

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2009**

No. 41

Introduced by Council Members Weprin, Dickens and James (by Request of the Mayor).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to exemptions from the payment of fees for fire department permits, inspections and performance tests.

Be it enacted by the Council as follows

Section 1. Section FC 117.2.1 of chapter 2 of title 29 of the administrative code of the city of New York, as added by local law number 26 for the year 2008, is amended to read as follows:

117.2.1 Permit, inspection and performance test fee exemption. The provisions of this code as to the payment of fees for permits, inspections or witnessing of required system performance tests shall not apply to premises used and owned or operated by a [church]*religious or educational institution*,_corporation or association organized and operated exclusively for religious[, charitable] or educational purposes that is qualified as an exempt organization pursuant to United States Internal Revenue Code Section 501(c)(3), provided that no part of the net earnings enures to the benefit of any private shareholder or individual; and provided further, that this exemption shall apply only to such portions of the premises used by such [church]*religious or educational institution*, corporation or association [for religious, charitable or educational purposes]*predominantly as one of the following*:

1. *A house of worship, or dwelling units for members of the clergy of such religious institution, corporation or association situated on or adjacent to the same premises as such house of worship. For purposes of this section, "house of worship" shall mean that part of a premises classified in Occupancy Group A-3 that is used by members of a religious institution, corporation or association principally as a meeting place for divine worship or other religious observances, and "member of the clergy" shall mean a clergyman or minister, as defined in the religious corporations law, who officiates at or presides over such religious observances for such religious institution, corporation or association, and who does not derive his or her principal income from any other occupation or profession.*

2. *A school accredited by the state of New York providing kindergarten through twelfth grade education.*

Section 2. 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 onJune 19, 2009..... and approved by the Mayor onJune 29, 2009.....

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

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 41 of 2009, Council Int. No. 1010-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on June 19, 2009:
44 for, 7 against, 0 not voting.
Was signed by the Mayor on June 29, 2009
Was returned to the City Clerk on June 29, 2009

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.