

NYC REQUIREMENTS FOR RENOVATION VS BUILDING CONSTRUCTION/MAINTENANCE 1 CREDIT HOUR

Department of Buildings (10 MINUTES)

- The majority of construction requires a Department of Buildings permit. Most often, a New York State licensed **Professional Engineer (PE)** or **Registered Architect (RA)** must file plans and pull permits before work begins. Some minor work does not require a permit; a PE, an RA, or a Department borough office manager can explain the exceptions. However, if the project's scope requires plans and permits, you must hire a New York licensed PE or RA.
- Permits
 - There are many permit types, such as construction, boiler, elevator, and plumbing. The primary permit applications are: New Building (NB), and Alterations Type-1, 2, and 3:
 - NB: Construction of new structures
 - ALT1: Major alterations that will change use, egress or occupancy
 - ALT2: Multiple types of work, not affecting use, egress or occupancy
 - ALT3: One type of minor work, not affecting use, egress or occupancy
- Work Without Permits: It's illegal to do construction without the Department's approval or permits. Illegal construction is unsafe and may result in fines. Property owners may have to correct multiple Environmental Control Board violations. The most severe violation – Class 1 – can carry a \$25,000 fine, additional penalties and accrued interest. The work must be legalized or removed, requiring permit application fees. These costs are in addition to legal liability, and in some cases property owners may be brought to Criminal Court.
- Minor Alterations Without Permits: Some minor work does not require a permit; a PE, an RA, or a Department borough office manager can explain the exceptions. For example, installing new kitchen cabinets doesn't require a permit but contractors must have a Department of Consumer Affairs home improvement contractor license.
- Filing & Records Management Fees: A PE, an RA, or a contractor can estimate these fees.
- Plan Examiner Review & Approval: Plan approval time depends upon the project's complexity and the issues – or objections – to be resolved.
- **SNAPSHOT: Permits & Your Project**
 - Determine the necessary permits, and then file applications and construction drawings
 - Obtain Department plan approval
 - File and pull permits
 - Perform approved work
 - Pass the final inspections
 - Receive a new or amended Certificate of Occupancy or Letter of Completion

Building Projects (15 MINUTES)

- The Department of Buildings accepts applications based on the project scope of work, plan review, approval, permit inspections, and sign-off process. To assess the risk level, construction projects are categorized based on the nature and purpose of the proposed work. The Department has grouped these project applications into the following categories:
 - Building Systems Installation & Modifications
 - Renovations
 - Construction Equipment
 - Alterations
 - Demolition

- New Buildings
- **Building Systems Installation & Modification:** Building system applications are usually filed for the repair, modification, or upgrade of existing building systems, such as plumbing, boiler, sprinkler, standpipe, fire alarm, HVAC, and fire suppression systems. The scope of work can also include upgrades that add new systems to existing buildings. These are generally categorized as 'Low Risk Projects' because the modifications to existing building systems is part of normal periodic maintenance, which typically involves the application of straight forward sections of Code and no zoning.
 - Currently, some building systems repairs project applications to plumbing and sprinkler work do not require the submission of plans and are submitted as Limited Alteration Application (LAA).
 - **While a building system project shall not include any renovation or alteration work, an alteration or a renovation project may include installation or modification of building systems in its scope of work.** For projects with an expanded scope, a separate building systems project application does not have to be filed, with an alteration or renovation application. A single project application must cover all disciplines/trades covered by the work scope.
 - The Department has grouped the Building Systems Installation & Modification project applications into the following types:
 - Boilers
 - Emergency Backup Power Systems
 - Mechanical
 - Plumbing
 - Sprinkler
 - Solar Energy
 - Standpipe

Renovations (15 MINUTES)

- Renovation project applications are usually filed to make improvements to an existing building. These projects involve changes to an existing building from the renovation, remodeling, or renewal of a structure, including partial demolition and reconfiguration or replacement of interior partitions. Most renovation projects restore spaces to a good state of repair. These projects replace components in existing buildings with new/remodeled construction that changes the appearance, structure, or form of a space to improve upon or transform the existing design and layout of room(s).
- Typically, the scope of work for renovation projects may include interior renovation to a residential, office or manufacturing building, an established mercantile building, and façade work. These renovations are generally Low Risk Projects because they are less complex and have fewer zoning and Code requirements – not resulting in a new or amended Certificate of Occupancy.
- Building renovations can include the installation, repair or replacement of Building Systems, devices, equipment and materials or parts for the purpose of regular building maintenance. For projects with an expanded scope, a separate building systems project application does not have to be filed with a renovation application. A single project application must cover all disciplines/trades covered by the work scope.
- *NOTE: Any construction work that results in changes to an existing building that require the issuance of an amended or new Certificate of Occupancy shall be considered an alteration project, not a renovation project. **Renovation projects do not include any Alteration work.***

