

# **LOCAL LAW 11/98 ARE YOU PREPARED?**

**BY ALAN EPSTEIN, PE  
EPSTEIN ENGINEERING**

## **PART I**

On April 19, 1999 the Building Industry Advisory Council assembled by the City of New York met relative to the final changes to Local Lay 10/80 (The Facade Inspection Law which will now be known as Local Law 11/98) The following summarizes the MAJOR CHANGES, which have been incorporated into the new law and the likely cost impact of such changes

### **1. Rear/Side/Courtyard Walls to be inspected**

Under the new Local Law 11 all facades of all buildings greater than six (6) stories in height must now be inspected. This includes side, rear, courtyard, etc. walls which may have previously been exempt from Local Law 10 inspection.

THIS REPRESENTS MAJOR CHANGE FROM THE REQUIREMENTS FROM LOCAL LAW 10/80. IT GREATY EXPANDS THE NIUMBER OF WALLS AND FACADE, WHICH MUST BE INSPECTED. An exception to these new requirements is walls, which are less than twelve inches from the exterior wall of an adjacent building. These walls need not be inspected for all buildings covered by Local Law 11. For additional exceptions relative to certain buildings having at 1St one but not all facades greater than 6 stories, see item 4 below.

#### **Cost Impact**

One should anticipate an increase in professional fees for Local Law 11 inspection and Reports as a result of the significant expansion of areas being inspected and the difficulty and time constringing nature of accessing such areas. An even morn substantial Cost impact will be felt relative to the cost of having contractors perform remedial work at these areas. Many rear/courtyard facades have not previously been inspected nor have repairs been performed at such area for significant periods of time.

### **2. Time Frame for Buildings Having Some Walls Never Previously Inspected**

The Department of Buildings has provided 2 different mechanisms/time frames for complying with the new requirements of Local Law 11/98 for buildings of this nature. They are as follows:

a) A 5th Cycle Local Law 10 Report can be filed for buildings of this nature provided. that all walls are inspected and the report of the inspection is filed with the: Department of Buildings during the period

of February 21, 1999 through March 1, 2000. This would be considered a 5th Cycle Filing for the building.

b) Alternatively, there is available the following 2-step inspection and filing procedure:

i. An initial inspection must be conducted relative to the walls never previously inspected under Local Law 10/80 and a report, of that initial inspection must be filed with the Department of Buildings by March 1, 2000. This filing will be known as a supplemental 4th Cycle Filing; and:

ii. An inspection of all the building's walls (including a re-inspection of the walls inspected under i. above) must be performed — a report of that inspection mint be filed during the period February 21, 2000 through February 21, 2002. This would serve as the, 5th Cycle Local Law 11 Filing for the Building.

With respect to this alternative method, both steps i. and ii. must be complied with.

#### **Cost Impact**

These are very short time frames for compliance. The deadline for the filing of reports, relative to rear/Courtyard facades never previously inspected is Less than, eight months away. As a result of the enormous number of buildings which will have to be inspected and which will have to have reports filed within 'this brief window of opportunity. there will likely be an extreme shortage of capable and qualified consultants who are available This shortage will become even more pronounced as the deadlines approach. Accordingly, one should reasonably expect fees to escalate as February 21, 2000 approaches since consultants may have to work overtime' and double shifts to meet demands.

### **3. Time Frame lost Building Which Previously Had All Walls Inspected**

Fifth Cycle Local Law 11 Reports for all building which previously had all facades inspected under Local Law 10 must be filed during the period February 21, 1999 and February 21, 2002.

### **4. Buildings Covered by Local Law 11/98**

All building located in New York City, which are greater than six stories in height must be inspected under Local Law 11. Buildings which are designated in their certificate of occupancy or having six stories plus a basement must have all of their facades inspected. For buildings which are designated in their certificate of occupancy as having six stories plus a cellar and which have