

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 1997**

**No. 28**

Introduced by The Speaker (Council Member Vallone) and Council Members Fisher, O'Donovan, White and Eristoff (by request of the Mayor); also Council Member Williams.

**A LOCAL LAW**

**To amend the administrative code of the City of New York, in relation to the regulation of public wholesale markets.**

*Be it enacted by the Council as follows:*

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 1-B to read as follows:

*Chapter 1-B*

*Other Public Markets*

§ 22-251 *Definitions.* For the purposes of this chapter, the following terms shall have the following meanings: a. "Applicant" shall mean, if a business entity submitting an application for registration, the entity and all the principals thereof; if an individual submitting an application for a photo identification card, such individual.

b. "Commissioner" shall mean the commissioner of the New York city department of business services.

c. "Department" shall mean the New York city department of business services.

d. "Employee" shall mean a person who works or who expects to work in a market on a full-time, part-time or seasonal basis for a wholesaler or market business, but shall not include persons hired to work on an occasional basis.

e. "Market business" shall mean any business located or operating within a market that is engaged in providing goods or services to wholesalers or retail purchasers in such market that are related to the conduct of a wholesale business or the purchase of food or related agricultural products or horticultural products by retailers or others, or that receives such goods within a market for delivery, forwarding, transfer or further distribution outside such market. "Market business" shall include, but not be limited to, the provision of security services within a market, the provision of services related to the collection of fees for entrance into a market and parking, the supply of ice, and the unloading, loading, transfer or distribution of food or related agricultural products or horticultural products. The term "market business" shall not include a business located

or operating within a market the main offices of which are located outside a market and which (i) supplies the food or related agricultural products or products sold by wholesalers or is engaged in the trucking or shipping thereof to the market or (ii) supplies electrical, plumbing, construction, renovation or other similar services to wholesalers in the market and does not earn fifty percent or more of its income from such wholesalers. Notwithstanding any other provision of this chapter to the contrary, the term "market business" shall also mean any business located and operating within the fulton fish market distribution area or other seafood distribution area as defined in section 22-202 of chapter 1-A of this title that is directly engaged in providing goods or services to wholesalers in such area or areas, which goods or services are related to the conduct of a wholesale business or the purchase of seafood products by retailers or others therein or that receives goods for delivery, forwarding, transfer or further distribution outside the fulton fish market distribution area or other seafood distribution area. The term "market" shall, for purposes of the application of the provisions of this chapter which relate to "market businesses" in the fulton fish market distribution area or other seafood distribution area, mean such areas.

f. "Officer" shall mean any person holding an elected position or any other position involving participation in the management or control of a wholesale trade association or of a labor union or labor organization required to register pursuant to section 22-264 or section 22-265 of this chapter.

g. "Principal" shall mean, of a sole proprietorship, the proprietor; of a corporation, every officer, director and stockholder holding ten percent or more of the outstanding shares of the corporation; of a partnership, all the partners; if another type of business entity, the chief operating officer or chief executive officer, irrespective of organizational title, and all persons or entities having an ownership interest of ten percent or more; and with respect to all business entities, all other persons participating directly or indirectly in the control of such business entity. Except as otherwise provided by the commissioner, where a partner or stockholder holding ten percent or more of the outstanding shares of a corporation is itself a partnership or a corporation, a "principal" shall also include the partners of such partnership or the officers, directors and stockholders holding ten percent or more of the outstanding shares of such corporation, as is appropriate. For the purposes of this chapter (1) an individual shall be considered to hold stock in a corporation where such individual participates in the operation of or has a beneficial interest in such corporation and such stock is owned directly or indirectly by or for (i) such individual; (ii) the spouse of such individual (other than a spouse who is legally separated from such individual pursuant to a judicial decree or an agreement cognizable under the laws of the state in which such individual is domiciled); (iii) the children, grandchildren and parents of such individual; and (iv) a corporation in which any of such individual, the spouse, children, grandchildren or parents of such individual in the aggregate own fifty percent or more in value of the stock of such corporation; (2) a partnership shall be considered to hold stock in a corporation where such stock is owned, directly or indirectly, by or for a partner in such partnership; and (3) a corporation shall be considered to hold stock in a corporation that is an applicant as defined in this section where such corporation holds fifty percent or more in value of the stock of a third corporation that holds stock in the applicant corporation.

h. "Public wholesale market" or "market" shall mean any building, structure or place owned by the city or located on property owned by the city or under lease to or in the possession of the city or any part of a street, avenue, parkway, plaza, square or other public place that has been designated as a public market by resolution of the former board of estimate of the city or a local law enacted by the city council to be used or intended to be used for the wholesale buying, selling or keeping of food, flowers or ornamental plants; except that the term "public wholesale market" shall not, unless otherwise set forth in this chapter, include any building, structure or place within the fulton fish market distribution area or other seafood distribution area as defined in section 22-202 of this code. For purposes of this chapter, the term "public wholesale market" shall also include an area identified by rule of the commissioner that is in the vicinity of a designated wholesale public market where one or more wholesale businesses or market businesses operate.

i. "Visitor" shall mean a person who is neither engaged in nor an employee of a wholesale business or market business in the market who wishes to enter or enters a public wholesale market.

j. "Wholesaler" or "wholesale business" shall mean any business engaged in selling food or related agricultural products or horticultural products at wholesale prices for resale by a wholesaler or retailer or for use by an institution or other similar establishment, whether or not such business also sells directly to the public, except that such terms as used in this chapter shall not include a "wholesaler" or "wholesale seafood business" as defined in section 22-202 of this code; provided, however, that a wholesale business to which customers do not regularly come to pick up purchases and that does not deal from such location primarily in perishable products shall not be subject, unless otherwise provided by rule of the commissioner, to the provisions of sections 22-252, 22-254 and 22-255 of this chapter.

k. "Wholesale trade association" shall mean an entity, the majority of whose members are wholesale businesses and/or market businesses, having as a primary purpose the promotion, management or self-regulation of a market or such wholesale businesses or market businesses within such market or the facilities utilized by such businesses, including, but not limited to a corporation, cooperative, unincorporated association, partnership, trust or limited liability partnership or company, whether or not such entity is organized for profit, not-for-profit, business or non-business purposes. The term "wholesale trade association" shall not include any entity the majority of whose members are primarily engaged in retail sales outside a public wholesale market.

