

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 1988**

**No. 19**

By Council Members Gerges, Horwitz and the Vice-Chairman (Council Member Vallone); also Council Members Harrison, Maloney, O'Donovan, Povman, Friedlander, Messinger, Michels, Dear, Dryfoos and Molinari.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to the five year plan to relieve homelessness.**

Section one. Subdivision one of section 21-121 of the administrative code of the city of New York, as added by local law number forty-six for the year nineteen hundred eighty-seven, is amended to add the following paragraphs, lettered e, f, and g, to read as follows:

*e. The number of units in property acquired by in rem tax foreclosure that are to be constructed or rehabilitated to accommodate homeless individuals and families. The council accepts the current need to use a variety of types of structures to accommodate homeless families and individuals, but reaffirms its commitment to permanent housing for homeless individuals and families as soon as possible. The commissioners of the departments of social services and housing, preservation and development shall forward to the council their reasons and supporting data regarding the need to establish transitional housing facilities for families in structures which do not comply with the standards for class A multiple dwellings and are not acquired by in rem tax foreclosure.*

*f. Projected total number of homeless families to be accommodated in welfare hotels in each of the five years.*

*g. Projected timetable for phasing out the use of welfare hotels for accommodating homeless families by January first, nineteen hundred ninety-three;*

§2. Such section is amended by adding three new subdivisions three, four and five to read as follows:

*3. The commissioner of social services shall eliminate the department of social services' use of welfare hotels to house homeless families within five years of the enactment of this local law. This timetable may be amended, pursuant to the procedure set forth herein, if the actual total number of homeless families is greater than projections, or if the continued use of welfare hotels is necessary to meet legal mandates. If any such amendment is needed, the commissioner of social services shall, immediately after determining such need, submit a written statement to the council setting forth the reason for the proposed amendment. The council may within forty-five days after the first stated meeting of the council following the receipt of a copy of such amendment approve or disapprove such amendment by adoption of an appropriate resolution. Upon approval by the council, such amendment shall take effect immediately. If the council disapproves such amendment, the commissioner shall not be precluded from resubmitting to the council such proposed amendment or from submitting any other amendment. If the council does not approve or disapprove such amendment within such forty-five day period, such amendment shall take effect on the forty-sixth day after such first stated meeting.*

4. As used in this section, the term "welfare hotel" shall mean a privately-owned hotel, operated by the owner or another person for profit which is used to provide transitional housing for homeless families.

5. Nothing in this section or in the five year plan submitted pursuant to this section shall be construed to preclude the commissioner of the department of social services or the commissioner of housing preservation and development from taking any action to provide shelter for the homeless that such commissioner determines to be necessary to meet legal mandates within the five year period between the effective date of this legislation and the date by which the use of welfare hotels to house homeless families by the department of social services shall be eliminated.

§3. The commissioners of the departments of social services and housing preservation and development shall have two months after the passage of this local law to append the requirements of section one to the Five Year Plan to Relieve Homelessness.

§4. 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 March 22, 1988, and approved by the Mayor on April 8, 1988.

CARLOS CUEVAS, City Clerk, Clerk of 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 19 of 1988, Council Int. No. 884-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on March 22, 1988:  
32 for, 0 against.

Was approved by the Mayor on April 8, 1988.

Was returned to the City Clerk on April 12, 1988.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.