



COMMISSIONER'S BULLETIN
INSPECTIONAL SERVICES DEPARTMENT
CITY OF BOSTON

Number: 2023-04

Date: November 29, 2023

Subject: Implementation of An Ordinance Governing Construction and Demolition Operations in the City of Boston

Purpose: This Bulletin outlines the procedures and requirements regulation of Construction and Demolition Operations in compliance with City of Boston Code, Ordinances, Chapter 16-65.

01. Determinization and Authorization:

Pursuant to City of Boston Code, Ordinances, Chapter 16-65, *Ordinance Governing Construction and Demolition Operations in the City of Boston*, Subsection 16-65.8, the Commissioner of Inspectional Services promulgates these rules and regulations related to the implementation said Ordinance. A copy of said Ordinance is attached hereto as *Appendix A*.

The purpose of said Ordinance is to ensure that all construction and demolition operations in the City of Boston are conducted in a manner that protects the health, welfare, and safety of the general public and to protect public and private property from any potential dangers that may result from construction or demolition operations in the City.

No provision of this Ordinance requires the Inspectional Services Department, or any other City entity, to interpret or enforce any existing Occupational Safety and Health Administration ("OSHA") health and safety regulation that governs the safety of persons employed in construction or demolition operations.

02. Applicability:

This Ordinance and Commissioner's Bulletin apply to all demolition and construction operations in the City of Boston except for those permitted under a Homeowner Waiver as issued by the Inspectional Services Department, as it pertains to the safety of the public and property. The administrative regulations outlined below apply to new permit applications, subject to the provisions of the Ordinance, submitted on or after the effective date of this Bulletin.

03. Definitions:

For the purposes of this Bulletin, the following definitions shall apply:

- Competent Person: One who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.
- Qualified Person: One who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his/her ability to solve or resolve problems relating to the subject matter, the work, or the project.
- Demolition: The dismantling, razing or destroying of any building or structure or any part thereof
- OSHA: The Federal Occupational Safety and Health Administration. The agency is charged with ensuring safe and healthful working conditions for workers by enforcing workplace safety standards and by providing training, outreach, education and assistance to private employers.
- OSHA 30-Hour Training Program: A comprehensive safety program authorized by the Federal Occupational Safety and Health Administration (OSHA) that trains workers and employers on recognition, avoidance, abatement and prevention of safety and health hazards in the workplace.
- Site Safety Coordinator: A site safety coordinator is a person with at least an OSHA 30-hour training that is designated by the owner, agent, construction manager, or general contractor at all construction projects larger than 50,000 square feet and all demolition projects for buildings 4 stories or larger to perform the duties defined in this Ordinance.
- Site Safety Plan: A project-specific, site-specific safety plan that defines planned protections from potential hazards to people on the project site, the public and property.
- Site Safety Plan Affidavit: A sworn statement on a form determined by the Department certifying that the permit holder or their designee has prepared and will implement a project specific, site safety plan that defines planned protections from the potential hazards to people on the project site, the public, and property from construction and demolition operations and meets the applicable requirements defined by the Department. As part of the affidavit, the permit holder or their designee will attest that their project will comply with all applicable OSHA health and safety regulations.
- Permit: A permit for the construction, alteration, or demolition of a structure issued by the Inspectional Services Department. For the purposes of this Bulletin, a permit shall not include any permit issued under a Homeowner Waiver, or any trades permits (electrical, plumbing, gas, mechanical), provided however, that any workers engaged on a site conducting trades work subject to a trades permit, shall be included in the Site Safety Orientation and Site Safety Refresher.
- Permit Holder: An individual or entity that has secured a permit from the Inspectional Services Department for construction work and is responsible for the work conducted pursuant to that permit. The Permit Holder is the individual whose specific license is associated with the issuance of the applicable permit.

