



Legislation Text

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Int. No. 727

By Council Members Schulman, Hanif, Gutiérrez and Louis (by request of the Manhattan Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring commercial building owners to provide face coverings

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-104.1 to read as follows:

§ 17-104.1 Provision of face coverings. a. Definitions. As used in this section, the following terms have the following meanings:

Commercial building. The term “commercial building” means any building or portion of a building (i) that is lawfully used for buying, selling or otherwise providing goods or services, or for other lawful business, commercial, professional services or manufacturing activities, and (ii) for which a certificate of occupancy authorizing residential use of such building or a portion of such building has not been issued.

Owner or operator. The term “owner or operator” means the owner, manager, operator or other person having control of a commercial building.

Face covering. The term “face covering” means any face mask or respirator recommended by the department, the federal centers for disease control and prevention or the national institute for occupational safety and health including, but not limited to, KN95, N95, N99, N100, P95, P99, P100, R95, R99 and R100 respirators.

b. No later than 90 days after the effective date of the local law that added this section, a commercial building owner or operator shall equip such commercial building with an appropriate supply of face coverings

in order to provide a face covering to any individual entering the premises of such commercial building. Face coverings shall be placed in a conspicuous place near the public entrance or entrances of such commercial building and made readily available upon entry.

c. No later than 30 days after the effective date of the local law that added this section, the department shall conduct outreach and education to commercial building owners and operators about the requirements of this section.

d. Any commercial building owner or operator that violates this section or any rule promulgated pursuant to this section shall be liable for a civil penalty in the amount of \$50 for the first violation, \$100 for the second violation committed on a different day within a period of 12 months, and \$200 for the third and each subsequent violation committed on different days within a period of 12 months. The department shall commence a proceeding to recover any civil penalty authorized pursuant to this section by service of a notice of violation returnable to the office of administrative trials and hearings.

§ 2. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Face covering availability complaints. The department of information technology and telecommunications shall implement and maintain on its 311 citizen center website and mobile device platforms the capability for the public to file a complaint under the category of “face covering availability complaint.” Such website and platforms shall accept any complaint related to commercial building owners or operators that do not provide face coverings in violation of section 17-104.1, and refer each such complaint to the appropriate agency to take action as necessary to address the complaint.

§ 3. This local law takes effect 30 days after it becomes law.

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