§ 22-252 Photo identification card required. a. It shall be unlawful for any person to be an employee or a principal working in a wholesale business or market business in a market unless such person has obtained a photo identification card issued by the commissioner pursuant to the provisions of this chapter or for a person to work on an occasional basis in a market unless such person has obtained a day pass issued by the commissioner. The commissioner shall set forth by rule the number of occasions within a specified time period that shall constitute occasional work to meet unanticipated needs of businesses in the market and shall make reasonable provision to delegate authority for the issuance of day passes on a twenty-four hour basis to persons hired to work by wholesalers and market businesses on an occasional basis. A photo identifica-

tion card shall be in the possession of an employee or principal at all times when such person is in the market and shall be produced upon demand by an authorized employee or agent of the department, the department of investigation or the police department. The commissioner shall make provision for temporary photo identification cards to be issued pending the processing of applications for permanent photo identification cards and for the expedited issuance of photo identification cards to family members of principals of a wholesaler or market business and others who work on a seasonal basis. A temporary identification card shall cease to be valid, and shall be returned to the department, upon the refusal to issue a photo identification card pursuant to subdivision d of this section or denial of registration to the business in which the person applying for such identification card is a principal or is employed.

b. A photo identification card shall identify the business of which the individual is a principal or by which he or she is employed and shall be non-transferrable. Upon a change in employment within a market, an individual shall inform the department and the department shall issue a photo identification card reflecting such changed employment.

c. An application for a photo identification card shall be submitted on a form prescribed by the commissioner and shall contain such information as the commissioner shall determine is necessary to establish the identity and background of the applicant. A person required by this chapter to possess a photo identification card shall inform the commissioner of any subsequent material change in the information provided on such application, including but not limited to arrests and/or criminal convictions.

d. Notwithstanding any other provision of this section, where the commissioner has reasonable cause to believe that an applicant for a photo identification card lacks good character, honesty and integrity, the commissioner may require that such applicant be fingerprinted and provide to the commissioner the information set forth in subdivision a of section 22-259 of this chapter. The commissioner may thereafter, after notice and opportunity to be heard, refuse to issue a photo identification card for the reasons set forth in subdivision b of such section.

e. If at any time subsequent to the issuance of a photo identification card, the commissioner has reasonable cause to believe that the holder thereof does not possess good character, honesty and integrity, the commissioner may require such person to be fingerprinted and to provide the background information required by subdivision a of section 22-259 of this chapter and may, after notice and opportunity to be heard, revoke such photo identification card for the reasons set forth in subdivision b of such section.

§ 22-253 Registration required for wholesalers and market businesses. a. No person shall conduct a wholesale business or a market business in a public wholesale market unless such person has registered such business with the commissioner and has obtained a registration number for such business from the commissioner. Application for such registration shall be made upon a form prescribed by the commissioner containing such information as the commissioner shall determine appropriately identifies and demonstrates the fitness of the wholesale business or market business. A registration number shall not be transferable. A person conducting a wholesale business or a market business shall not sublease or assign to another person any portion of any premises in the market occupied or utilized by such business unless such proposed sub-

lessee or assignee has registered with and obtained a registration number from the commissioner. The commissioner shall establish by rule a procedure for the preliminary review of registration applications for businesses not previously operating in a market that are considering the purchase of a wholesale business or a market business, and for the expedited completion of registration review upon entry into a purchase and sale agreement. A business required to register pursuant to this section shall, in accordance with rules promulgated by the commissioner pursuant to section 22-266 of this chapter, inform the commissioner of any change in the ownership composition of the business, the arrest or criminal conviction of any principal of the business, or any other material change in the information submitted on the application for registration.

b.(i) Notwithstanding any provision of this chapter, the commissioner may, when there is reasonable cause to believe that any or all of the principals of an applicant for registration lack[s] good character, honesty and integrity, require that such principal[s] be fingerprinted and provide to the commissioner the information set forth in subdivision a of section 22-259 of this chapter, and may, after notice and the opportunity to be heard, refuse to register such applicant for the reasons set forth in subdivision b of such section.

(ii) If at any time subsequent to the registration of a wholesale business or market business, the commissioner has reasonable cause to believe that any or all of the principals of such wholesale business or market business do not possess good character, honesty and integrity, the commissioner may require that such principal[s] be fingerprinted and provide the background information required by subdivision a of section 22-259 of this chapter and may, after notice and the opportunity to be heard, revoke the registration of such wholesale business or market business for the reasons set forth in subdivision b of such section.

(iii) At any time subsequent to the conduct of an investigation of an applicant for registration or a registrant pursuant to paragraph (i) or paragraph (ii) of this subdivision that has produced adverse information, the commissioner may require as a condition of issuance or the continuance of a registration that the wholesale business or market business enter into a contract with an independent auditor approved or selected by the commissioner. Such contract, the cost of which shall be paid by the registrant, shall provide that the auditor investigate the activities of the wholesale business or market business with respect to compliance with the provisions of this chapter, other applicable federal, state and local laws and such other matters as the commissioner shall determine. The contract shall provide further that the auditor report the findings of such monitoring and investigation in a manner to be prescribed by the commissioner to the commissioner on a periodic basis.

(iv) A wholesale business or market business shall provide the commissioner with notice of at least ten business days of the proposed addition of a new principal to such business and shall provide the commissioner with such information concerning such proposed principal as is set forth in the rules promulgated by the commissioner pursuant to section 22-266 of this chapter. The commissioner may waive or shorten such period upon a showing that there exists a bona fide business requirement therefor. Except where the commissioner determines within such period, based on information available to him or her, that the addition of such new principal may have a result inimi-

cal to the purposes of this chapter, such wholesaler or market business may add such new principal pending the completion of review by the commissioner. Such wholesale business or market business shall be afforded an opportunity to demonstrate to the commissioner that the addition of such new principal pending completion of such review would not have a result inimical to the purposes of this chapter. If the commissioner determines, following completion of such review, that such principal lacks good character, honesty and integrity, the registration shall cease to be valid if the commissioner determines that such principal has failed to divest his or her interest, or to discontinue his or her involvement in the business of such business or both, as the case may be, within the time period prescribed by the commissioner.

c. The department shall maintain and publish a list of all wholesalers and market businesses that are registered with the commissioner together with the registration numbers of such wholesalers and market businesses. The department shall make such list available to suppliers, shippers, truckers and any member of the public who requests it and shall, upon request, verify to suppliers, shippers and truckers whether a business is currently registered with the commissioner.