04. Documentation Requirements:

For **all permit applications subject to this Bulletin**, the following documentation must be submitted to the Inspectional Services Department as part of the permit application:

- a. Site Safety Plan Affidavit, signed by the Licensed Individual/permit holder. A copy of said Affidavit is attached to this Bulletin as *Appendix B*.
 - i. The Site Safety Plan Affidavit shall be uploaded to the permit application, via the online permitting portal, prior to the issuance of the permit.
 - ii. The Site Safety Plan Affidavit shall be signed and dated by the Permit Holder who is the Licensed Individual associated with the permit.

For **construction/renovation projects in excess of 50,000 square feet and demolition projects for buildings 4-stories or larger**, the following shall be submitted to the Inspectional Services Department prior to the commencement of work:

- a. Notice of Primary Site Safety Coordinator, any Alternate Site Safety Coordinator, or Change of Primary Site Safety Coordinator, using the form attached to this Bulletin as *Appendix C*.
 - i. Said form shall be submitted to the Inspector of Buildings **prior** to the commencement of work OR **immediately upon any change** in the designated Primary Site Safety Coordinator.
 - ii. Initial Notification must be made via uploading the “Notice of Primary Site Safety Coordinator” Form to the applicable permit application. Upon any change to the Primary Site Safety Coordinator, additional notice must be made via email to the appropriate Ward Building Inspector, using the subject line “Designation of Site Safety Coordinator for Permit (insert the applicable permit number)”.
 1. A list of Ward-assigned Building Inspectors can be found on ISD’s website at: <https://www.boston.gov/departments/inspectional-services/inspectional-services-contacts#building>

05. Operational Requirements:

For **all permit applications subject to this Bulletin**, the following operations are required:

- a. Site Safety Orientation - Each permit holder shall ensure that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder receives a site safety orientation reviewing the contents of the Site Safety Plan.
- b. Site Safety Orientation Refresher - Each worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder shall receive a site safety refresher if such worker (i) has performed construction or demolition work at such site for one year or more and (ii) one year or more has elapsed since such worker received a site safety orientation or refresher with respect to such site.
 - i. Site safety orientations and refreshers required by this section shall include a review of safety procedures at such site and any hazardous activities to be performed at

such site. In addition, information pertaining to the site safety training shall be made available to each worker in a language that they understand.

- c. Pre-Shift Safety Meetings - Each permit holder shall ensure that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder takes part in a safety meeting at the beginning of such worker's shift, but before such worker commences any construction or demolition work in such shift. The pre-shift safety meeting shall include a review of activities and tasks to be performed during the shift, including specific safety concerns or risks associated with fulfilling such work.
- d. Ongoing Updates - As work progresses, the permit holder will modify their briefings to address current conditions and expectations. If changed conditions render any attestations on the Site Safety Plan Affidavit inaccurate, then the permit holder shall re-submit an updated version of their Site Safety Plan Affidavit.

For **construction/renovation projects in excess of 50,000 square feet and demolition projects for buildings 4-stories or larger**, the Site Safety Coordinator shall be responsible for:

- a. Presence at Site - The Site Safety Coordinator shall be present at the site during all times while active work is occurring and through all phases of work, beginning with excavation and continuing until the building is enclosed and all temporary protective measures are removed. For the demolition of a building, the Site Safety Coordinator shall be present at the site during all times while active work is occurring and through all phases of work, beginning with the removal of any glass, asbestos, or façade and, for a full demolition, continuing until the site has been backfilled to grade, or for a partial demolition until the building is enclosed and all temporary protective measures are removed.
- b. Weekly Safety Meeting - The Site Safety Coordinator shall lead a safety meeting with the designated representative of the general contractor, construction manager, and each subcontractor to ascertain that all contractors and subcontractors are complying with the site safety plan. Such meetings shall occur at least once a week while active work is occurring.
- c. Spot Checks - The Site Safety Coordinator shall personally perform spot checks of the site on a regular basis throughout the day for compliance with the site safety plan.
- d. Inspections - Weekly inspections conducted by the Site Safety Coordinator
- e. Keeping of Site Safety Log - The Site Safety Coordinator shall maintain and keep a site safety log at the site. The log is not required to be submitted to the Inspectional Services Department, but must be kept and maintained on site and available for inspection by the Department. The log, or where there is more than one log, the logs in total, shall, at a minimum, contain the following information:
 - i. Date and location of inspections performed in accordance with this Ordinance;
 - ii. Date and names of individuals met with to satisfy the requirements of the Weekly Safety Meeting;
 - iii. Any unsafe conditions, and dates and locations of said unsafe conditions;
 - iv. Companies and representatives notified of unsafe conditions;
 - v. Dates of notification of unsafe conditions;

