

March 1999

The Cooperator
The Co-op & Condo Monthly

Local Law 11
Following the New
Guidelines

By BARBARA DERSHOWITZ

You can't walk down a Manhattan street these days without passing under one or more sidewalk sheds erected to protect pedestrian and vehicular traffic from pieces of building exterior that might fall. Local Law 10 of 1980 and the recently-enacted Local Law 11 of 1998 apply to buildings that are six or more stories and were put in place to address the dangers associated with deteriorating building facades. Understanding these laws can be tricky, and complying with them – especially with Local Law 11 – can be both costly and time-consuming.

A Visual Inspection

Passed in February 1980, Local Law 10 mandates a visual examination at least once every five years of the building's exterior under the supervision of a licensed architect or licensed professional engineer on

behalf of the building's owner. While the preferred method is by an observation platform such as a scaffold, the inspection can also be done from the street using photographic magnification techniques or binoculars.

The architect or engineer must submit a written report to the Department of Buildings (DOB) including documentation of any unsafe conditions, and the owner must begin repair work right away. Local Law 10 specifically excludes exterior walls set back more than 25 feet from the street and/or any paved pedestrian walkways, plazas or play areas routinely used by the public; walls above the sixth story that are set back more than 25 feet on either side of a paved walkway at right angles to a building's walls that are used either for occupant or service portion egress; and buildings having an ongoing exterior wall maintenance program acceptable to the DOB.

Owners who neglect to comply with Local Law 10 can be punished by a fine of up to \$1,000 and/or by imprisonment of up to six months, and also are subject to a fine of \$250 for each month of non-compliance. Clearly, it was the city's intention that Local Law 10 would make building, and life in the city, safer. But tragic events over the last two years, such as the death of a 16-year old student killed by a falling brick, the shower of bricks that fell from an office building on Madison Avenue and several casualties resulting from similar occurrences, prompted the city to pass Local Law 11 in March 1998 to tighten many of the requirements present in Local Law 10.