§ 22-254 Conduct of wholesale businesses and market businesses. The commissioner shall establish by rule measures governing the conduct of wholesale businesses and market businesses in the public wholesale markets, including but not limited to: (i) requirements that wholesale businesses maintain and supply their registration numbers to suppliers, and shippers and truckers; (ii) requirements for the disposal of waste and other sanitary measures; (iii) appropriate insurance and bonding requirements; (iv) provisions requiring the maintenance of financial statements, records, ledgers, receipts, bills and such other written records as the commissioner determines are necessary or useful for carrying out the purposes of this chapter. Such records shall be maintained for a period of time not to exceed five years to be determined by rule by the commissioner, provided, however, that such rule may provide that the commissioner may, in specific instances at his or her discretion, require that records be maintained for a period of time exceeding such five years. Such records shall be made available for inspection and audit at the request of the commissioner at either the registrant's place of business or at the offices of the department; and (v) such other rules as he or she deems necessary or appropriate to effectuate the provisions of this chapter.

§ 22-255 Visitor pass. The department or a designee of the department shall be authorized to issue a visitor pass as a requirement for any person to enter a public wholesale market including but not limited to: retailers who enter the market to purchase products and their employees and temporary employees; and, subject to the provisions of sections 22-264 of this chapter, officers and business agents of labor unions or labor organizations covered by such section and officers and business agents of the affiliates thereof, including international labor unions, pension and welfare funds and others. Such pass shall be in a form prescribed by the commissioner, may contain a photograph of such person and shall indicate the reason the person is visiting the market, whether such person visits the market on a regular basis or, in the event that such person does not regularly visit the market, the date for which such pass shall be valid. The commissioner may provide for the issuance of permanent visitor passes to those persons who regularly visit a market, and shall provide for the expeditious issuance of passes at

*the market entrance to persons wishing to enter the market on a single or occasional basis. A pass shall be in the possession of such person at all times when such person is in the market and shall be worn and visible in compliance with rules promulgated by the commissioner pursuant to section 22-266 of this chapter. The department or, at the direction of the department, a designee of the department, shall be authorized to deny a visitor's pass and entry into a market to any person whose presence may constitute a threat to the orderly operation of a market or who has failed to provide the identifying information required by the commissioner or the designee of the commissioner. The provisions of this section shall not apply to any public wholesale market to which access by the public has routinely been permitted without control, restriction or other regulation for no less than a year directly preceding the effective date of this provision; provided, however, that the commissioner may apply such provisions upon a determination that an emergency exists that necessitates the temporary restriction of access to such a market. For purposes of this section, a "designee of the department" shall mean an agency of the city or, in the discretion of the commissioner, a wholesaler cooperative or similar organization. Nothing in this section shall be construed to permit the denial of a visitor pass to a representative of a labor union or labor organization solely because such person seeks to engage in the lawful exercise within a public wholesale market of an activity protected under the provisions of the National Labor Relations Act, 29 U.S.C. § 141 et seq. The commissioner shall consult with the commissioner of labor relations prior to reaching any determination that an activity by a representative of a labor union or labor organization is not lawful under the National Labor Relations Act.*

*§ 22-256 Fees. The commissioner shall by rule establish fees for photo identification cards, for registration and the renewal of registration, and for visitor passes issued pursuant to this chapter in amounts sufficient to compensate the city for the administrative expense of issuance of such photo identification cards, of registration and the inspections and other activities related thereto, and of issuance of visitor passes. Such rule may provide that a designee of the department perform administrative functions related to the issuance of photo identification cards or the issuance of visitors' passes and that such designee may, with the approval of the commissioner, impose a fee for the performance of such function[s]. For the purposes of this section "designee of the department" shall mean an agency of the city or, in the discretion of the commissioner, a wholesaler cooperative or similar organization. Registration pursuant to this chapter shall be valid for three years. A wholesale business or a market business shall be responsible for the payment of any fee imposed by this section with respect to an employee of such business or any person seeking to become an employee of such business.*

*§ 22-257 Liability for violations. A wholesale business or market business required by this chapter to be registered with the commissioner shall be liable for a violation committed by any of its officers, employees and/or agents acting within the scope of their employment of any of the provisions of this chapter or any rules promulgated pursuant thereto.*

*§ 22-258 Penalties. a. Except as otherwise provided in subdivision b of this section, any person who violates any provision of this chapter or any of the rules promulgated hereto shall be liable for a civil penalty which shall not exceed ten thousand dollars for*

*each such violation. Such civil penalty may be recovered in a civil action or in a proceeding before the environmental control board or other administrative tribunal of competent jurisdiction.*

*b.(i) Any person who violates the requirement to obtain a photo identification card or to register a business contained in section 22-252 or section 22-253 of this chapter or who violates section 22-262 of this chapter shall, upon conviction thereof, be subject to a criminal fine for each violation of not more than ten thousand dollars for each day of such violation or by imprisonment not exceeding six months, or both; and any such person shall be subject to a civil penalty of not more than five thousand dollars for each day of such violation to be recovered in a civil action or proceeding before the environmental control board or other administrative tribunal of competent jurisdiction.*

*(ii) The corporation counsel is authorized to commence a civil action on behalf of the city for injunctive relief to restrain or enjoin any violation of this chapter and for civil penalties.*