- vi. Dates of correction of unsafe conditions and nature of correction; and
 - vii. Any violations, stop work orders, or summonses issued by the Inspectional Services Department, including date issued and date lifted or dismissed.
- f. Recording of Change in Safety Coordinator - If at any point during the day an Alternate Site Safety Coordinator acts as the Primary Site Safety Coordinator, this shall be noted in the log, and the Alternate Site Safety Coordinator shall log in. If a Site Safety Coordinator is relieved of his or her responsibilities at the site, or a Site Safety Coordinator leaves the site for any reason, this shall be indicated in the site safety log, and another Site Safety Coordinator shall assume the duties of such relieved or absent Site Safety Coordinator by signing in.
- g. Reportable Hazardous Conditions (pursuant to CBC 16-65.5(b)(iii)) - The Site Safety Coordinator shall immediately notify the Inspectional Services Department directly, via email to ISDcommissioner@boston.gov, if he or she discovers any such hazardous or dangerous conditions or incidents, including any unpermitted work or use of unpermitted equipment. The Site Safety Coordinator shall report violations of federal workplace safety regulations to OSHA or the applicable federal department or agency in the manner that those departments and agencies have deemed appropriate.
- h. Conditions to be noted in Site Safety Log (pursuant to CBC 16-65.5(b)(ii)) - In the event the Site Safety Coordinator discovers a violation of the Site Safety Plan, he or she shall immediately notify supervisory personnel of the general contractor or subcontractor responsible for creating the violation and inform them of the corrective work necessary to abate any unsafe conditions. All such violations and corrective work shall be recorded in the Site Safety Log as defined above. Where unsafe work or an unsafe condition relates to an item which a registered design professional or special inspection agency is responsible for implementing or verifying, the Site Safety Coordinator must also notify the responsible registered design professional or special inspection agency of the unsafe work or condition.

06. Procedures for ISD Staff

Prior to the issuance of a permit subject to this Bulletin, employees reviewing permit applications shall confirm that a signed and dated Site Safety Plan Affidavit is attached to said permit application.

Following the issuance of **any permit subject to this Bulletin** and commencement of permitted work, ISD Field Inspectors shall:

- a. Upon inspection, confirm that the Site Safety Plan is available for review on site
- b. Upon inspection, review records of Site Safety Orientation, Annual Refresher, and Pre-Shift Safety Meetings, required to be kept by the Primary Site Safety Coordinator
 - i. Site Safety Orientation - a dated record of orientation on the contents of the Site Specific Safety Plan, that includes:
 - 1. the name, title and company affiliation of each worker who participated
 - 2. the name, title and company affiliation of the Qualified Person who conducted the orientation, with their signature

- ii. *Record of Annual Refresher* - a dated record confirming the Site Safety Orientation has been completed annually for all workers who have been at the site for one year or more and one year has elapsed since said worker has received the Site Safety Orientation
- iii. *Record of Pre-Shift Safety Meeting* - a dated record of Pre-Shift Safety Meetings conducted before each worker's shift that includes:
 - 1. the name, title and company affiliation of each worker who participated
 - 2. the name, title and company affiliation of the Competent Person who conducted the meeting, with their signature

For **Construction Projects larger than 50,000 square feet and all demolition projects of buildings four stories or larger**, ISD Field Inspectors shall:

