

Parapet Inspections, *What?*

A solicitation flyer went around in August that stirred up quite a bit of anxiety and discussion amongst many neighbors including LMA board members. To clarify and correct information presented on this flyer, LMA did some research and contacted the Office of Community Engagement & Programming as well as the Structural Engineering Compliance division at the NYC Department of Buildings (DOB).

Here's the information that was provided.

Beginning on January 1, 2024, every building owner must have an observation of the parapet on their building(s) performed in accordance with the requirements of Section 28-301.1.1 of the New York City Administrative Code. This requirement applies to all buildings with parapets fronting the public right-of-way, regardless of height.

EXCEPT:

Detached 1- or 2- family homes

Buildings with a fence or other barrier preventing access to the exterior wall

The observation must include close-up inspections of the entire parapet which could be conducted from a fire escape or roof. See 1 RCNY §103-15 for more information on observation and report requirements.

Report Requirements The person performing the observation or the owner in consultation with the person performing the observation is required to prepare a report of the observation.

Owners must maintain the observation reports for at least 6 years and make the reports available to DOB upon request. Review 1 RCNY §103-15 for more information about the observation and report requirements.

As per Maintenance of [Buildings Chapter3 §28 - 301.1.1 Parapets](#).

A building's parapet shall be maintained in a safe condition. A building owner must have an annual parapet observation performed as described in the rules of the department. This observation must be performed on all buildings, regardless of height

How is a parapet defined? 1 RCNY 103-15 defines a parapet as the part of any wall entirely above the roof line

What is considered a public right-of-way? The elevation of an exterior wall is part of the public right-of-way if a member of the public who is not associated with the property in question can freely walk up to the façade of the building, even if that exterior wall is on private property. Buildings with a continuous barrier within a perpendicular distance from the exterior wall that is equal to or less than half the height of the exterior wall must be inspected. (*A front stoop is considered as a public right-of-way, a driveway behind a fence & locked gate is not.*)

Helpful Links:

[Parapet FAQs](#)

[1 RCNY §103-15](#)

[Parapets - Buildings](#)

Who does the observation? The observation must be performed annually by a person competent to inspect parapets. This includes, but is not limited to, a bricklayer, building superintendent, handyman, mason or a person in a similar construction-related trade, architect, engineer, an inspector working for a New York State-authorized insurance company, a New York State-authorized building inspector or any other individual capable of identifying hazards on the parapet.

Remember, these observation reports are NOT submitted to the Department of Buildings. Owners must maintain them for at least 6 years and make the reports available to the DOB upon request. There is no civil penalty for failure to comply as per Yari Shamash, the DOB's commissioner of enforcement, but if there was an incident, the building owner would be expected to produce the reports and might incur a violation if they haven't done them. Note: This parapet inspection law is not a part of and should not be confused with Local Law 11 or the Façade Inspection & Safety Program.

Definitions with Photos

A **parapet** is part of any wall entirely above the roof line (photo 1). It's typically found in flat-roof construction. Regardless of whether it's on the front, side or rear of the house, if a parapet faces a public right-of-way, it is subject to inspection. (See definition of "public right-of-way")

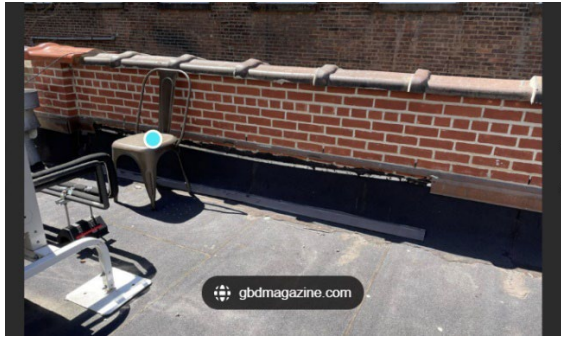


Photo 1

NOTE:

It is important to confirm your conditions, which likely means a trip up to the roof.

A **cornice** is a projecting horizontal member or assembly that tops an exterior wall (photo 2). It CAN be mounted to a parapet wall (see photos 6 & 7 below) but most in our neighborhood are not. The roof runs flat (photo 3) or slope-up (photo 4) to where the top of the cornice is mounted. These are not parapets.