*§ 22-259 Issuance and refusal to issue registrations and photo identification cards.*  
*a. Where the commissioner has reasonable cause to believe that an applicant for registration pursuant to section 22-253 of this chapter or an applicant for a photo identification card lacks good character, honesty and integrity, the commissioner may require that such applicant shall: (i) be fingerprinted by a person designated for such purpose by the commissioner or the department of investigation and a fee shall be paid which shall be submitted to the division of criminal justice services and/or the federal bureau of investigation for the purposes of obtaining criminal history records; (ii) provide to the commissioner, upon a form prescribed by the commissioner and subject to such minimum dollar thresholds and other reporting limitations as the commissioner may establish by rule therein any of the following items that the commissioner determines are necessary and appropriate to evaluate the application of such applicant for registration or the application of such person for a photo identification card, including but not limited to: (a) a listing of the names and addresses of any persons having a beneficial interest in the applicant for registration, the amount and nature of such interest and the acquisition cost; (b) a listing of the names and addresses of all officers, directors, partners and stockholders holding more than ten percent of the outstanding shares of the business, and of the names and addresses of any manager or other person who has policy or financial decision-making authority in the business of an applicant for registration; (c) a listing of the amounts in which such applicant is indebted, including mortgages on real property, and the names and addresses of all persons to whom such debts are owed; (d) a listing of such applicant's real property holdings or mortgage or other interest in real property held by such applicant other than a primary residence and the names and addresses of all co-owners of such interest; (e) a listing of mortgages, loans, and instruments of indebtedness held by such applicant, the amount of such debt, and the names and addresses of all such debtors; (f) the name and address of any business in which such applicant holds an equity or debt interest, excluding any interest in publicly traded stocks or bonds; (g) the names and addresses of all persons or entities from whom such applicant has received gifts valued at more than one thousand dollars in any of the past three years, and the names of all persons or entities excluding any organization recognized by the Internal Revenue Service under section*



501(c)(3) of the Internal Revenue Code to whom such applicant has given such gifts in any of the past three years; (h) a listing of all criminal convictions, in any jurisdiction, of the applicant; (i) a listing of all pending civil or criminal actions to which such applicant is a party; (j) a listing of any determination by a federal, state or city regulatory agency of a violation by such applicant of laws or regulations relating to the conduct of the applicant's business; (k) a listing of any criminal or civil investigation by a federal, state, or local prosecutorial agency, investigative agency or regulatory agency of which the applicant has or should have knowledge, in the five year period preceding the application, wherein such applicant has: (A) been the subject of such investigation, or (B) received a subpoena requiring the production of documents or information in connection with a such investigation; (l) where applicable, a certification that the applicant has paid all federal, state, and local income taxes related to the applicant's business for which the applicant is responsible for the three tax years preceding the date of the application or documentation that the applicant is contesting such taxes in a pending judicial or administrative proceeding; (m) a statement authorizing the department to verify with federal, state and local taxing authorities, to the maximum extent permitted by law, the facts contained in the certification submitted pursuant to subparagraph (l) of this paragraph; (n) where applicable, the names and addresses of the principals of any predecessor wholesale business or market business of the applicant; and (o) such additional information concerning good character, honesty and integrity that the commissioner may deem appropriate and reasonable; and (iii) appear to be interviewed by the department of investigation or the department. The commissioner may require that fees be paid by or on behalf of such applicants to cover the expenses of fingerprinting and background investigations provided for in this subdivision as are set forth in the rules promulgated pursuant to section 22-266 of this code. A wholesale business or a market business shall be responsible for the payment of any fee imposed by this section with respect to an employee of such business or any person seeking to become an employee of such business.

b. The commissioner may, after notice and the opportunity to be heard, refuse to register an applicant or issue a photo identification card to a person who lacks good character, honesty and integrity. Such notice shall specify the reasons for such refusal. In making such determination, the commissioner may consider, but not be limited to: (i) failure by such applicant or person to provide truthful information in connection with the application; (ii) a pending indictment or criminal action against such applicant or person for a crime which under this subdivision would provide a basis for the refusal of such registration, or a pending civil or administrative action to which such applicant or person is a party and which directly relates to the fitness to conduct the business or perform the work for which the registration or photo identification card is sought, in which cases the commissioner may defer consideration of an application until a decision has been reached by the court or administrative tribunal before which such action is pending; (iii) conviction of such applicant or person for a crime which, under article 23-A of the correction law, bears a relationship to the fitness of such applicant or person to conduct a business or work in a market; (iv) commission of a racketeering activity or association with a person who has been convicted for a racketeering activity when the applicant knew or should have known of such activity, including, but not limited to, an

offense listed in subdivision one of section nineteen hundred sixty-one of the Racketeer Influenced and Corrupt Organizations statute (18 U.S.C. § 1961 et seq) or for an offense listed in subdivision one of section 460.10 of the penal law, as such statutes may be amended from time to time, or the equivalent offense under the laws of any other jurisdiction; (v) association with any member or associate of an organized crime group as identified by a federal, state or city law enforcement or investigative agency when the applicant for registration or photo identification card knew or should have known of the organized crime associations of such person; (vi) a principal of the applicant was a principal in a predecessor wholesale business or market business where the commissioner would be authorized to deny registration to such predecessor business pursuant to this subdivision; or (vii) in the case of an applicant business, failure to pay any tax, fine, penalty or fee related to the applicant's business for which liability has been admitted by the person liable therefor, or for which judgment has been entered by a court or administrative tribunal of competent jurisdiction and such judgment has not been stayed. An applicant may submit to the commissioner any material or explanation which such applicant believes demonstrates that information submitted pursuant to this subdivision does not reflect adversely upon the applicant's good character, honesty and integrity.

c. The commissioner may require that an applicant business shall submit such information as the commissioner deems necessary to demonstrate the financial responsibility of such applicant to conduct the activity for which such registration is required, and may refuse to register any applicant who has not, in the commissioner's determination, demonstrated such financial responsibility.

d. The commissioner may refuse to register or to issue a photo identification card to a person when such applicant has knowingly failed to provide the information and/or documentation required by the commissioner pursuant to this chapter or any rules promulgated pursuant thereto or who has otherwise failed to demonstrate eligibility for such registration or photo identification card under this chapter or any rules promulgated pursuant thereto.

e. The commissioner may refuse to register or to issue a photo identification card to a person when such applicant: (i) was previously issued a registration or a photo identification card under this chapter and such registration or card was revoked or not renewed pursuant to the provisions of this chapter or any rules promulgated hereto; or (ii) has been determined to have committed any of the acts which would be a basis for the suspension or revocation of registration or a photo identification card pursuant to this chapter or any rules promulgated hereto.

f. For the purposes of this section: "predecessor wholesale business or market business" shall mean a wholesale business or market business in which one or more principals of the applicant were principals in the five year period preceding the application; and, in relation to investigations of employees pursuant to section 22-252 of this chapter, the term "applicant" shall be deemed to apply to employees or agents of an applicant for registration.