- a. Upon inspection, confirm the presence of the Primary (or Alternate) Site Safety Coordinator
- b. Upon inspection, review records of the Site Safety Log, Log of Weekly Meetings, Log of Unsafe Conditions, Log of any Violations, Stop Work Orders, or Summonses issued by ISD
 - i. *Site Safety Log* - a dated record of all inspections performed at the site.
 - ii. *Log of Weekly Meetings* - a dated record of pre-shift safety meetings that includes:
 - 1. the name, title and company affiliation of each worker who participated
 - 2. the name, title and company affiliation of the competent person who conducted such meeting, along with such person's signature.
 - 3. Said log shall include a record of one pre-shift safety meeting per week for the duration of the project.
 - iii. *Log of Unsafe Conditions* - dated record of identified unsafe conditions, including the location of said unsafe condition, companies and representatives notified, and correction of said unsafe condition and the nature of said correction
 - iv. *Log of Any Violations, Stop Work Orders or Summonses issued by ISD* - dated record that must include the date said Violation, Stop Work Order or Summons was issued and the date said Violation, Stop Work Order or Summons was lifted or dismissed.

07. Enforcement

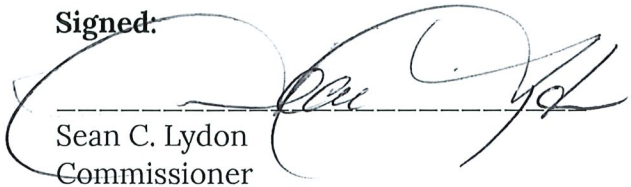
Pursuant to City of Boston Code, Ordinances, Chapter 16-65.7, the Inspectional Services Department may issue violations, Stop Work Orders, revoke permits and impose fines upon permit holders, developers, general contractors/construction managers, and subcontractors found to be in non-compliance with this Ordinance.

- a. Violations, Stop Work Orders and the revocation of permits may be imposed by the assigned Building Inspector.
- b. Fines may be imposed by the Commissioner of the Inspectional Services Department at the recommendation of the Inspector of Buildings as follows:
 - i. Fines to a maximum of three hundred dollars (\$300.00) for each violation. A violation occurs where a general contractor/ construction manager or subcontractor has not complied with this Ordinance. Each day of noncompliance shall be considered a separate violation. The provisions of this section may be enforced in accordance with the noncriminal disposition process of M.G.L. c. 40, s. 21D, and, if applicable, by seeking to restrain a violation by injunction or other court proceeding.

08. Appendices

- Appendix A: City of Boston Code, Ordinances, Chapter 16-65, *Ordinance Governing Construction and Demolition Operations in the City of Boston*
 - Appendix B: Site Safety Plan Affidavit
 - Appendix C: Notice to Department of Primary Site Safety Coordinator/Alternate Site Safety Coordinator/Change of Primary Site Safety Coordinator
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Signed:


Sean C. Lydon
Commissioner

11/30/2023
Date


Marc A. Joseph
Inspector of Buildings

11/30/2023
Date



City of Boston Code, Ordinances, Chapter 16-65 - An Ordinance Governing Construction and Demolition Operations in the City of Boston

16-65 Safe Construction and Demolition Operations in the City of Boston

16-65.0 Definitions.

For the purpose of subsection 16-65.0 through 16-65.8, the following definitions shall apply:

Commissioner. Commissioner of the Inspectional Services Department or a designee.

Department. The Inspectional Services Department.

Demolition. Demolition is the dismantling, razing, destroying of any building or structure or any part thereof.

Inspector of Buildings. The individual charged with the administration and enforcement of the Massachusetts State Building Code in accordance with M.G.L. c. 143, §§ 3 and 3A.

OSHA. The federal Occupational Safety and Health Administration. The agency charged with ensuring safe and healthful working conditions for workers by enforcing workplace safety standards and by providing training, outreach, education and assistance to private employers.

OSHA 30-Hour Certification. A comprehensive safety program authorized by the Federal Occupational Safety and Health Administration (OSHA) that trains workers and employers on recognition, avoidance, abatement and prevention of safety and health hazards in the workplace.

