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Title: A Local Law to amend the New York city building code, in relation to sidewalk shed design requirements

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Indexes:

Attachments: 1. Summary of Int. No. 391, 2. Int. No. 391, 3. February 28, 2024 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 2-28-24, 5. Committee Report 6/25/24

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6/25/2024	*	Committee on Housing and Buildings	Hearing Held by Committee	
6/25/2024	*	Committee on Housing and Buildings	Laid Over by Committee	

Int. No. 391

By Council Members Powers, Bottcher, Sanchez, Abreu, Restler, Brewer, Hanif, Hudson, Schulman, Krishnan, Rivera, Salaam, Banks, Louis and Ariola (in conjunction with the Manhattan Borough President)

A Local Law to amend the New York city building code, in relation to sidewalk shed design requirements

Be it enacted by the Council as follows:

Section 1. Section 3307.6.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.2 Where required. A sidewalk shed shall be installed and maintained to protect all sidewalks, walkways, and pathways within the property line of a site, and all public sidewalks that abut the property, as follows:

1. When such sidewalk, walkway, or pathway is to be located immediately below a scaffold, mast climber, or chute. The sidewalk shed shall be installed prior to the installation of such equipment and shall not be removed until such equipment has been dismantled and/or removed from the area being protected;

2. When a structure higher than 40 feet (12 192 mm) or greater is to be constructed, and the sidewalk, walkway, or pathway is within a perpendicular distance from the new structure that is equal to or less than half the height of the new structure. The sidewalk shed shall be installed when the structure reaches the planned height of the shed. Such shed shall not be removed until the structure is enclosed, all exterior work has been completed and the sash is glazed above the second story, the façade has been cleaned down, and all exterior chutes, scaffolds, mast climbers, and hoisting equipment have been dismantled and removed from the site;
3. When a portion of a façade over 40 feet (12 192 mm) above curb level is to be constructed, altered, maintained, or repaired, or a vertical or horizontal enlargement is to occur at a height over 40 feet (12 192 mm) above curb level, and the sidewalk, walkway, or pathway is within a perpendicular distance from the structure that is equal to or less than half the height of such façade work or vertical or horizontal enlargement. The sidewalk shed shall be installed prior to the commencement of work at a height greater than 40 feet (12 192 mm) above curb level. Such shed shall not be removed until the building is enclosed, all exterior work has been completed and the sash is glazed above the second story, the façade has been cleaned down, and all exterior chutes, scaffolds, mast climbers, and hoisting equipment have been dismantled and removed from the site;
or
4. When a structure higher than 25 feet (7620 mm) is to undergo a full demolition, or when exterior partial demolition, other than that performed in conjunction with the construction, alteration, maintenance, or repair of a façade, is to occur at a height greater than 25 feet (7620 mm) above curb level, and the sidewalk, walkway, or pathway is within a perpendicular distance from the structure that is equal to or less than half the height of the demolition work. The sidewalk shed shall be installed prior to the commencement of demolition work. Such shed shall remain in place until the building has been razed to the height of the shed, or where the building is not being fully demolished, until all demolition work has been completed and all exterior chutes, scaffolds, mast climbers, and hoisting equipment have been dismantled and removed from the site.

Exceptions: Except where specifically required by the commissioner to protect the public from unique hazards at the site, sidewalk sheds are not required for:

1. Sidewalks, walkways, and pathways, or portions thereof, that are closed to the public.
2. Temporary walkways in accordance with Section 3307.2.3 that are provided with lighting and overhead protection equivalent to that afforded by a sidewalk shed.
3. Inspections, including a façade inspection, provided no work occurs during the inspection.
4. Sign hanging occurring by or under the direct and continuing supervision of a licensed sign hanger.
5. Window washing.
6. Work confined to the roof of an existing building, provided that:
 - 6.1. The edge of the roof is enclosed to a height of 42 inches (1067 mm) with a solid parapet;
 - 6.2. Such parapet is of sufficient strength to resist accidental impact during construction;

