Section 2508 of the City Charter.

https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-4034

Building code reference

3307.11 Artwork on temporary protective structures.
To the extent permissible under the zoning resolution, approved artwork or alternative artwork, as selected by the owner of a property at which a temporary protective structure has been installed, shall be displayed on such temporary protective structure as provided in this section.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.1 Temporary protective structure types.
Temporary protective structures covered by this section include (i) sidewalk sheds, (ii) construction fences, and (iii) supported scaffolds when such temporary protective structures have been installed for at least 90 days.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.2 Approved artwork.
For purposes of this section, the term "approved artwork" means a work of art approved by the department of cultural affairs or other agencies as designated by the department of cultural affairs for display on temporary protective structures pursuant to section 2508 of the *New York City Charter*.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.2.1 Alternative artwork.
The owner of a property where a temporary protective structure has been installed may solicit a work or works of art for display on such temporary protective structures in lieu of approved artwork. Such owner shall notify, at a minimum, the council member in whose district such property is located and the community board of the community district in which such property is located, of a request for a work of art to be displayed on temporary protective structures at such property. Such owner may additionally notify community-based organizations based in the community district in which such property is located and any school, as such term is defined in subdivision g of section 522 of the *New York City Charter*, located in the community district in which such property is located, of a request for works of art to be displayed on temporary protective structures at such property. Notifications made pursuant to this section must be made timely in accordance with a schedule established by rules of the department. Prior to installation of such work of art, such owner must obtain the approval for such work of art from the department of cultural affairs.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.3 Illumination prohibited.
Approved artwork or alternative artwork installed pursuant to this section shall not be illuminated.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.4 Required signs to be unobstructed.
Approved artwork or alternative artwork installed pursuant to this section shall not obscure any sign required to be posted pursuant to Section 3301.9.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.5 Materials.
Approved artwork or alternative artwork installed pursuant to this section shall be printed on completely flat surfaces and shall not include any illumination, electronic signage, protrusions or projections. Approved artwork or alternative artwork shall be printed on materials that are durable, flame retardant, able to withstand all weather conditions and designed to meet loads on temporary installations, including but not limited to wind, as prescribed in Chapter 16. All hardware and connection materials shall also be durable, flame retardant, able to withstand all weather conditions, and designed to meet loads on temporary installations, including but not limited to wind, as prescribed in Chapter 16. The department may promulgate rules concerning materials used for the installation of approved artwork or alternative artwork.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)
3307.11.5.1 Sidewalk sheds.

Approved artwork or alternative artwork displayed on a sidewalk shed shall be printed on lightweight, solid material that can be installed on the outer sides and ends of sheds either by stretching such material over the shed and fastening to the back or by affixing such material to self-adhesive panels that adhere directly to the shed. Approved artwork or alternative artwork shall not extend above or below the shed parapet.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.5.2 Construction fences.

Approved artwork or alternative artwork displayed on construction fences shall be printed on lightweight, solid material that can be installed on the outside of the construction fence either by stretching such material over the fence and fastening to the back or by affixing vinyl material to self-adhesive panels that adhere directly to the fence. Approved artwork or alternative artwork shall not extend beyond the top of the fence.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.7.3. Supported scaffolds.

Approved artwork or alternative artwork displayed on supportive scaffolds shall be printed directly onto debris netting meeting the requirements of Section 3314.8.2.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.6 Artist credit and sponsorship message.

A temporary protective structure displaying approved artwork or alternative artwork pursuant to this section shall display a barcode that can be read by a smartphone, or successor technology, and directs the user to the website of the department of cultural affairs containing information posted on such website pursuant to subdivision c of Section 2508 of the *New York City Charter*.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.7 Opt out.

The department shall include in its process for an initial application for a permit for a new sidewalk shed, construction fence or supported scaffold or for an amendment to an existing sidewalk shed, construction fence or supported scaffold permit an option for the owner of the property for which such permit is filed to opt out of participation in the program established by this Section and section 2508 of the *New York City Charter*. If a property owner fails to affirmatively opt out, the requirements of this Section and section 2508 of the *New York City Charter* shall apply. Opting out pursuant to this section shall not be grounds for denial or delay of issuance of a permit for a sidewalk shed, construction fence or supported scaffold or for any other permit issued by the department. The department shall by rule allow the owner of such property to opt out of such program at a later time.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.7.1 Exception.

An owner of a property for which a sidewalk shed, construction fence or supported scaffold permit has been filed may not opt out if the project site is owned by the city of New York or receives capital funding from the city of New York or an agency, provided that this exception shall not apply if approved artwork has been approved for display at 100 or more such sites within a two-year period. For the purposes of this section, the term "agency" has the same meaning as such term is defined in Section 1-112 of the *Administrative Code*.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.8 City capital projects.

Project sites owned by the city of New York or receiving capital funding from the city of New York or an agency shall participate in the city canvas program, subject to appropriate, provided that not less than 100 such sites within a two-year period participate in such program. For the purposes of this section, the term "agency" has the same meaning as such term is defined in Section 1-112 of the *Administrative Code*.
(L.L. 2021/163, 12/24/2021, eff. 9/1/2023)

3307.11.9 Installation and de-installation.

Approved artwork or alternative artwork displayed on a temporary protective structure pursuant to this section shall be installed in conformity with rules promulgated by the department in consultation with the department of cultural affairs, and must be de-installed within one year of installation. An owner who has participated in this program and has de-installed artwork pursuant to this section shall be deemed to have satisfied the requirements of Section 3307.11, except that such participant may choose to participate in

such program again following such de-installation, in conformity with rules promulgated by the department in consultation with the department of cultural affairs.