Site Safety Plan Affidavit A sworn statement on a form determined by the Department certifying that the permit holder or their designee has prepared and will implement a project specific, site safety plan that defines planned protections from the potential hazards to people on the project site, the public, and property from construction and demolition operations and meets the applicable requirements defined by the Department. As part of the affidavit, the permit holder or their designee will attest that their project will comply with all applicable OSHA health and safety regulations.

Site Safety Coordinator. A site safety coordinator is a person with at least an OSHA 30-hour certification that is designated by the owner, agent, construction manager, or general contractor at all construction projects larger than 50,000 square feet and all demolition projects for buildings 4 stories or larger to perform the duties defined in this Ordinance.

Permit. A permit for the construction, alteration, or demolition of a structure issued by the Inspectional Services Department.

Permit Holder. An individual or entity that has secured a permit from the Inspectional Services Department for construction work and is responsible for the work conducted pursuant to that permit.



16-65.1 Purpose and Scope.

The purpose of this Ordinance is to ensure that all construction and demolition operations in the City of Boston are conducted in a manner that protects the health, welfare, and safety of the general public and to protect public and private property from any potential dangers that may result from construction or demolition operations in the City. No provision of this Ordinance requires the Inspectional Services Department, or any other City entity, to interpret or enforce any existing OSHA health and safety regulation that governs the safety of persons employed in construction or demolition operations.

This Ordinance applies to all demolition and construction operations in the City of Boston except for those permitted under a Homeowner Waiver as issued by the Inspectional Services Department, as it pertains to the safety of the public and property.

16-65.2 Responsibility for Safety.

Nothing in this chapter shall be construed to relieve persons engaged in construction or demolition operations from complying with existing OSHA safety regulations or other applicable provisions of law, nor is it intended to alter or diminish any obligation otherwise imposed by law on any party engaged in a construction or demolition operation, including but not limited to the owner, construction manager, general contractor, sub-contractors, material men, registered design professionals, or other party to engage in sound design and engineering, safe construction or demolition practices, including but not limited to debris removal, and to act in a reasonable and responsible manner to maintain a safe construction or demolition site.

16-65.3 Fire Prevention Code.

In addition to the requirements of this chapter, construction or demolition operations shall also be conducted in conformance with the City of Boston Fire Prevention Code.

16-65.4 Site Safety Plan Affidavit Required.

Except in instances where a permit is issued with a Homeowner Waiver, no permit for the construction, alteration or demolition of any structure subject to the requirements of this Ordinance shall be issued until a Site Safety Plan Affidavit, on a form as determined by the Department, has been submitted to the Commissioner or the Inspector of Buildings or their designee.

16-65.5 Site Safety Monitoring Plan Required.

Each permit holder shall enact and maintain a site safety monitoring program to implement the site safety plan attested to in their affidavit. The site safety monitoring program shall, at a minimum, include:

- (a) Site safety orientation and refresher. Each permit holder shall ensure that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder receives a site safety orientation and refresher reviewing the contents of the site safety plan.



(i) *Site safety orientation.* Each worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder shall receive a site safety orientation on the contents of the site safety plan before such worker commences any construction or demolition work at such site.

(ii) *Site safety refresher.* Each worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder shall receive a site safety refresher if such worker (i) has performed construction or demolition work at such site for one year or more and (ii) one year or more has elapsed since such worker received a site safety orientation or refresher with respect to such site.

(iii) *Site safety orientation and refresher content.* Site safety orientations and refreshers required by this section shall include a review of safety procedures at such site and any hazardous activities to be performed at such site. In addition, information pertaining to the site safety training shall be made available to each worker in a language that they understand.

(iv) *Records.* A record of all orientations conducted for the site shall be maintained by the permit holder and kept at the site. Such record shall include for each such orientation or refresher: 1. The date and time of such orientation or refresher; 2. The name, title and company affiliations of each worker who participated; and 3. The name, title and company affiliation of the qualified person who conducted such orientation or refresher, along with such person's signature.

(b) Pre-shift safety meetings. Each permit holder shall ensure that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder takes part in a safety meeting at the beginning of such worker's shift, but before such worker commences any construction or demolition work in such shift.