- 6.3. The work does not exceed the height of the parapet or is set back from the edge of the roof at a distance that is equal to or greater than half the height of the work; and
- 6.4. No work occurs on the parapet itself, and no material is placed or stored on the parapet during the course of the work.
7. Subject to the approval of the commissioner, work of limited scope and duration provided that:
 - 7.1. During the course of the work the area immediately under the work zone is temporarily closed to the public by means of barriers, cones, or caution tape, and flagpersons are provided to direct pedestrian traffic;
 - 7.2. At the end of the day the façade of the building is left in a safe condition and fully enclosed; and
 - 7.3. There is compliance with Section 3307.2.1.
8. Locations where a cantilevered platform has been installed, provided that:
 - 8.1. The cantilevered platform is approved by the commissioner.
 - 8.2. The cantilevered platform provides overhead protection equivalent to a sidewalk shed deck.
 - 8.3. The cantilevered platform is installed below the level of work to be performed, excluding work performed at the first story. However, the cantilevered platform must still provide the minimum clearances specified by Section 3307.6.4.7.
 - 8.4. The area under the cantilevered platform is provided with lighting in accordance with Section 3307.6.4.8 if the street lighting does not provide adequate lighting to fulfill this requirement.
 - 8.5. The cantilevered platform meets all other requirements established in rules promulgated by the commissioner.
9. [Areas along an exposure that are located more than 5 feet (1524 mm) beyond those required for compliance with Item 1 of Section 3307.6.2, provided that:] Locations where a supported scaffold, or an equivalent alternative system acceptable to the commissioner, has been installed to cover the entire exposure where work is occurring, provided that:
 - 9.1. [The work is limited to the alteration, maintenance, or repair of a façade, and does not constitute a façade recladding as defined in rules promulgated by the commissioner; and] The supported scaffold, or alternate system, is provided with netting and guardrails in accordance with Section 3314.8, or an equivalent means of enclosing the scaffold or alternate system.
 - 9.2. [The entire exposure where façade work is to occur is covered by either:] A catchall that projects at least 5 feet (1524 mm) in the horizontal is provided. The catchall shall connect to the scaffold or alternate system at a height of 10 feet (3048 mm) to 12 feet (3658 mm) above the level of the ground. The catchall shall be horizontal or may angle up at no more than 45

degrees. The catchall shall provide a level of protection equivalent to a sidewalk shed deck.

[9.2.1. A supported scaffold with netting and guardrails in accordance with Section 3314.8; or

9.2.2. A site specific engineered enclosure system in accordance with Section 3309.17.]

9.3. The area immediately under the scaffold or alternative system, not including the catchall, is closed to the public unless the scaffold or alternative system rests on a sidewalk shed, a cantilevered system that meets the provisions of Exception 8 of this Section, or the level immediately above the area open to the public is decked such that it provides a level of protection equivalent to that of a sidewalk shed deck.

9.4. The scaffold or alternate system is installed such that it does not obstruct or diminish required light, air, or egress.

9.5. The supported scaffold, or alternative system, meets all other requirements established in rules promulgated by the commissioner.

10. A sidewalk shed is not allowed for the construction of a major new building. Protection in accordance with Exceptions 8 or 9 of this Section must instead be provided.

11. A sidewalk shed is not required to protect against unsafe facade conditions where a mesh enclosure system has been installed in accordance with the following:

11.1. The mesh system is installed in vertical panels and is anchored at the top and the base of the building.

11.2. The top connection is anchored to a separate structural system (i.e. an outrigger system), or if the building parapet is in good condition, to the building parapet.

11.3. The bottom of the mesh is anchored to the ground or to a building at a level below the unsafe facade condition. If the mesh is anchored at ground level, a barrier at least 32 inches (813 mm) shall be provided to keep pedestrians away from the mesh. If the mesh is anchored to the building, the mesh and its anchorage must be strong enough to hold the falling object until it can be safely removed.

11.4. Adequate intermediate support for the mesh shall be provided. The mesh can be laterally tied to existing building facade stabilization anchors or to sound portions of the facade for additional lateral support, provided that the engineer has verified that the support is adequate for the expected load. If the netting is used solely to contain debris from falling away from the building, only vertical netting will be required.

