

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 1995**

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**No. 44**

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Introduced by Council Members Koslowitz, Dear, DeMarco, Lasher, Pagan, Watkins, Abel, Eristoff, Fossella, Fusco, Ognibene, Stabile and Millard (by the request of the Mayor); also Council Members Leffler and Povman.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to repealing the regulation of a garage or parking lot maintained, operated or conducted in conjunction with a business and for the accommodation of patrons of such business or the employees of such business and a garage or parking lot when such garage or parking lot is maintained, operated or conducted by the owner or lessee of a multiple dwelling for the exclusive accommodation of the tenants or residents of such multiple dwelling.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision e of section 20-321 of the administrative code of the city of New York, as amended by local law number 36 for the year 1990, is amended to read as follows:

e. Notwithstanding the provisions above, a fee of three hundred dollars shall be paid for a license to [conduct the following types of garages and parking lots:

1. A garage or parking lot maintained, operated or conducted in conjunction with a business and for the accommodation of patrons of such business or the employees of such business.

2. A garage or parking lot when such garage or parking lot is maintained, operated or conducted by the owner or lessee of a multiple dwelling for the exclusive accommodation of the tenants or residents of such multiple dwelling. The benefits hereunder shall not apply when such garage or parking lot is maintained, operated or conducted by a concessionaire or lessee as a business by agreement with the owner or lessee of the multiple dwelling.

3. A] *conduct a* garage or parking lot maintained, operated or conducted under thirty-day permits issued by the city, any agency thereof, or the transit authority.

§2. Section 20-322 of the administrative code of the city of New York is amended to read as follows:

§20-322 **Exemptions.** The provisions of this subchapter shall not apply to the maintenance, operation or conduct of a garage or parking lot:

a. by the city or any agency thereof [or by a housing accommodation operated exclusively for the benefit of persons who are entitled to occupancy by reason of ownership of stock in the corporated owner; provided however that a mortgage on said housing accommodation is insured by a governmental agency or the carrying charges of said housing accommodations are approved by a governmental agency, and further provided that parking space rentals in said housing accommodations be limited to tenants only or to premises used exclusively for the dead storage of motor vehicles, any parking space which is maintained solely for the accommodation of employees, patrons, and/or invitees of the owner or lessee of said parking space provided no parking fee is charged];

b. in conjunction with a business for the exclusive accommodation of patrons of such business or the employees of such business; or

c. by the owner or lessee of a multiple dwelling for the exclusive accommodation of the tenants or residents of such multiple dwelling.

§3. Notwithstanding any other provision of law, any garage or parking lot license issued prior to the effective date of this local law by the commissioner of consumer affairs pursuant to subchapter 17 of chapter 2 of title 20 of the administrative code of the city of New York to a garage or parking lot that is exempt from the licensing requirements for garages and parking lots pursuant to section 20-322 of such code as amended by section two of this local law, shall become null and void and be of no further effect as of the effective date of this local law. Notwithstanding any other provision of law, if the holder of such license surrenders the license within 60 days after the effective date of this local law to the department of consumer affairs, such holder shall be entitled to receive a refund of an amount equal to the fee for such garage or parking lot license.

§4. No action or proceeding, civil or criminal, pending at the time when this local law shall take effect shall be affected or abated by the adoption of this local law or by anything contained herein and all such actions or proceedings may be continued notwithstanding the adoption of this local law.

§5. This local law shall take effect immediately, and shall be retroactive to, and shall be deemed to have been in full force and effect on, March 31, 1995.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on May 16, 1995, and approved by the Mayor on June 2, 1995.

CARLOS CUEVAS, City Clerk, Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 44 of 1995, Council Int. No. 450-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on May 16, 1995: 48 for, 0 against.

Was approved by the Mayor on June 2, 1995.

Was returned to the City Clerk on June 5, 1995.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel