



Legislation Details (With Text)

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In control: Committee on Transportation

On agenda: 11/7/2002

Enactment date: 7/14/2003 **Enactment #:** 2003/044

Title: A Local Law to amend the administrative code of the city of New York, in relation to awnings.

Sponsors: Hiram Monserrate, David I. Weprin, John C. Liu, James Sanders, Jr., Yvette D. Clarke, Joseph P. Addabbo, Jr., Leroy G. Comrie, Jr., Helen D. Foster, Robert Jackson, Allan W. Jennings, Jr., Margarita Lopez, Miguel Martinez, Joel Rivera, Kendall Stewart, Gale A. Brewer, James F. Gennaro, Eric N. Gioia, Bill De Blasio, Diana Reyna, Sara M. Gonzalez, Madeline T. Provenzano, David Yassky, Domenic M. Recchia, Jr., Tony Avella, Andrew J. Lanza

Indexes:

Attachments: 1. Committee Report 4/15, 2. Hearing Transcript 4/15, 3. Committee Report 6/17, 4. Hearing Transcript 6/17, 5. Hearing Transcript - Stated Meeting 6/25, 6. Fiscal Impact Statement, 7. Local Law

Date	Ver.	Action By	Action	Result
11/7/2002	*	City Council	Introduced by Council	
11/7/2002	*	City Council	Referred to Comm by Council	
4/15/2003	*	Committee on Transportation	Hearing Held by Committee	
4/15/2003	*	Committee on Transportation	Laid Over by Committee	
6/17/2003	*	Committee on Transportation	Hearing Held by Committee	
6/17/2003	*	Committee on Transportation	Amendment Proposed by Comm	
6/17/2003	A	Committee on Transportation	Approved by Committee	Pass
6/17/2003	*	Committee on Transportation	Amended by Committee	
6/17/2003	A	City Council	Laid Over by Council	
6/24/2003	A	City Council	Laid Over by Council	
6/25/2003	A	City Council	Approved by Council	Pass
6/25/2003	A	City Council	Sent to Mayor by Council	
7/14/2003	A	Mayor	Hearing Held by Mayor	
7/14/2003	A	Mayor	Signed Into Law by Mayor	
7/16/2003	A	City Council	Recved from Mayor by Council	

Proposed Int. No. 305-A

By Council Members Monserrate, Weprin, Liu, Sanders, Clarke, Addabbo, Comrie, Foster, Jackson, Jennings, Lopez, Martinez, Rivera, Stewart, Brewer, Gennaro, Gioia, DeBlasio, Reyna, Gonzalez, Provenzano, Yassky, Recchia, Avella and Lanza

A Local Law to amend the administrative code of the city of New York, in relation to awnings.

Be it enacted by the Council as follows:

Section 1. Section 26-125 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. (i) Notwithstanding any other provision of law, where a notice of violation or summons is issued on or after the effective date of this subdivision for a violation of section 27-147 of this code or section 32-653 or section 42-542 of the zoning resolution for an awning in existence on the effective date of this subdivision, and such violation is based upon the failure to obtain a permit, the commercial copy on such awning or the height of any lettering on such awning, no penalty may be imposed, nor may injunctive relief be sought to restrain such violation, during the six-month period commencing on the effective date of this subdivision. Where the person to whom the violation was issued cures such violation during that six-month period, no penalty may subsequently be sought or imposed for such violation.

(ii) The provisions of paragraph i of this subdivision shall not apply where such awning creates an imminent threat to public health or safety.

§2. Section 26-126 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. (i) Notwithstanding any other provision of law, where a notice of violation or summons is issued on or after the effective date of this subdivision for a violation of section 27-147 of this code or section 32-653 or section 42-542 of the zoning resolution for an awning in existence on the effective date of this subdivision, and such violation is based upon the failure to obtain a permit, the commercial copy on such awning or the height of any lettering on such awning, no penalty may be imposed, nor may injunctive relief be sought to restrain such violation, during the six-month period commencing on the effective date of this subdivision. Where the person to whom the violation was issued cures such violation during that six-month period, no penalty may subsequently be sought or imposed for such violation.

(ii) The provisions of paragraph i of this subdivision shall not apply where such awning creates an

imminent threat to public health or safety.

§3. This local law shall take effect immediately upon its enactment into law.

JH/MB

6/17/03 8:45 am

Monserrate-Awnings only