

Smoking Prohibited on all Construction Sites

The 2008 Building Code, effective July 1, 2008, requires contractors to maintain safe conditions at building sites and provides that construction operations affecting fire prevention comply with the New York City Fire Code. (See Building Code sections 3301.1.2 and 3303.7.) As per section 1404.1 of the new Fire Code, effective July 1, 2008, **smoking on any construction (including demolition) site is strictly prohibited.**

Department inspectors will issue violations when they determine that individuals, including workers, are smoking on job sites. Inspectors will also issue violations for failure to post appropriate no smoking signs on site. These violations may be issued to the contractor, the owner and/or other relevant parties and will carry initial penalties from **\$1200 to \$2400**.

In addition, in order to ensure compliance with the above provisions, the Department strongly recommends that contractors, sub-contractors and appropriate site safety personnel do the following:

- Prominently display no-smoking signs
- Remove all ashtrays
- Inform individuals smoking on the job site that they are not in compliance with the law and may be subject to fines and penalties
- Instruct individuals found smoking to immediately extinguish any smoking materials

Smoking on construction sites can create unnecessary dangers and can compromise the safety of construction workers, first responders and the public. The new NYC Construction Codes and the Fire Code create safeguards that will continue to improve fire and construction safety while protecting workers and the public.