11.5. The mesh can be laterally tied to existing building facade stabilization anchors or to sound portions of the facade for additional lateral support, provided that the engineer has verified that the support is adequate for the expected load.

11.6. If the netting is used solely to contain debris from falling away from the building, only vertical netting will be required. If the netting is also to provide a horizontal surface to catch falling debris, the net will also need to meet requirements for horizontal netting.

11.7. The mesh enclosure system shall be installed such that it does not obstruct or diminish

required light, air, or egress.

11.8. During the repair of an unsafe façade condition where a mesh enclosure system has been installed, a sidewalk shed need not be installed where the area under the work complies with the requirements of Exception 7 of this Section. The mesh enclosure system may be temporarily removed in the location of the work to facilitate work, provided it is reinstalled at the end of the shift.

11.9. The mesh enclosure system meets all other requirements established in rules promulgated by the commissioner.

§ 2. Section 3307.6.4.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.2 Design loads. All sidewalk sheds shall be designed [as a heavy duty sidewalk shed to carry a live load of at least 300 pounds per square foot (1464.6 kg/m). However, where the shed is installed to protect from work performed at a height of less than 100 feet (30 480 mm) above the ground, the sidewalk shed may be designed as a light duty sidewalk shed to carry a live load of at least 150 pounds per square foot (732.3 kg/m²), provided that no item is stored or placed upon the shed.] for a uniform live load of 100 psf (488.2 kg/m²), and a concentrated live load of 2,500 lbs (1133.9 kg) acting on a 12-inch by 12-inch (305 mm by 305 mm) area for all shed horizontal framing elements. These loads shall be placed at the shed location that causes the worst effect. All sidewalk sheds shall also be designed for any additional superimposed and live loads required during construction or demolition, including scaffold leg reactions and storage weights. Storage loads and areas shall be identified in the sidewalk shed drawings. The minimum uniform live load can be reduced to 20 psf (97.6 kg/m²) when applied concurrently with scaffold or storage loads, to avoid double counting of loads.

§ 3. Section 3307.6.4.2.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.2.1 Wind and other loads. The effect of wind and other loads on the sidewalk shed, and any item placed or attached on or to the shed, shall be considered in the design in accordance with Chapter 16. This shall include, but need not be limited to lateral and vertical load effects of wind and earthquake loads per Section 1609 and 1613 as modified by Section 1619 as applicable. Adequate anchorage, dunnage, or dead loads shall be provided to prevent uplift.

§ 4. Section 3307.6.4.2.2 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.2.2 Storage. [Storage on sidewalk sheds shall be as follows:

1. No item shall be stored or placed upon a sidewalk shed designed as a light duty sidewalk shed under Section 3307.6.4.2.
2. No material shall be stored or placed upon a sidewalk shed designed as a heavy duty sidewalk

shed under Section 3307.6.4.2, unless the shed is designed for such storage, with such areas of storage or placement clearly designated on the drawings.

Where an item is to be stored or placed upon a heavy duty sidewalk shed, and such storage or placement is not in excess of 150 pounds per square foot (732.3 kg/m²) on any square foot area of the sidewalk shed, the design live load of 300 pounds per square foot (1464.6 kg/m) need not be increased.

Where an item is to be stored or placed upon a heavy duty sidewalk shed, and such storage or placement is in excess of 150 pounds per square foot (732.3 kg/m²) on any square foot area of the sidewalk shed, such shed shall be designed to carry:

- 2.1. The live load of 300 pounds per square foot (1464.6 kg/m) required of a heavy duty sidewalk shed; and
- 2.2. The load of the item to be placed or stored upon the shed, minus 150 pounds per square foot (732.3kg/m²).
- 2.3. Where an item is to be stored or placed upon a heavy duty sidewalk shed, and such storage or placement is in excess of 150 pounds per square foot (732.4 kg/m²) on any square foot area of the sidewalk shed, such shed shall be designed to carry:
 - 2.3.1. The live load of 300 pounds per square foot (1464.7 kg/m²) required of a heavy duty sidewalk shed; and
 - 2.3.2. The load of the item to be placed or stored upon the shed, minus 150 pounds per square foot (732.4 kg/m²).
- 2.4. The decking of the sidewalk shed does not consist of the light-transmitting plastic material.]

