

# MSF CLIENT ALERT

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## COVID-19 & NYC Department of Buildings UPDATE

The New York City Department of Buildings issued a bulletin on Monday March 30<sup>th</sup>, linked below, making Owners primarily responsible for safeguarding and inspecting construction and demolition sites when operations are suspended pursuant to New York State Gubernatorial Emergency Order 202.6 and subsequent orders and related Empire State Development Corporation guidelines, New York City Mayoral Emergency Order 103 and subsequent mayoral emergency orders, or as otherwise mandated due to the ongoing COVID-19 public health emergency. The bulletin addresses specific procedures that Owners and Contractors must follow when safeguarding suspended sites.

The bulletin establishes requirements for (1) the renewal of permits and temporary certificates of occupancy already in effect; (2) security and maintenance at the site during the suspension, including minimum weekly safety and compliance inspections, crane storage, and the maintenance of all required fire detection and suppression systems; (3) special requirements for all excavation/foundation sites, including mandatory engineering inspections within 48 hours of suspension;

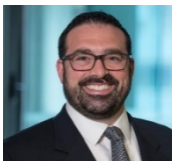
and (4) special provisions for suspended sites in existing buildings requiring all tenant and occupant protection plans to remain in place throughout the term of the suspension.

Additional measures may be ordered by the Commissioner of the Department of Buildings to ensure sites are maintained safely based on site-specific conditions. Any construction or demolition site where operations have been suspended and site conditions have become hazardous may be declared an “unsafe building” and the Department may seek remedies provided for under the Building Code. Where personnel are at the site to perform necessary inspections and maintenance, all applicable guidance from local, state, and federal health officials shall be followed to the extent practical.

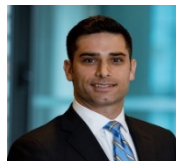
Bulletin Link:

[https://www1.nyc.gov/assets/buildings/bldgs\\_bulletins/b\\_b\\_2020-004.pdf](https://www1.nyc.gov/assets/buildings/bldgs_bulletins/b_b_2020-004.pdf)

For more information or if you have any questions about how this new development may affect your business, please contact the MSF Construction team.



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