

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2017**

No. 250

Introduced by Council Members Kallos, Greenfield and Espinal.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to technical corrections to local law 116 for the year 2017

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-114 of the administrative code, as added by local law 116 for the year 2017, is amended to read as follows:

§ 25-114 Privately owned public spaces. a. For the purposes of this section:

Privately owned public space. The term “privately owned public space” means (1) a plaza, residential plaza, urban plaza, public plaza, elevated plaza, arcade, through block arcade, through block galleria, through block connection, open air concourse, covered pedestrian space, *publicly accessible space* or sidewalk widening provided for in the zoning resolution now or previously in effect; (2) such other privately owned outdoor or indoor space required to be open to the public and for which the department of city planning maintains a record in the privately owned public space data set accessible through the open data web portal that is linked to nyc.gov or successor website pursuant to section 23-502; and (3) such other privately owned outdoor or indoor spaces required to be open to the public pursuant to any of the following [discretionary] actions occurring on or after January 1, 2001: (i) a decision, authorization, certification, or special permit issued by the city planning commission; (ii) a certification issued by the chair of the city planning commission;

(iii) a variance of the zoning resolution or special permit issued by the board of standards and appeals; or (iv) action taken by the council [or the board of estimate] pursuant to section 197-d of the charter [or predecessor section]. Such term does not include any waterfront public access areas regulated pursuant to article 6 chapter 2 of the zoning resolution. With respect to item (3) of this definition, the requirements of subdivisions c and f of this section shall not apply until after the date of the first report required pursuant to subdivision b of this section.

§ 2. Paragraph 3 of subdivision c of section 25-114 of the administrative code, as added by local law 116 for the year 2017, is amended to read as follows:

3. For all privately owned public spaces established on *or* after October 1, 2017, a site map of the contours of the privately owned public space relative to the other structures on the zoning lot and the adjacent streets or public ways;

§ 3. Subdivision e of section 25-114 of the administrative code, as added by local law 116 for the year 2017, is amended to read as follows:

e. Regardless of the requirements of the zoning resolution, the owner of each privately owned public space shall post in such privately owned public space [a sign] *signage*, of such size, design and content and in such location as may be specified by rule of the department of city planning, stating the name and contact information of the person charged by such owner with oversight of complaints about such privately owned public space. In addition to any other information as may be required by the department of city planning, such signage shall include a statement that such privately owned public space is open to the public, the hours it is open, the primary amenities it is required to provide, and a statement that complaints can be registered by calling 311. In relation to any privately owned public spaces established on *or* after October 1, 2017, such [sign] *signage*

shall also include a site map, as approved by the department, displaying the contours of such privately owned public space relative to the other structures on the zoning lot and the adjacent streets or public ways.

§ 4. Section 28-201.2.2 of the administrative code is amended by adding a new item 6, to read as follows:

6. A violation of a condition, restriction or requirement established pursuant to the zoning resolution, section 197-d of the charter or section 25-114, related to a privately owned public space as such term is defined in section 25-114.

§ 5. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new exception 8, to read as follows:

8. A violation of a condition, restriction or requirement established pursuant to the zoning resolution, section 197-d of the charter or section 25-114, related to a privately owned public space as such term is defined in section 25-114, shall be subject to a civil penalty of not less than \$4,000 for the first offense and not less than \$10,000 for each subsequent offense, in addition to any separate monthly penalty imposed pursuant to item 2 of this section.

§ 6. This local law takes 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 November 16, 2017 and returned unsigned by the Mayor on December 19, 2017.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 250 of 2017, Council Int. No. 1692-A of 2017) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.