§ 22-260 Revocation or suspension of registration or photo identification card. In addition to the penalties provided in section 22-258 of this code, the commissioner may revoke a temporary photo identification card, and after notice and hearing revoke or

suspend a registration issued pursuant to section 22-253 of this chapter or a photo identification card when the registrant or its officers, employees or agents or a person to whom such photo identification card has been issued: (i) has been found to be in violation of this chapter or any rules promulgated pursuant thereto; (ii) has repeatedly failed to obey lawful orders of representatives of the department; (iii) in the case of a person who works in the market and holds an office in a labor union or labor organization, or in a wholesale trade association, has failed to obey a commissioner's order of disqualification from holding such office pursuant to subdivision c of section 22-264 or subdivision c of section 22-265 of this chapter; (iv) has continued to employ a person who has failed to obey a commissioner's order of disqualification from holding office in a labor organization or labor union or a trade association; (v) has failed to pay any fines or civil penalties imposed pursuant to this chapter or the rules promulgated pursuant hereto; (vi) has been found in persistent or substantial violation of any city, state or federal laws, rules or regulations regarding the improper handling of food, or any laws prohibiting deceptive, unfair, or unconscionable trade practices; (vii) has been found by the commissioner, after consideration of the factors set forth in subdivision b of section 22-259 of this chapter to lack good character, honesty and integrity; (viii) has been found to have made any false statement or any misrepresentation as to a material fact in the application or accompanying papers upon which the issuance or renewal of the registration or photo identification card was based; or (ix) has failed to notify the commissioner as required by subdivision b of section 22-252 or subdivision a of section 22-253 of this code of any change in the ownership interest of the business or other material change in the information required on the application for such registration or photo identification card, or of the arrest or criminal conviction of the registrant or any of his or her officers, employees or agents of which the registrant had knowledge or should have known. Nothing in this section shall be construed to permit the revocation of a photo identification card of an employee who is a member of a labor union or labor organization solely for the reason that such person has sought to engage in the lawful exercise within a public wholesale market of an activity protected under the provisions of the National Labor Relations Act, 29 U.S.C. § 141 et seq. The commissioner shall consult with the commissioner of labor relations prior to reaching any determination that an activity by a representative of a labor union or labor organization is not lawful under the National Labor Relations Act.

§ 22-261 Emergency suspension of registration and photo identification card. Notwithstanding any other provision of this chapter or rules promulgated thereto, the commissioner may, if he or she has reasonable cause to believe that the operation of any business or the presence of any person in a public wholesale market creates an imminent danger to life or property or to the orderly and lawful operation of the market, or that there has likely been false or fraudulent information submitted in an application made pursuant to this chapter, immediately suspend a registration or a permanent photo identification card without a prior hearing, provided that provision shall be made for an immediate appeal of such suspension to a deputy commissioner of the department who shall determine such appeal forthwith. In the event that the deputy commissioner upholds the suspension, an opportunity for a hearing shall be provided on an expedited basis, within a period not to exceed four business days and the commissioner shall issue

*a final determination no later than four business days following the conclusion of such hearing; and provided further that the commissioner may, upon application by a business whose registration has been suspended, permit such business to remain in the market for such time as is necessary to allow for the expeditious sale, consignment or removal of a perishable product if, in the commissioner's best judgment, such permission is consistent with the orderly operation and safety of the market. Nothing in this section shall be construed to permit the emergency suspension of a photo identification card of an employee who is a member of a labor union or labor organization solely for the reason that such person is seeking or has sought to engage in the lawful exercise within a public wholesale market of an activity protected by the provisions of the National Labor Relations Act, 29 U.S.C. § 141 et seq. The commissioner shall consult with the commissioner of labor relations prior to reaching any determination that an activity by a representative of a labor union or labor organization is not lawful under the National Labor Relations Act.*

*§ 22-262 Surrender of registration certificate and photo identification card and cessation of use of registration number. Suspension or revocation of a registration shall require the immediate surrender to the commissioner of the registration certificate and all photo identification cards issued for employees of the registrant. Suspension or revocation of a registration shall also require the immediate cessation of use of a registration number. Suspension or revocation of a photo identification card or discontinuance of employment in the market shall require the immediate surrender of such identification card. Violation of the provisions of this section may result in revocation of the registration or photo identification card where such registration or identification card is under suspension or in criminal or civil penalties as provided in subdivision b of section 22-258 of this chapter.*

*§ 22-263 Business address. Each applicant for registration pursuant to this chapter shall provide the commissioner with a business address in New York city where notices may be delivered and legal process served.*

*§ 22-264 Registration of labor union and labor organization; disqualification from office-holding. a. A labor union or labor organization representing or seeking to represent employees directly involved in the movement, handling or sale of goods sold in any public wholesale market in the city of New York shall, within the time period prescribed by the commissioner, register with the commissioner and shall disclose such information to the commissioner as the commissioner may by rule require, including but not limited to the names of all officers and agents of such union or organization; provided, however, that this section shall not apply: (i) to a labor union that represents or seeks to represent fewer than two hundred employees in any public wholesale market or combination of public wholesale markets in the city of New York; (ii) to a labor union representing or seeking to represent clerical or other office workers, construction or electrical workers or any other workers temporarily or permanently employed in a public wholesale market for a purpose not directly related to the movement, handling or sale of goods in such market; (iii) to affiliated national or international labor unions of local labor unions required to register pursuant to this provision; and provided, further, that no labor union or labor organization shall be required to furnish information pursuant to this section which is already included in a report filed by such labor union or*

labor organization with the Secretary of Labor pursuant to 29 U.S.C. § 431 et seq. or § 1001 et seq. if a copy of such report, or of the portion thereof containing such information, is furnished to the commissioner.