Photo 2



Photo 3

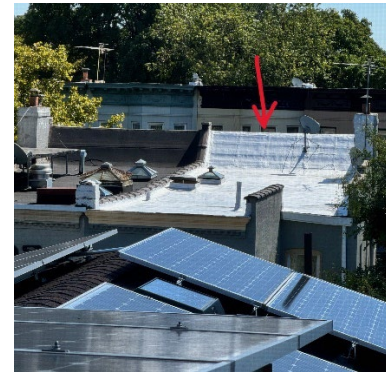


Photo 4

Exceptions might exist if the house/building is at the end of a row like at a street corner or a driveway. **Photo 5** shows a cornice on the front and a parapet on the side. This cornice is not on a parapet and the DOB has informed us that sidewalls are exempt due to the presence of a fence/gate, so no inspection is required here. **Photo 6** has parapets on both the front and sides that require inspections as it's on a street corner. The front parapet (not side) in **photo 7** would require an inspection, as would the angled parapet walls circled in blue in **photo 8** as the ends of them are front facing and not behind the locked gate.



Photo 5



Photo 6



Photo 7



Photo 8

(C for Cornice, P for Parapet)

1 RCNY §103-15
CHAPTER 100
Subchapter C Maintenance of Buildings

§103-15 Periodic observation of building parapets.

- (a) **Definitions.** For the purposes of this section, the following terms have the following meanings.
- Appurtenance. Any structure attached to or supported by a parapet.
- Cornice. A projecting horizontal member or assembly that crowns a wall.
- Fronting. Running parallel or near parallel to a public right of way.
- Gooseneck. A curved section of a handrail which terminates at the top of a roof or parapet.
- Observation. A visual examination of a parapet, cornice and other parapet appurtenances conducted to determine their stability and identify any potentially hazardous conditions.
- Parapet. The part of any wall entirely above the roof line.
- Public right-of-way. A public street, avenue, sidewalk, roadway or any other public place or public way.
- (b) **Observations.** Starting on January 1, 2024, in accordance with the requirements of section 28-301.1.1 of the Administrative Code, every building owner must have an observation performed in accordance with this subdivision. This requirement applies to all buildings with parapets fronting the public right-of-way, regardless of height, except for detached 1- or 2-family homes or buildings with a fence or other barrier preventing access to the exterior wall.
- (1) The observation must be performed annually by a person competent to inspect parapets. For the purposes of this subdivision, this includes, but is not limited to, a bricklayer, building superintendent, handyman, mason or a person in a similar construction-related trade, architect, engineer, an inspector working for a New York State-authorized insurance company, a New York State-authorized building inspector or any other individual capable of identifying hazards on the parapet.
 - (2) The observation must include close-up inspections of the entire parapet. The close-up inspection may be conducted from a fire escape or roof.
 - (3) The observation must include, but not be limited to:
 - (i) A determination that the parapet is plumb by a horizontal distance within one-eighth of its cross-sectional thickness in any location.
 - (ii) A determination of whether there is excessive deterioration, including, but not limited to, displacement, horizontal or diagonal cracks, missing or loose bricks or coping stones, deteriorated mortar joints, spalling, or rot.
 - (iii) A determination that appurtenances such as telecommunications equipment, railings, roof access rails, gooseneck ladders and handrail attachments for fire escapes, and signs, have been installed and maintained in a stable condition.
 - (4) If the parapet exhibits a hazardous or unsafe condition:
 - (i) The person performing the observation must immediately notify the Department of Buildings; and
 - (ii) The owner must immediately install public protection, such as erecting sidewalk sheds, fences, and safety netting, as may be required to secure the safety of the public, and have the unsafe condition remedied. All unsafe conditions must be corrected within ninety (90) days from the notification to the Department. The public protection must remain in place until the unsafe condition is remedied.
- (c) **Report Requirements.** A report must be prepared by the person performing the observation or by the owner in consultation with the person performing the observation.
- (1) The report must include, but not be limited to:
 - (i) The address and any other associated addresses for the building;
 - (ii) The name, mailing address and telephone number of the owner of the building, or, if the owner is not an individual, the name, mailing address, telephone number, and position/title of a principal of the owner;
 - (iii) The name of the person performing the observation. If other than the owner, their mailing address, telephone number, affiliation with the building or owner, and business name, if applicable;
 - (iv) The date(s) of the observation;
 - (v) The location plan of the parapet(s) observed;
 - (vi) The construction of the parapet, including but not limited to material, height, and thickness;
 - (vii) General conditions noted, whether any unsafe conditions were found, and actions taken to remedy the unsafe conditions;
 - (viii) Any repairs made to the parapet since the previous report; and
 - (ix) Dated photos documenting the conditions at the time of observation.
 - (2) Owners must maintain the observation reports for at least six (6) years and must make such reports available to the Department upon request.