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Int. No. 465

By Council Members Constantinides, Mealy and Rosenthal

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to maximum Portland cement content in concrete.

Be it enacted by the Council as follows:

Section 1. Section 19-101 of the administrative code of the city of New York is amended to add a subdivision i to read as follows:

i. "Portland cement" shall mean a hydraulic cement produced by pulverizing clinker consisting essentially of hydraulic calcium silicates, usually containing one or more of the forms of calcium sulfate as an inter-ground addition.

§ 2. Section 19-113 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. Department specifications for streets shall limit the amount of Portland cement in concrete mixes requiring a compressive strength of fourteen thousand pounds per square inch or less as follows:

1. Such mixes when used in roadways that are required to be opened to vehicular traffic within forty-eight hours, or in post-tensioned concrete or structural underpinning, shall contain no more than six hundred and fifty pounds of Portland cement per cubic yard of concrete.
2. Such mixes when used in roadways that are not required to be opened to vehicular traffic within forty-eight hours, or when used in sidewalks and curbs shall contain no more than four hundred pounds of Portland cement per cubic yard of concrete.
3. This subdivision shall not apply to concrete mixes used in a project where the content of concrete mixes is governed by a federal or state law, rule, regulation, guideline or specification that requires a greater amount of Portland cement per cubic yard of concrete than this subdivision permits.
4. This subdivision shall not apply to bridges, tunnels and overpasses or structures appurtenant thereto under the jurisdiction of the department.
5. This subdivision shall not apply to pre-cast concrete or cast stone where such items are required to be placed into service within forty-eight hours of being cast.

§ 3. Section 28-101.4.3 of the administrative code of the city of New York is amended by adding a new item 14 to read as follows:

14. The materials, quality control, design and construction of concrete used in structures shall be governed by chapter 19 of the New York city building code.

§ 4. Section 1902.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding, in alphabetical order, a definition of “HARDSCAPE” to read as follows:

HARDSCAPE. All deliberately positioned inorganic outdoor surfaces adjacent to a building including but not limited to paved areas, sidewalks, driveways, parking areas, plazas and patios.

§ 5. Section 1905.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

1905.2 Selection of concrete proportions. Concrete proportions shall be determined in accordance with

the provisions of Sections 1905.2.1 through [1905.2.4] 1905.2.5.

§ 6. Chapter 19 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new section 1905.2.5 to read as follows:

1905.2.5 Maximum Portland cement content. Concrete mixes requiring a compressive strength of 14,000 psi or less shall contain no more than 500 pounds of Portland cement per cubic yard of concrete.

Exceptions:

1. Such concrete mixes used in hardscape that is required to be opened to vehicular traffic within 48 hours including but not limited to parking areas, driveways and plazas and concrete mixes used in post-tensioned concrete and structural underpinning shall contain no more than 650 pounds of Portland cement per cubic yard of concrete.

2. Such concrete mixes used in hardscape including but not limited to sidewalks, walkways, parking areas, patios and plazas that is not required to be opened to vehicular traffic within 48 hours shall contain no more than 400 pounds of Portland cement per cubic yard of concrete.

3. This section shall not apply to concrete mixes used in a project where the content of concrete mixes is governed by a federal or state law, rule, regulation, guideline or specification that requires a greater amount of Portland cement per cubic yard of concrete than this section permits.

4. This section shall not apply to pre-cast concrete or cast stone where such items are required to be placed into service within 48 hours of being cast or where the pre-cast concrete or cast stone is architectural concrete where the aesthetic requirements cannot be achieved under the provisions of this section.

§ 7. The commissioner of design and construction shall, in consultation with all relevant agencies, conduct a study of the availability and cost of concrete masonry units, concrete pavers, concrete planks, pre-cast concrete lintels, pre-cast concrete sills, Jersey barriers, bollards, concrete catch basins, concrete vaults, concrete piping, cast stone or other concrete construction components for purchase by agencies that could meet the limits for Portland cement content as described in applicable provisions of subdivision e of section 19-113

of the administrative code, as added by section 2 of this local law and/or section 1905.2.5 of the New York city building code, as added by section 6 of this local law. This study shall be due January 1, 2015 and shall be delivered to the city council along with recommendations pertaining to the results of the study.

§ 8. This local law shall take effect on January 1, 2015 except that sections 1 and 2 of this local law shall take effect on January 1, 2016 and that the commissioner of transportation and the commissioner of buildings shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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