b. An officer of a labor union or labor organization required to be registered with the commissioner pursuant to subdivision a of this section shall inform the commissioner, on a form prescribed by the commissioner, of: (i) all criminal convictions, in any jurisdiction, of such officer; (ii) any pending civil or criminal actions to which such officer is a party; and (iii) any criminal or civil investigation by a federal, state, or local prosecutorial agency, investigative agency or regulatory agency, in the five year period preceding the date of registration pursuant to subdivision a of this section and at any time subsequent to such registration, wherein such officer has (A) been the subject of such investigation, or (B) received a subpoena requiring the production of documents or information in connection with such an investigation. Any change in the information reported pursuant to this subdivision shall be reported forthwith to the commissioner. The commissioner may, if he or she has reasonable cause to believe that such an officer lacks good character, honesty and integrity, require that such officer be fingerprinted by a person designated by the commissioner for such purpose or by the department of investigation and pay a fee to be submitted to the division of criminal justice services and/or the federal bureau of investigation for the purpose of obtaining criminal history records.

c. The commissioner may, after notice and opportunity to be heard, disqualify an officer of a labor union or labor organization from holding office when such person: (i) has failed, by the date prescribed by the commissioner, to be fingerprinted or to provide truthful information in connection with the reporting requirements of subdivision b of this section; (ii) is the subject of a pending indictment or criminal action against such officer for a crime which bears a direct relationship to the lawful and orderly operation of the market, in which case the commissioner may defer a determination until a decision has been reached by the court before which such action is pending; (iii) has been convicted of a crime which, under the standards set forth in article 23-A of the correction law, bears a direct relationship to the lawful and orderly operation of the market, including the specific duties and responsibilities necessarily related to the union office; the bearing, if any the criminal offense or offenses will have on the fitness of the officer to perform such responsibilities; the time which has elapsed since the occurrence of the criminal offense or offenses; the seriousness of the offense or offenses; and any information produced by the person, or produced on his or her behalf, in regard to his or her rehabilitation or good conduct; (iv) has committed a racketeering activity or associated with a person who has been convicted of a racketeering activity, including but not limited to the offenses listed in subdivision one of section nineteen hundred sixty-one of the Racketeer Influenced and Corrupt Organization statute (18 U.S.C. § 1961 et seq) or of an offense listed in subdivision one of section 460.10 of the penal law, as such statutes may be amended from time to time, when the officer knew or should have known of such conviction; or (v) has associated with any member or associate of an organized crime group as identified by a federal, state or city law enforcement or investigative agency when the officer knew or should have known of the organized crime associations of such person. An officer required to disclose information pursuant to subdivision a of this sec-

tion may submit to the commissioner any material or explanation which such officer believes demonstrates that such information does not reflect adversely upon the officer's good character, honesty and integrity. If the commissioner determines pursuant to this subdivision that there are sufficient grounds to disqualify a person from holding office in a labor union or labor organization, the commissioner shall suspend such person from holding office pending final determination and, in the event such person is disqualified, such suspension shall continue pending resignation or vacatur of or removal from office. Upon written request of the suspended person within ten days of the commissioner's determination, the commissioner shall designate five arbitrators from the list of arbitrators approved by the office of collective bargaining. Such suspended person shall select one arbitrator from among the five arbitrators designated by the commissioner. Such arbitrator shall make a final report and recommendations in writing concerning the disqualification. The commissioner shall accept such report and recommendations and issue his or her final determination consistent with such report and recommendations. In the event that the suspended person does not make such request within such period he or she shall be disqualified from holding office. Upon receiving an order of the commissioner pursuant to this subdivision disqualifying a person from holding office in a labor union or labor organization, such person shall resign or vacate such office within fourteen days or, if such person fails to resign or vacate such office within such time period, such union or organization shall remove such person forthwith from such office. Failure of such a person to resign or vacate office within such time period shall subject such person to the penalties set forth in subdivision a of section 22-258 of this chapter. An office-holder who has been disqualified or suspended by the commissioner pursuant to the provisions of this subdivision may be excluded by the commissioner from the market. Nothing in this section shall be construed to authorize the commissioner to disqualify a labor union or labor organization from representing or seeking to represent employees of a business required to be registered pursuant to section 22-253 of this code.

d. In reaching a determination to fingerprint or disqualify an officer of a labor union or labor organization pursuant to subdivisions b or c of this section, the commissioner shall give substantial weight to the results of any investigation conducted by an independent investigator, monitor, trustee or other person or body charged with the investigation or oversight of such labor union or labor organization, including whether such investigation has failed to return charges against such officer.

e. Notwithstanding any other provision of this chapter to the contrary, the provisions of this section shall apply to any labor union or labor organization representing or seeking to represent employees of business required to be licensed or registered pursuant to chapter 1-A of this title in the fulton fish market distribution area or other seafood distribution area. The term "market" shall, for purposes of application of the provisions of this section to the fulton fish market distribution or other seafood distribution area, mean such areas.

§ 22-265 Registration of wholesale trade association; disqualification from office-holding. A wholesaler trade association shall, within the time period prescribed by the commissioner, register with the commissioner and shall disclose such information to the commissioner as the commissioner may by rule require, including but not limited to the

names of all members of such association and of all persons holding office in such association. The commissioner may promulgate rules requiring that an association required to register pursuant to this section maintain financial statements, records, ledgers, receipts, bills and such other written records as the commissioner determines are necessary or useful for carrying out the purposes of this chapter. Such records shall be maintained for a period of time not to exceed five years to be determined by rule by the commissioner; provided, however, that such rule may provide that the commissioner may, in specific instances at his or her discretion, require that records be maintained for a period of time exceeding five years. Such records shall be made available for inspection and audit at the request of the commissioner at either the offices of the association or the offices of the department.

b. An officer of a wholesale trade association required to register pursuant to this section shall inform the commissioner, on a form prescribed by the commissioner, of: (i) all criminal convictions, in any jurisdiction, of such officer; (ii) any pending civil or criminal actions to which such officer is a party; and (iii) any criminal or civil investigation by a federal, state, or local prosecutorial agency, investigative agency or regulatory agency, in the five year period preceding the date of registration pursuant to subdivision a of this section and at any time subsequent to such registration, wherein such officer has (A) been the subject of such investigation, or (B) received a subpoena requiring the production of documents or information in connection with such an investigation. Any change in the information reported pursuant to this subdivision shall be reported forthwith to the commissioner. The commissioner may, if he or she has reasonable cause to believe that an officer of a trade association lacks good character, honesty and integrity, require that such officer be fingerprinted by a person designated by the commissioner for such purpose and pay a fee to be submitted by the department to the division of criminal justice services for the purpose of obtaining criminal history records.