- The Department has grouped the Renovation project applications into the following types:
 - Antenna
 - Curb Cut
 - Public Right-of-Way Encroachments
 - Sidewalk Cafés
 - Signs
 - Deck, Porch, or Outdoor Swimming Pool
 - Façade
 - Institutional and Other Buildings
 - Manufacturing Buildings
 - Mercantile and Office Buildings
 - New Greenhouse Installation
 - Residential Buildings and Community Facilities
 - Shoring, Excavation, Underpinning of Foundations, and Installation of Ground Structures, including Retaining Walls, Flagpoles, Signs and Other Structures
 - Storefront

Construction Equipment (10 MINUTES)

Construction Equipment applications are usually filed for various on-site equipment installations to safeguard and protect construction workers, the general public and neighboring properties during the construction process, for use in moving materials and personnel, or for use during construction operations. A construction project could include the erection of a new building, an alteration, a renovation, including partial or full demolition. Based on the scope, any of these projects may require construction equipment during the project's execution. Examples of Construction Equipment applications include a chute, construction fence, scaffold, or sidewalk shed. These may be stand-alone or be part of a larger new building, alteration and sometimes renovation application.

These equipment installations are only necessary during the construction process to maintain on-site and public safety, or to facilitate construction. Typically, such installations are categorized as "Low Risk Projects" because they generally involve a limited number of Building Code sections and usually require a limited review to ensure compliance. Due to the temporary nature of construction equipment projects, they do not require compliance with the NYC Zoning Resolution.

Typically, a Construction Equipment Project involves installation of equipment to support, facilitate or aid construction activities – Chute, or Hoist; secure a construction site for safety to protect workers, the general public, and/or neighboring sites – Sidewalk Shed, Scaffold, or Fence; or used as part of construction operation for the erection, installation and use of structures to facilitate construction – Construction Equipment. For non-handheld mechanical construction equipment strict regulations are in place to ensure the public's safety and quality of life.

Here are the types of Construction Equipment project applications:

1. **Construction Fence**
2. **Chutes**
3. **Scaffold**
4. **Sidewalk Sheds**
5. **Temporary Hoists**

6. Other Construction Equipment

Alterations (10 MINUTES)

Alteration project applications, upon its successful completion and final inspection, **will always result in the issuance of a new Certificate of Occupancy (CO)**. Work that does not result in the issuance of a new Certificate of Occupancy is considered a renovation project.

Alteration work may include one or more of the following elements:

- Vertical and/or Horizontal Enlargements - An addition to or relocation of the floor area in an existing building;
- Conversions:
 - Per ZR 12-10, a conversion is a change of use between the following categories of uses in the Zoning Resolution: residential, community facility, commercial and manufacturing. The change of use within one category is not considered to be a conversion.
 - A conversion also includes any alteration within the residential portion of an existing building that increases the number of rooming units or dwelling units in a building.
- A change in the *occupancy classification* or a *change of occupancy* within an occupancy classification, as defined in Chapter 3 of the Building Code.
- Egress Modifications – Any substantive change in the exiting width, height, length of travel distance, location, or occupancy load of exits, or any change in number of required exits in a building.
- A reduction to an existing building's floor area that impacts the Certificate of Occupancy - For example, the complete elimination of one or more stories from a building or the demolition of a space.

These projects are considered **High Risk Projects** because they must be thoroughly reviewed to ensure compliance with the New York City Construction Codes, Zoning Resolution, Fire Code and other similar provisions of Law prior to project approval and permit. Additionally, these projects typically have higher levels of risk during various stages of construction, which require special inspection certifications, progress inspections and final Department of Buildings' inspections required for the issuance of certificates of occupancy.

The Department has grouped the Alteration project applications into the following types:

- Builders Pavement Plan (BPP)
- Alteration: Manufacturing Buildings
- Alteration: Residential and Community Facilities
- Alteration: Multiple Dwelling Unit Buildings
- Alteration: Commercial, Mixed Use Buildings
- Place of Assembly Certificate of Operation
- Basement/Cellar Apartment
- Alteration: Commercial Office Building
- Alteration: 1 & 2 Family Building
- Alteration - Educational/institutional/Community Facilities
- Alteration: 1 & 2 Family Building Mixed Use
- Lot Subdivision and Merging
- Alteration: Hotels
- Alteration: Parking Lots and Parking Structures
- Temporary Tents and Other Structures

- Alteration: Loft Law Interim Multiple Dwellings (IMD)



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