(i) *Pre-shift safety meeting.* Pre-shift safety meetings shall be conducted at the beginning of each worker's shift, but before such worker commences any construction or demolition work in such shift, by a person designated by the permit holder, or where so authorized by the permit holder, by a person designated by the subcontractor. Such person shall have the ability to communicate with each worker who takes part in such meeting.

(ii) *Pre-shift safety meeting content.* The pre-shift safety meeting shall include a review of activities and tasks to be performed during the shift, including specific safety concerns or risks associated with fulfilling such work.

(iii) *Records.* The permit holder shall maintain, for each worker, a record of one pre-shift safety meeting per week. Such record shall include for each such meeting:

1. The date and time of each such meeting;
2. The name, title and company affiliation of each worker who participated; and
3. The name, title and company affiliation of the competent person who conducted such meeting, along with such person's signature.



- (c) Ongoing Updates to Plans and Briefings. As work progresses, the permit holder will modify their briefings to address current conditions and expectations. If changed conditions render any attestations on the Site Safety Plan Affidavit inaccurate, then the permit holder shall re-submit an updated version of their Site Safety Plan Affidavit.

16-65.6 Site Safety Coordinator Required.

- (a) Site safety coordinator to be designated. A site safety coordinator shall be designated by the owner, agent, construction manager, or general contractor at all construction projects larger than 50,000 square feet and all demolition projects for buildings 4 stories or larger. The designated site safety coordinator must have at least an OSHA 30-hour certification. Where more than one site safety coordinator is to serve at the site, all such entities shall agree to designate one such site safety coordinator as the primary site safety coordinator, or where there is only one site safety coordinator, such coordinator shall automatically be designated as the primary site safety coordinator. The primary site safety coordinator shall carry out all duties and responsibilities assigned to the site safety coordinator by this Ordinance.
- (i) *Notification to the department of the primary site safety coordinator.* The Inspectional Services Department shall be notified of the primary site safety coordinator prior to the commencement of work. In the event that an alternate site safety coordinator will be acting in place of the primary site safety coordinator for a period longer than two consecutive weeks, the department must be so notified. Any permanent change of the primary site safety coordinator requires immediate notification to the Inspectional Services Department.
- (ii) *Presence at the site.* For the construction or alteration of a building, the site safety coordinator shall be present at the site during all times while active work is occurring and through all phases of work, beginning with excavation and continuing until the building is enclosed and all temporary protective measures are removed. For the demolition of a building, the site safety coordinator shall be present at the site during all times while active work is occurring and through all phases of work, beginning with the removal of any glass, asbestos, or façade and, for a full demolition, continuing until the site has been backfilled to grade, or for a partial demolition until the building is enclosed and all temporary protective measures are removed.
- (iii) *Alternate site safety coordinator.* Where the primary site safety coordinator is unable to be at the site, an alternate site safety coordinator shall act in place of the primary site safety coordinator and carry out all duties and responsibilities assigned to the site safety coordinator by this Ordinance and rules promulgated by the commissioner. Such shall be recorded in the site safety log, as defined in part (d) of the section, and notification shall be provided to the Inspectional Services Department.
- (iv) *Limitation on primary site safety coordinator serving at another site.* No site safety coordinator designated as the primary site safety coordinator at a site shall serve as a site coordinator at any other site.
- (b) Site safety coordinator's duties. The site safety coordinator shall monitor compliance with the site safety plan and perform all other safety duties assigned by the owner or general contractor to meet legal requirements.
- (i) *Weekly safety meeting.* The site safety coordinator shall lead a safety meeting with the designated representative of the general contractor, construction manager, and each subcontractor to ascertain that all



contractors and subcontractors are complying with the site safety plan. Such meetings shall occur at least once a week while active work is occurring.

