



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO. 138-A

COMMITTEE: Housing and Buildings

TITLE: To amend the administrative code of the city of New York, in relation to security grilles used to secure commercial premises

SPONSORS: Council Members Vallone, Jr., Jackson, Nelson, Lappin, Yassky, deBlasio, Brewer, Gentile, Ignizio, Oddo, Fidler, Vacca, Gennaro and Mitchell

SUMMARY OF LEGISLATION: Proposed Int. 138-A amends the administrative code for the city of New York in relation to installation of security grilles, which must be openable from the inside without the use of a key and must remain secured in full-open position during business hours. Except as to buildings or structures classified in occupancy group S, buildings or structures designated as a landmark by the landmarks preservation commission or located in a historic district designated by such commission, on or after July 1, 2011, no security grille may be installed or replaced nor would the owner or the business operator of a structure classified as Group B or M occupancy be allowed to install or replace a security grille where the grille abuts the sidewalk, unless the grille, when closed, allows at least seventy percent visibility of the area covered by the grille. All security grilles installed on buildings classified in occupancy groups B or M must comply with the visibility requirements no later than July 1, 2026.

The Department of Buildings' (DOB) commissioner, through or in cooperation with the Department of Small Business Services, the Department of Consumer Affairs, and other city agencies deemed appropriate, will develop an outreach program for manufacturers and installers of security grilles, business improvement districts, local development corporations, chambers of commerce, and community boards to alert them and businesses using security grilles of the permit and visibility requirements, penalties for a violation and the availability of any business loans, grants, or tax subsidies related to the installation or use of the security grilles. No penalty violation will be imposed if the respondent corrects the violation and files a certificate with DOB that the condition has been corrected within ninety days or demonstrates before July 1, 2026 that the security grille was installed or replaced prior to July 1, 2011. First offense civil penalty would be no less than \$250 and not less than \$1,000 for each subsequent offense

EFFECTIVE DATE: This legislation would be effective January 1, 2010, except that the DOB commissioner can take such actions as necessary for its implementation prior to such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2010

FISCAL IMPACT STATEMENT:

	Effective FY10	FY Succeeding Effective FY11	Full Fiscal Impact FY10
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be impact on the revenues by the enactment of this legislation. The fines called for in this legislation are intended to compel compliance not generate revenue.

IMPACT ON EXPENDITURES: There would be no impact on the expenditures by the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Ralph P. Hernandez, Legislative Financial Analyst
Nathaniel Toth, Assistant Director
City Council Finance Division

HISTORY: Introduced by Council and referred to Housing and Buildings Committee as Int. 138 on February 15, 2006. On February 10, 2009, a hearing was held on the bill and was laid over. Subsequent to the hearing, the bill was amended. The Committee will consider the bill as proposed Int. 138-A on November 30, 2009.