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2010 Building Code of New York State CHAPTER 33-SAFEGUARDS DURING CONSTRUCTION

SECTION 3301 GENERAL

3301.1 Scope. The provisions of this chapter shall govern safety during construction and the protection of adjacent public and private properties.

3301.2 Storage and placement. Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project.

SECTION 3302 CONSTRUCTION SAFEGUARDS

3302.1 Remodeling and additions. Required exits, existing structural elements, fire protection devices and sanitary safeguards shall be maintained at all times during remodeling, alterations, repairs or additions to any building or structure.

Exceptions:

1. When such required elements or devices are being remodeled, altered or repaired, adequate substitute provisions shall be made.
2. When the existing building is not occupied.

3302.2 Manner of removal. Waste materials shall be removed in a manner which prevents injury or damage to persons, adjoining properties and public rights-of-way.

SECTION 3303 DEMOLITION

3303.1 Construction documents. Construction documents and a schedule for demolition must be submitted when required by the code enforcement official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved.

3303.2 Pedestrian protection. The work of demolishing any building shall not be commenced until pedestrian protection is in place as required by this chapter.

3303.3 Means of egress. A party wall balcony or horizontal exit shall not be destroyed unless and until a substitute means of egress has been provided and approved.

3303.4 Vacant lot. Where a structure has been demolished or removed, the vacant lot shall be filled and maintained to the existing grade or in accordance with the ordinances of the jurisdiction having authority.

3303.5 Water accumulation. Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.



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3303.6 Utility connections. Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the authority having jurisdiction.

SECTION 3304 SITE WORK

3304.1 Excavation and fill. Excavation and fill for buildings and structures shall be constructed or protected so as not to endanger life or property. Stumps and roots shall be removed from the soil to a depth of at least 12 inches (305 mm) below the surface of the ground in the area to be occupied by the building. Wood forms which have been used in placing concrete, if within the ground or between foundation sills and the ground, shall be removed before a building is occupied or used for any purpose. Before completion, loose or casual wood shall be removed from direct contact with the ground under the building.

3304.1.1 Slope limits. Slopes for permanent fill shall not be steeper than one unit vertical in two units horizontal (50-percent slope). Cut slopes for permanent excavations shall not be steeper than one unit vertical in two units horizontal (50-percent slope). Deviation from the foregoing limitations for cut slopes shall be permitted only upon the presentation of a soil investigation report acceptable to the code enforcement official.

3304.1.2 Surcharge. No fill or other surcharge loads shall be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by the fill or surcharge. Existing footings or foundations which can be affected by any excavation shall be underpinned adequately or otherwise protected against settlement and shall be protected against later movement.

3304.1.3 Footings on adjacent slopes. For footings on adjacent slopes, see [Chapter 18](#).

3304.1.4 Fill supporting foundations. Fill to be used to support the foundations of any building or structure shall comply with [Section 1803.5](#). Special inspections of compacted fill shall be in accordance with [Section 1704.7](#).

SECTION 3305 SANITARY

3305.1 Facilities required. Sanitary facilities shall be provided during construction, remodeling or demolition activities in accordance with the *Plumbing Code of New York State*.

SECTION 3306 PROTECTION OF PEDESTRIANS

3306.1 Protection required. Pedestrians shall be protected during construction, remodeling and demolition activities as required by this chapter and Table 3306.1. Signs shall be provided to direct pedestrian traffic.



TABLE 3306.1 PROTECTION OF PEDESTRIANS

HEIGHT OF CONSTRUCTION	DISTANCE FROM CONSTRUCTION TO LOT LINE	TYPE OF PROTECTION REQUIRED
8 feet or less	Less than 5 feet	Construction railings
	5 feet or more	None
More than 8 feet	Less than 5 feet	Barrier and covered walkway
	5 feet or more, but not more than one-fourth the height of construction	Barrier and covered walkway
	5 feet or more, but between one-fourth and one-half the height of construction	Barrier
	5 feet or more, but exceeding one-half the height of construction	None

For SI: 1 foot = 304.8 mm.

3306.2 Walkways. A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the authority having jurisdiction authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface. Walkways shall be accessible in accordance with [Chapter 11](#) and shall be designed to support all imposed loads and in no case shall the design live load be less than 150 pounds per square foot (psf) (7.2 kN/m²).

3306.3 Directional barricades. Pedestrian traffic shall be protected by a directional barricade where the walkway extends into the street. The directional barricade shall be of sufficient size and construction to direct vehicular traffic away from the pedestrian path.

3306.4 Construction railings. Construction railings shall be at least 42 inches (1067 mm) in height and shall be sufficient to direct pedestrians around construction areas.

3306.5 Barriers. Barriers shall be a minimum of 8 feet (2438 mm) in height and shall be placed on the side of the walkway nearest the construction. Barriers shall extend the entire length of the construction site. Openings in such barriers shall be protected by doors which are normally kept closed.

3306.6 Barrier design. Barriers shall be designed to resist loads required in [Chapter 16](#) unless constructed as follows:

1. Barriers shall be provided with 2-inch by 4-inch (51 mm by 102 mm) top and bottom plates.
2. The barrier material shall be a minimum of $\frac{3}{4}$ -inch (19.1 mm) boards or $\frac{1}{4}$ -inch (6.4 mm) wood structural use panels.
3. Wood structural use panels shall be bonded with an adhesive identical to that for exterior wood structural use panels.
4. Wood structural use panels $\frac{1}{4}$ inch (6.4 mm) or $\frac{5}{16}$ inch (23.8 mm) in thickness shall have studs spaced not more than 2 feet (610 mm) on center (o.c.).
5. Wood structural use panels $\frac{3}{8}$ inch (9.5 mm) or $\frac{1}{2}$ inch (12.7 mm) in thickness shall have studs spaced not more than 4 feet (1219 mm) o.c., provided a 2-inch by 4-inch (51 mm by 102



mm) stiffener is placed horizontally at midheight where the stud spacing exceeds 2 feet (610 mm) o.c.