(ii) *Notification of violations.* In the event the site safety coordinator discovers a violation of the site safety plan, he or she shall immediately notify supervisory personnel of the general contractor or subcontractor responsible for creating the violation and inform them of the corrective work necessary to abate any unsafe conditions. All such violations and corrective work shall be recorded in the site safety log, as defined in part (d) of the section. Where unsafe work or an unsafe condition relates to an item which a registered design professional or special inspection agency is responsible for implementing or verifying, the Site Safety Coordinator must also notify the responsible registered design professional or special inspection agency of the unsafe work or condition. All such unsafe conditions, work, notices, orders, and corrective action must be recorded in the site safety log, as defined in part (d) of this section.

(iii) *Notification of conditions to the department.* The site safety coordinator shall immediately notify the Inspectional Services Department directly, in a manner determined by the Commissioner, if he or she discovers any such hazardous or dangerous conditions or incidents as determined reportable by the Commissioner in any rules or regulations promulgated pursuant to this Ordinance, including any unpermitted work or use of unpermitted equipment. The site safety coordinator shall report violations of federal workplace safety regulations to OSHA or the applicable federal department or agency in the manner that those departments and agencies have deemed appropriate.

(iv) *Spot checks.* The site safety coordinator shall personally perform spot checks of the site on a regular basis throughout the day for compliance with the site safety plan.

(v) *Inspections.* The following inspections shall be performed and documented by the site safety coordinator:

1. Daily, weekly, and other checks as specified in rules promulgated by the commissioner.

(c) Record of inspections. A record of all such required inspections conducted pursuant to this Ordinance shall be maintained by such site safety coordinator in the site safety log.

(d) Site safety log. The site safety coordinator shall maintain and keep a site safety log at the site. The log, or where there is more than one log, the logs in total, shall, at a minimum, contain the following information:

1. Date and location of inspections performed in accordance with this Ordinance;
2. Date and names of individuals met with to satisfy the requirements of the Weekly Safety Meeting;
3. Any unsafe conditions, and dates and locations of said unsafe conditions;
4. Companies and representatives notified of unsafe conditions;
5. Dates of notification of unsafe conditions;
6. Dates of correction of unsafe conditions and nature of correction;
7. Any violations, stop work orders, or summonses issued by the Inspectional Services Department, including date issued and date lifted or dismissed; and
8. Other relevant information as may be required by the Department.

(e) Recording inspections in the site safety log. Inspections shall be recorded by the end of the day by the site safety coordinator who performed the inspection. The site safety log, or where there is more than one log, each individual log, shall be completed and signed by the site safety coordinator.



- (f) Recording change in site safety coordinator. If at any point during the day an alternate site safety coordinator acts as the primary site safety coordinator, this shall be noted in the log, and the alternate site safety coordinator shall log in. If a site safety coordinator is relieved of his or her responsibilities at the site, or a site safety coordinator leaves the site for any reason, this shall be indicated in the site safety log, and another site safety coordinator shall assume the duties of such relieved or absent site safety coordinator by signing in.

16-65.7 Enforcement.

The Inspectional Services Department shall have the power to issue violations, stop work, revoke permits and impose fines upon permit holders, developers, general contractors/construction managers, and subcontractors found to be in non-compliance with this Ordinance.

Violations, stop work orders and the revocation of permits may be imposed by the assigned Building Inspector.

Fines may be imposed by the Commissioner of the Inspectional Services Department at the recommendation of the Inspector of Buildings as follows:

(a) Fines to a maximum of three hundred dollars (\$300.00) for each violation. A violation occurs where a general contractor/ construction manager or subcontractor has not complied with this Ordinance. Each day of noncompliance shall be considered a separate violation. The provisions of this section may be enforced in accordance with the noncriminal disposition process of M.G.L. c. 40, s. 21D, and, if applicable, by seeking to restrain a violation by injunction or other court proceeding.

(b) Creation of a record of non-compliance with City policy that may be considered when awarding future construction contracts on City-Funded Projects and future permits.

16-65.8 Regulations.

The Commissioner of Inspectional Services may promulgate rules and regulations to carry out the provisions of this section.



