	<u>Class 2</u>	<u>Miscellaneous violations.</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>

<u>BC 3301.1.2</u>	<u>Class 1</u>	<u>Failure to carry out demolition operations as per Fire Code.</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>No</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>BC 3301.1.2</u>	<u>Class 2</u>	<u>Failure to carry out demolition operations as per Fire Code.</u>	<u>No</u>	<u>No</u>	<u>\$625</u>	<u>No</u>	<u>\$3,125</u>	<u>\$1,563</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>
<u>BC 3301.6</u>	<u>Class 1</u>	<u>Failure to comply with manufacturer specifications.</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>
<u>BC 3303.14</u>	<u>Class 1</u>	<u>Failure to maintain adequate housekeeping per section requirements.</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>
<u>BC 3303.14</u>	<u>Class 2</u>	<u>Failure to maintain adequate housekeeping per section requirements.</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>No</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>

<u>BC 3303.7.2</u>	<u>Class 1</u>	<u>Failure to provide fire extinguishers per Fire Code.</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>No</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>BC 3303.7.2</u>	<u>Class 2</u>	<u>Failure to provide fire extinguishers per Fire Code.</u>	<u>No</u>	<u>No</u>	<u>\$625</u>	<u>No</u>	<u>\$3,125</u>	<u>\$1,563</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>
<u>BC 3303.10</u>	<u>Class 1</u>	<u>Failure to provide protection for tenants during demolition or construction activity in an occupied building.</u>	<u>No</u>	<u>No</u>	<u>\$10,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3303.10</u>	<u>Class 2</u>	<u>Failure to provide protection for tenants during demolition or construction activity in an occupied building.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3303.10</u>	<u>Class 3</u>	<u>Failure to provide protection for tenants during demolition or construction activity in an occupied building.</u>	<u>No</u>	<u>No</u>	<u>\$500</u>	<u>No</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>

<u>BC 3307.2</u>	<u>Class 1</u>	<u>Failure to provide pedestrian protection for sidewalks and walkways as required.</u>	<u>No</u>	<u>No</u>	<u>\$1,250</u>	<u>No</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>	<u>\$6,250</u>	<u>\$10,000</u>
<u>BC 3307.2</u>	<u>Class 2</u>	<u>Failure to provide pedestrian protection for sidewalks and walkways as required by DOT.</u>	<u>No</u>	<u>No</u>	<u>\$625</u>	<u>No</u>	<u>\$3,125</u>	<u>\$1,563</u>	<u>\$6,250</u>	<u>\$3,125</u>	<u>\$10,000</u>
<u>BC 3307.4</u>	<u>Class 1</u>	<u>Failure to provide required warning signs, personnel, or barriers to protect the public.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3314.1</u>	<u>Class 1</u>	<u>Failure to maintain pedestrian protection for sidewalks and walkways.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3308.5</u>	<u>Class 1</u>	<u>Failure to institute/maintain safety equipment measures or temporary construction – No vertical safety netting.</u>	<u>No</u>	<u>No</u>	<u>\$10,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>

<u>BC 3308.5</u>	<u>Class 2</u>	<u>Failure to institute/maintain safety equipment measures or temporary construction – No vertical safety netting</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3309.1</u>	<u>Class 1</u>	<u>Failure to provide protection of adjoining property during construction or demolition as required.</u>	<u>No</u>	<u>No</u>	<u>\$10,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3309.1</u>	<u>Class 2</u>	<u>Failure to provide protection of adjoining property during construction or demolition as required.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>BC 3309.10</u>	<u>Class 1</u>	<u>Failure to provide protection of adjoining property during construction or demolition as required- No roof protection.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>BC 3309.10</u>	<u>Class 2</u>	<u>Failure to provide protection of adjoining property during construction or demolition as required- No roof protection.</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>

<u>BC 3309.14</u>	<u>Class 1</u>	<u>Failure to provide protection of adjoining property during construction or demolition as required- No window protection.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>
<u>BC 3309.14</u>	<u>Class 2</u>	<u>Failure to provide protection of adjoining property during construction or demolition as required- No window protection.</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>
<u>BC 3314.5</u>	<u>Class 1</u>	<u>Failure to institute/maintain safety equipment measures or temporary construction – No planking or decking.</u>	<u>No</u>	<u>No</u>	<u>\$5,000</u>	<u>No</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>
<u>BC 3314.5</u>	<u>Class 2</u>	<u>Failure to institute/maintain safety equipment measures or temporary construction – No planking or decking.</u>	<u>No</u>	<u>No</u>	<u>\$2,500</u>	<u>No</u>	<u>\$12,500</u>	<u>\$6,250</u>	<u>\$25,000</u>	<u>\$12,500</u>	<u>\$25,000</u>