6. Wood structural use panels $\frac{5}{8}$ inch (15.9 mm) or thicker shall not span over 8 feet (2438 mm).

3306.7 Covered walkways. Covered walkways shall have a minimum clear height of 8 feet (2438 mm) as measured from the floor surface to the canopy overhead. Adequate lighting shall be provided at all times. Covered walkways shall be designed to support all imposed loads. In no case shall the design live load be less than 150 psf (7.2 kN/m²) for the entire structure.

Exception: Roofs and supporting structures of covered walkways for new, light-frame construction not exceeding two stories in height are permitted to be designed for a live load of 75 psf (3.6kN/m²) or the loads imposed on them, whichever is greater. In lieu of such designs, the roof and supporting structure of a covered walkway are permitted to be constructed as follows:

1. Footings shall be continuous 2-inch by 6-inch (51 mm by 152 mm) members.
2. Posts not less than 4 inches by 6 inches (102 mm by 152 mm) shall be provided on both sides of the roof and spaced not more than 12 feet (3658 mm) o.c.
3. Stringers not less than 4 inches by 12 inches (102 mm by 305 mm) shall be placed on edge upon the posts.
4. Joists resting on the stringers shall be at least 2 inches by 8 inches (51 mm by 203 mm) and shall be spaced not more than 2 feet (610 mm) o.c.
5. The deck shall be planks at least 2 inches (51 mm) thick or wood structural panels with an exterior exposure durability classification at least $\frac{23}{32}$ inch (18.3 mm) thick nailed to the joists.
6. Each post shall be knee braced to joists and stringers by 2-inch by 4-inch (51 mm by 102 mm) minimum members 4 feet (1219 mm) long.
7. A 2-inch by 4-inch (51 mm by 102 mm) minimum curb shall be set on edge along the outside edge of the deck.

3306.8 Repair, maintenance and removal. Pedestrian protection required by this chapter shall be maintained in place and kept in good order for the entire length of time pedestrians may be endangered. The owner or the owner's agent, upon the completion of the construction activity, shall immediately remove walkways, debris and other obstructions and leave such public property in as good a condition as it was before such work was commenced.

3306.9 Adjacent to excavations. Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier not less than 6 feet (1829 mm) high. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when required by the code enforcement official. Barriers shall be of adequate strength to resist wind pressure as specified in [Chapter 16](#).

SECTION 3307 PROTECTION OF ADJOINING PROPERTY

3307.1 Protection required. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff



and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.

SECTION 3308 TEMPORARY USE OF STREETS, ALLEYS AND PUBLIC PROPERTY

3308.1 Storage and handling of materials. The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the authority having jurisdiction and this chapter.

3308.1.1 Obstructions. Construction materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6096 mm) of a street intersection, or placed so as to obstruct normal observations of traffic signals or to hinder the use of public transit loading platforms.

3308.2 Utility fixtures. Building materials, fences, sheds or any obstruction of any kind shall not be placed so as to obstruct free approach to any fire hydrant, fire department connection, utility pole, manhole, fire alarm box or catch basin, or so as to interfere with the passage of water in the gutter. Protection against damage shall be provided to such utility fixtures during the progress of the work, but sight of them shall not be obstructed.

SECTION 3309 FIRE EXTINGUISHERS

3309.1 Where required. All structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher in accordance with [Section 906](#) and sized for not less than ordinary hazard as follows: **[F]**

1. At each stairway on all floor levels where combustible materials have accumulated.
2. In every storage and construction shed.
3. Additional portable fire extinguishers shall be provided where special hazards exist, such as the storage and use of flammable and combustible liquids.

3309.2 Fire hazards. The provisions of this code and the *Fire Code of New York State* shall be strictly observed to safeguard against all fire hazards attendant upon construction operations.

SECTION 3310 EXITS

3310.1 Stairways required. Where a building has been constructed to a height greater than 50 feet (15 240 mm) or four stories, or where an existing building exceeding 50 feet (15 240 mm) in height is altered, at least one temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses.

3310.2 Maintenance of exits. Required means of egress shall be maintained at all times during



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construction, demolition, remodeling or alterations and additions to any building.

Exception: Approved temporary means of egress systems and facilities.

3310.3 Stairway floor number signs. Temporary stairway floor number signs shall be provided in accordance with the requirements of [Section 1020.1.6](#).

SECTION 3311 STANDPIPES [F]

3311.1 Where required. Buildings four stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed where the progress of construction is not more than 40 feet (12 192 mm) in height above the lowest level of fire department access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

3311.2 Buildings being demolished. Where a building is being demolished and a standpipe exists within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the fire department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

3311.3 Detailed requirements. Standpipes shall be installed in accordance with the provisions of [Chapter 9](#).

Exception: Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes conform to the requirements of [Section 905](#) as to capacity, outlets and materials.

3311.4 Water supply. Water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material accumulates.

SECTION 3312 AUTOMATIC SPRINKLER SYSTEM

3312.1 Completion before occupancy. In buildings where an automatic sprinkler system is required by this code, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved, except as provided in Section 110.3. **[F]**

3312.2 Operation of valves. Operation of sprinkler control valves shall be permitted only by properly authorized personnel and shall be accompanied by notification of duly designated parties. When the sprinkler protection is being regularly turned off and on to facilitate connection of newly completed segments, the sprinkler control valves shall be checked at the end of each work period to ascertain that protection is in service. **[F]**