Construction & Demolition Safety Ordinance - Site Safety Plan Affidavit

The undersigned Permittee (“Permit Holder”) certifies the following under the pains and penalties of perjury:

The Permit Holder hereby acknowledges the City’s concerns regarding safety at project worksites, and that the City has implemented new regulations to reduce accidents on and around worksites. The Permit Holder agrees that it has read and understands the City of Boston Code, Ordinances, Chapter 16-65, Ordinance Governing Construction and Demolition Operations in the City of Boston (“the Ordinance”) and will conduct its operations in strict compliance with all applicable obligations, guidelines, and requirements imposed by said Ordinance.

The Permit Holder understands that it is the Permit Holder’s responsibility to develop, maintain, and follow a written project-specific Safety Plan specifying how it will meet its obligations.

The Permit Holder acknowledges that no provision of the Ordinance requires the Inspectional Services Department, or any other City entity, to interpret or enforce any existing Occupational Safety and Health Administration (“OSHA”) health and safety regulation that governs the safety of persons employed in construction or demolition operations and that compliance with OSHA regulations is the sole responsibility of the Permit Holder.

The Permit Holder certifies that it has created and implemented a Site Safety Plan for the site subject to the permit that complies with, and will satisfy, all regulations obligations, guidelines, and requirements imposed by the Ordinance. Specifically, the Permit Holder certifies that the Safety Plan for this site defines planned protections from the potential hazards to people on the project site, the public, and property from construction and demolition operations and meets the applicable requirements defined by the Department, as set forth in Commissioner’s Bulletin CB2023-04. The Permit Holder also certifies that each Subcontractor, Sub-subcontractor, and other parties that will perform work on the Project worksite will also comply and will satisfy these requirements. The Permit Holder acknowledges that it is their sole responsibility to ensure that its subcontractors comply with the Ordinance.

The Permit Holder certifies that it will comply with all applicable operational requirements of the Ordinance and the associated Commissioner’s Bulletin’s administrative procedures, including Site Safety Orientations, Annual Refreshers, Pre-Shift Safety Meetings, keeping of relevant logs and records, making required notifications, and providing required documentation, pursuant to the Ordinance, upon request by the Inspectional Services Department and/or its Inspectors and Building Officials.

The Permit Holder acknowledges and agrees that non-compliance with any of the requirements above, including failure to abide by its own Site Safety Plan, may result in suspension or termination of work in progress or revocation of the City’s permit for such work; provided, however that the City reserves the right to allow the Permit Holder the opportunity to immediately correct or cure violations prior to the City issuing a suspension or termination of work in progress or revocation of the City’s permit for such work.

Name of Permit Holder

Signature

Date

Project Address



Construction & Demolition Safety Ordinance - Notice of Site Safety Coordinator

Pursuant to City of Boston Code, Ordinances, Chapter 16-65.6(a)(i), for **construction/renovation projects in excess of 50,000 square feet and demolition projects for buildings 4-stories or larger**, prior to the commencement of work, the Permit Holder shall notify the Inspectional Services Department of the Designated Primary Site Safety Coordinator and, if applicable, any Alternate Site Safety Coordinator (if acting in place of the Primary Site Safety Coordinator for a period longer than two consecutive weeks). Following the commencement of work, the Permit Holder shall notify the Inspectional Services Department of any permanent change in the Primary Site Safety Coordinator.

Primary Site Safety Coordinator

Name: _____ Title: _____
Company: _____ Permit No: _____
Project Site: _____ OSHA-30 No. _____
Email: _____ Phone No. _____

Alternate Site Safety Coordinator (if applicable)

Name: _____ Title: _____
Company: _____ Permit No: _____
Project Site: _____ OSHA-30 No. _____
Email: _____ Phone No. _____

Signature of Permit Holder

Name: _____ Project Site: _____
Title: _____ Permit No: _____
Company: _____ Date: _____
Signature: _____

This form **MUST** be completed by the Permit Holder and submitted to the Inspectional Services Department as part of the building permit application via the online permitting portal. Any change to the Primary Site Safety Coordinator after the permit has been issued, must be made via email to the Ward Building Inspector. When sending, please use the subject line "Designation of Site Safety Coordinator for Permit (insert the applicable permit number)".