No material shall be stored or placed upon a sidewalk shed unless the shed is designed for such storage or placement, with such areas of storage or placement clearly designated on the drawings and the designer has verified the adequacy of the decking material.

§ 5. Chapter 33 of the New York city building code is amended by adding new section 3307.6.4.2.3 to read as follows:

3307.6.4.2.3 Vehicular impact. Sidewalk sheds shall be designed or protected from vehicular impact in accordance with one of the following:

1. The sidewalk shed shall be designed such that an alternative load path is provided for each vertical member so that the loss of a vertical member will not result in the failure, global or localized, of the shed.

Exceptions: This requirement is not required where:

1. Vertical members are adequately protected by bollards, guardwalls, vehicle arrest systems, or similar permanent elements installed in accordance with the requirements of the

Department of Transportation.

2. Vertical members are protected from vehicular traffic by a Class I bike lane or similar.
3. Vertical members that are located within 36 inches (914 mm) from a roadway or parking lane are securely affixed within a planter capable of sustaining a vehicular impact. The planter shall not exceed 4 feet (1219 mm) in width, 6 feet (1829 mm) in length, and 4 feet (1219 mm) in height. The planter shall be capable of resisting a load of 6,000 pounds (26.70 kN), acting simultaneously with other design loads, and applied horizontally in an any direction at 1 foot 6 inches (457 mm) above its base.

§ 6. Section 3307.6.4.7 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.7 Height. The passageway under the shed shall have a minimum clear ceiling height of [8 feet (2438 mm)] 12 feet (3658 mm), or less as necessary to avoid interference with required light, air, or egress, but no less than 10 feet (3048 mm).

Exception: Lights that extend no more than 8 inches (203 mm) below the level of the deck shall be excluded from the clear ceiling height measurement.

§ 7. Section 3307.6.4.8 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.8 Lighting. Sidewalk shed lighting shall be in conformance with the following:

1. The underside of sidewalk sheds shall be illuminated at all times either by daylight or electric light. The level of illumination shall be uniformly distributed along the entire length of the shed with a minimum of [1] 1.5 foot-candle ([11] 17 lux) measured at the level of the walking surface , or 5 foot-candle (55 lux) measured at the level of the walking surface when the walking surface is within 10 feet (3048 mm) of a subway entrance, bus shelter, or similar transit facility, with a minimum luminous efficacy of 45 lumens per watt or greater and be rated to operate at temperatures of 5°F (-15°C) and higher.
2. All lamps shall be enclosed in water-resistant and vandal-resistant fixtures, and all lamps, wiring, and accessory components shall conform to the requirements of the *New York City Electrical Code*.
3. Photosensors may be used to control electric lighting according to the amount of daylight available. All photosensors shall be equipped for fail-safe operation ensuring that if the sensor or control fails, the lamps will provide the lighting levels required by this section.

§ 8. Section 3307.6.4.11 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.11 Color. Sidewalk sheds [erected on or after July 1, 2013,] shall meet the following color requirements:

1. [Solid parapet panels shall be hunter green] Parapet panels, whether solid or mesh, shall be hunter green, neutral white, black, neutral beige, metallic gray, blue, or the color of the building.
2. [Mesh parapet panels shall be hunter green or metallic gray] Portions of parapet panel framing members visible to the public shall be one of the colors listed in item 1 of this Section. This includes side and back portions of such parapet panel framing members that may be visible through mesh panels.
3. [Portions of parapet panel framing members visible to the public shall be hunter green. This includes side and back portions of such parapet panel framing members that may be visible through mesh panels] Vertical members, cross bracing, and other framing components shall be hunter green, neutral white, black, neutral beige, metallic gray, blue, or the color of the building.
4. Vertical members, cross bracing, and other metallic components shall be hunter green or metallic gray.

Exception: Sidewalk sheds that are of a model whose prototype won a design competition recognized by the city may be white in color.]

§ 9. This local law takes effect immediately.

Session 13
LS #9006
1/22/2024

Session 12
APM
LS #9006
3/10/2023