c. The commissioner may, after notice and opportunity to be heard, disqualify a person from holding office in a wholesale trade association when such person: (i) has failed, by the date prescribed by the commissioner, to be fingerprinted or to provide truthful information in connection with the reporting requirements of subdivision b of this section; (ii) is the subject of a pending indictment or criminal action against such officer for a crime which bears a relationship to the lawful and orderly operation of the market, in which case the commissioner may defer a determination pending a determination by the court before which such action is pending; (iii) has been convicted of a crime which, under the standards of article 23-A of the correction law, bears a relationship to the lawful and orderly operation of the market; (iv) has committed a racketeering activity or associated with a person who has been convicted of a racketeering activity, including but not limited to the offenses listed in subdivision one of section nineteen hundred sixty-one of the Racketeer Influenced and Corrupt Organization statute (18 U.S.C. § 1961 et seq) or of an offense listed in subdivision one of section 460.10 of the penal law, as such statutes may be amended from time to time, when the officer knew or should have known of such conviction; or (v) has associated with any member or associate of an organized crime group as identified by a federal, state or city law enforcement or investigative agency when the officer knew or should have known of

*the organized crime associations of such person. An officer required to disclose information pursuant to subdivision a of this section may submit to the commissioner any material or explanation which such officer believes demonstrates that the officer does not lack good character, honesty and integrity. Upon receiving an order of the commissioner pursuant to this subdivision disqualifying a person from holding office in a wholesale trade association, such person shall vacate such office or, if such person fails to vacate such office within the time period specified by the commissioner, such association shall remove such person forthwith from such office. Failure of such person to vacate such office within the time specified by the commissioner shall subject such person to the penalties set forth in subdivision a of section 22-258 of this chapter or to injunctive action by the city pursuant to subdivision c of such section. An office-holder who has been disqualified pursuant to the provisions of this subdivision may be excluded by the commissioner from the market. Nothing in this section shall be construed to authorize the commissioner to disqualify a wholesale trade association from representing or seeking to represent a business required to be registered pursuant to section 22-253 of this chapter.*

*§ 22-266 Rules. The commissioner may promulgate such rules as he or she may deem necessary to effectuate the provisions of this chapter.*

*§ 22-267 Investigations by the department of investigation. The commissioner of the department of investigation may conduct a study or investigation of any matter arising under the provisions of this chapter, including, but not limited to, investigation of the information required to be submitted by applicants for registration or photo identification cards.*

*§ 22-268 Timetable for implementation a. The commissioner shall be authorized to develop by rule a timetable for the sequenced implementation of provisions of this chapter and any rules promulgated thereunder to public wholesale markets.*

*b. Enforcement of the registration requirements or the requirements for photo identification cards and, where applicable, visitor passes in a public wholesale market shall commence upon the implementation date for such market set forth in the rules promulgated pursuant to subdivision a of this section, except that, with respect to any wholesaler or market business or any person working in a market as of such date who seeks to register or to obtain a photo identification card and whom the commissioner has required to submit to fingerprinting and disclosure requirements pursuant to section 22-259 of this chapter, no enforcement of such requirements shall take place unless and until such wholesaler or entity or person working in the market has failed to submit such fingerprints or disclosure within the time period specified by the commissioner or such registration or photo identification card has been denied.*

*§ 22-269 Reporting Requirements. a. No later than one week following the submission of the mayor's management report, the commissioner shall submit to the council a report detailing the department's activities pursuant to this chapter. Such report shall be submitted within one week after issuance by the mayor of the management report for the city. Except as provided in any provision of this section, this report shall provide information for the period covered by the mayor's management report. The report required by this section shall at a minimum include:*



*i. the number of criminal acts and violations of this chapter reported to have occurred within each public wholesale market. Such acts and violations shall include, without limitation (aa) acts of physical violence and threats of such violence, (bb) acts of damage to property and threats of such acts and (cc) thefts or threats of such thefts;*

*ii. the number of referrals to a state or federal prosecutor made by the commissioner with respect to the items contained in paragraph one of this section, the number of such referrals for which a prosecution was brought and the results of any such prosecutions;*

*iii. the number of applicants for registration that were denied, with a statement of the reasons for denials and the number of pending applications;*

*iv. the number of photo identification cards that have been issued, the number of applications for such card that have been denied, with a statement of the reasons for denial and the number of pending applications for such card;*

*v. the number of registrations and photo identification cards that have been suspended or revoked under sections 22-260 or 22-261 of this chapter, respectively, a statement of the reasons for such actions and the average duration of such suspensions;*

*vi. the number of principals of wholesalers, officers of labor unions or labor organizations, officers of wholesale trade associations and holders of photo identification cards to whom the provisions of section 22-259 of this chapter have been applied and the result under section 22-260 of this chapter;*

*vii. the amounts, by category, of all fees relating to implementation of this chapter to which the city is entitled, the amounts actually collected and the reasons for the difference; and*

*viii. the amounts, by category, of all expenditures relating to enforcement of the provisions of this chapter.*

*b. Unless otherwise provided, all items required to be reported pursuant to paragraphs i through viii of subdivision a of this section shall be reported separately for each public wholesale market.*

§ 2. The Brooklyn wholesale meat market, as described herein, shall be a public wholesale market for the purposes of section 1301 of the New York City charter and section 72-p of the general municipal law, as enacted by chapter five hundred six of the laws of nineteen hundred eighty-nine, and the commissioner of business services shall be authorized to exercise within the Brooklyn wholesale meat market all powers vested in the commissioner under the provisions thereof and this local law. The Brooklyn wholesale meat market shall consist of that area within the borough of Brooklyn beginning at the point where the westerly street line of first avenue intersects the center line of fifty-fourth street; thence southerly approximately eight hundred and eighty-six and four-tenths feet along the westerly street line of first avenue; thence westerly along a line perpendicular to first avenue to the United States pierhead line; thence northerly along the United States pierhead line to a point where the center line of fifty-fourth street as extended intersects the United States pierhead line; thence easterly along the center line of fifty-fourth street as extended to the point of beginning.

