

[HOME](#)

[PRINT VERSION](#)

[ARCHIVES](#)

Engineer's Corner: **New Balcony and Railing Inspection Requirements**



Typical balcony railing deficiency

By Anita Konfederak, Vice President, [Merritt Engineering Consultants, P.C.](#)

On May 17, 2013, Rule 104-03 of Title I of the Rules of the City of New York, which governs periodic inspections

Local Law 11/98 reports), was amended and now requires that a separate statement regarding the status of balcony railings be included in the FISP report. Specifically the amendment requires that balcony railings be inspected by a “Qualified Exterior Wall Inspector” (QEWI) to ensure that their components (balusters, intermediate railings, and filler panels) are positively secured (by welds, bolts, or screws) against upward movement. If any of these components are found not to be positively secured, then the condition(s) must be classified as unsafe, reported immediately to the Buildings Department, and made safe by the immediate commencement of repairs.

Furthermore, the Statement of Basis and Purpose, upon which the amended rule is based, requires that owners must periodically check the adequacy and structural integrity of all balcony railings.



Rusting railing sleeve causing concrete to spall.

Since most Owners filed their 7th Cycle FISP (Local Law 11/98) reports before this May 2013 amendment, and typical reports are based on visual inspections through binoculars with limited hands-on inspections from scaffolds, many engineers, architects, managers and owners questioned the NYC Dept. of Buildings on how exactly the balcony railings are to be inspected, how many need to be inspected up close, if they need to be tested, and if the recently filed 7th Cycle reports need to be revised to include more balcony information.

Engineering, to hear their concerns and review past and present railing code requirements. As a result, the DOB issued a draft memo dated December 2, 2013, which offers supplemental information in response to some of these questions. The draft memo, which has yet to be formally adopted, clarifies the following:

- The term “Balconies” in the amendment is to include “terraces, walkways, corridors, fire escapes, roofs, setbacks, etc. as related to the exterior walls and appurtenances”. Therefore, the “structure and/or slabs, handrail assemblies, guards, and/or railings constructed of any material, and associated connections” in these areas are to be inspected and reported on in the newly required balcony report statements. Balcony enclosures shall be inspected and reported on as well. Owners are to be notified that permits are required for enclosures. It is at the discretion of the QEWI to determine the extent of the inspection.

February 1, 2015 for buildings over 6 stories in height with balconies. The statements may be filed by any of the following: the QEWI who filed the report, a QEWI who inspected the balconies only, a DOB approved special inspector, or by a DOB approved testing lab. Statements must include the number of balconies on the entire building, the number and locations of inspected balconies, as well as the total areas and locations of inspected terraces, walkways, corridors, fire escapes, roofs and setbacks. If the status of the balconies downgrades the status of the building (for example from Safe to SWARMP, Safe to Unsafe, or SWARMP to Unsafe), a subsequent FISP/LL 11-98 report must be filed. If the status is downgraded to Unsafe, a FISP3 form must also be filed.

Merritt Engineering Consultants, P.C. is closely following any rule changes regarding this matter and presently

conducting balcony and railing inspections on numerous buildings. If you are a building owner or manager who needs a FISP (Local Law 11/98) supplemental balcony report inspection, please feel free to contact Heather Fuller, Marketing Director, at HFuller@merrittengineering.com

The views and/or opinions contained within are those of the drafter and may not reflect the views and/or opinions of [Skyline Restoration Inc.](#)