§ 3. Notwithstanding any other provision of this local law to the contrary, the provisions of chapter 1-B of title 22 of the administrative code of the city of New York as added by section 1 of this local law regarding: (1) the authorization of the commissioner

of business services to require a wholesaler or market business to contract with an independent auditor contained in section 22-253 of such code; (2) requirements for the registration of a labor organization or labor union and the disqualification from office-holding in such organizations contained in sections 22-264 and 22-260 of such code as added by section 1 of this local law; and (3) requirements for the registration of a market business contained in section 22-253 of such code of the city as added by section 1 of this local law shall apply as of the effective date of this local law within the fulton fish market distribution area or other seafood distribution area as defined in section 22-202 of the administrative code; provided, however, that no enforcement of the provisions of such section 22-253 with respect to the registration of such market business, the registration of labor organizations or labor unions or the disqualification of officers of such organizations or unions, or the registration of wholesaler trade associations or the disqualification of officers of such associations shall take place until following the effective date of rules promulgated pursuant to this local law, except that, with respect to a market business doing business in the fulton fish market distribution area or other seafood distribution area as of the effective date of this local law the principals of which the commissioner has required to submit to fingerprinting and disclosure pursuant to section 22-258 of the administrative code as added by section 1 of this local law, no enforcement of such requirements shall take place unless and until such entity has failed to submit such fingerprints or disclosure within the time period specified by the commissioner or such registration has been denied.

§ 4. Paragraph (ii) of subdivision g of section 22-206 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to read as follows:

(ii) In the event of such suspension or revocation, or when the commissioner determines that additional loading services are required because a licensee has discontinued loading operations in the market area or because the existing loading business or businesses are for other reasons unable to provide adequate or sufficient loading services in the market area, the commissioner may, as he or she deems appropriate, issue a new license to one or more business entities which responded to the most recent request for licensing proposals previously issued, issue a new request for licensing proposals pursuant to this section or arrange for the department, a designee of the department [of] or a business entity under contract to the department to provide loading services in the market area. A new license issued pursuant to a request for licensing proposals shall be valid for the remainder of the term of the original license. The commissioner may also solicit expressions of interest from business entities to provide loading services in the market area on a temporary basis and may also issue a temporary license or licenses to provide loading services in the market area to the most qualified of such entities in a situation where the suspension or revocation of a license or the discontinuance of loading operations by a licensee has created a shortage of loading services in the market area or the existing licensed loading business or businesses are for other reasons unable to provide adequate or sufficient loading services. A temporary license issued pursuant to this subdivision shall be valid for a period not to exceed one year, provided that such license shall not extend beyond the remainder of the term of the original license. The fee for such temporary license shall be prorated to the term of the original license.

§ 5. Subdivision b of section 22-208 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to read as follows:

b. Where the commissioner has made a determination pursuant to this section, the department may provide unloading or loading services, as the case may be, within the market area. Such services shall be provided in accordance with all rules governing the conduct of unloading [oar] or loading services prescribed under section 22-205 and 22-207 of this chapter, other than insurance and bonding requirements.

§ 6. Paragraph (i) of subdivision a of section 22-216 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to read as follows:

(i) be fingerprinted by a person designated for such purpose by the commissioner or the department of investigation and pay a fee to be submitted [by the department] to the division of criminal justice services and/or the federal bureau of investigation for the purposes of obtaining criminal history records; and

§ 7. Subdivision c of section 22-216 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to read as follows:

c. The factors set forth in [this] subdivision b of this section shall also be grounds for the commissioner, pursuant to sections 22-209 or 22-211 of this chapter, to refuse to register, or to suspend or revoke the registration of, a wholesaler or a seafood deliverer; and to refuse to issue a photo identification card to, or to suspend or revoke the photo identification card of, a principal, employee or agent of a wholesaler or seafood deliverer.

§ 8. Subdivision a of section 22-220 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to read as follows:

a. Any police officer or authorized officer or employee of the department may, upon service of a notice of violation or criminal summons upon the owner or operator of a vehicle or other property or equipment seize such vehicle or such other property or equipment which such police officer or authorized officer or employee has reasonable cause to believe is being used in connection with an act constituting a violation of subdivision a of section 22-204 of this chapter. Any vehicle, property or equipment seized pursuant to this subdivision shall be delivered into the custody of the department or other appropriate agency. Where a notice of violation has been served, a hearing to adjudicate the violation underlying the seizure shall be held before the environmental control board within five business days after the seizure and such board shall render a decision within five business days after the conclusion of the hearing. Where a criminal summons has been served, a hearing to adjudicate the violation underlying the seizure shall be held before a court of competent jurisdiction. In the event that such court or the environmental control board [or such court] determines that there has been no violation, the vehicle, property or equipment that was seized shall be released forthwith to the owner or any person authorized by the owner to take possession of such vehicle, property or equipment.

§ 9. Chapter 1-A of title 22 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended by adding a new section 22-202.1 to read as follows:

§ 22-202.1 *A market business in the fulton fish market distribution area as such term is defined in section 22-251 of this code shall be subject to the provisions governing market businesses in chapter 1-B of this title.*

§ 10. Chapter 1-A of title 22 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to add a new section 22-212.1 to read as follows:

§ 22-212.1 *Registration of labor union and labor organization. A labor union or labor organization representing or seeking to represent employees directly involved in the movement, handling or sale of goods sold in the market shall register with the commissioner and shall be subject to the provisions of section 22-264 of this title.*

§ 11. The opening paragraph of subdivision a of section 22-226 of the administrative code of the city of New York, as added by local law number 50 for the year 1995, is amended to read as follows:

No later than one week following the submission of [the mayor's preliminary management report and one week following submission of] the mayor's management report, the commissioner shall submit to the council a report detailing the department's activities pursuant to this chapter. Such report shall be submitted within one week after issuance by the mayor of [the preliminary management report and] the management report for the city [,respectively]. Except as provided in any paragraph of this section, this report shall provide information for the [periods] *period* covered by the [preliminary mayor's management report and the] mayor's management report [,respectively]. [All reports] *The report required by this section* shall at a minimum include:

§ 12. This local law shall take effect immediately.

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 April 30, 1997, and approved by the Mayor on May 16, 1997.

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 28 of 1997, Council Int. No. 806-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on April 30, 1997: 45 for, 4 against.

Was approved by the Mayor on May 16, 1997.

Was returned to the City Clerk on May 19, 1997.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel