



Legislation Details (With Text)

File #: Res 1578-2008 **Version:** * **Name:** Use of eminent domain only for public projects, approval of the use of eminent domain by the governing body when the condemnor is an industrial development agency and the requirement that the condemnor pay relocation costs (A.661-A/S.915-A).

Type: Resolution **Status:** Filed
In control: Committee on Land Use

On agenda: 8/14/2008

Enactment date: **Enactment #:**

Title: Resolution in support of New York State Assembly Bill A 661-A and New York State Senate companion Bill S 915-A an act to amend the eminent domain procedure law, in relation to the use of eminent domain only for public projects, approval of the use of eminent domain by the governing body when the condemnor is an industrial development agency and the requirement that the condemnor pay relocation costs.

Sponsors: Leroy G. Comrie, Jr., Letitia James, John C. Liu, Melissa Mark-Viverito, Annabel Palma, Charles Barron, Diana Reyna

Indexes:

Attachments: 1. Letter to the Commissioner, 2. Press Conference Notice

Date	Ver.	Action By	Action	Result
8/14/2008	*	City Council	Introduced by Council	
8/14/2008	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 1578

Resolution in support of New York State Assembly Bill A 661-A and New York State Senate companion Bill S 915-A an act to amend the eminent domain procedure law, in relation to the use of eminent domain only for public projects, approval of the use of eminent domain by the governing body when the condemnor is an industrial development agency and the requirement that the condemnor pay relocation costs.

By Council Members Comrie, James, Liu, Mark-Viverito, Palma, Barron and Reyna

Whereas, Eminent domain is an important tool for government to use for public projects; and

Whereas, The powers of eminent domain should be used only for traditional public projects which would include public infrastructure and services including those relating to, but not limited to, transportation, public safety, recreation, water supply and sanitation facilities; and

Whereas, Traditional public projects should be defined; and

Whereas, Since the powers of eminent domain may be used by an industrial development agency, which

may not be subject to the same public scrutiny as a state agency, the local elected body in the municipality for whose benefit the agency was created and within whose boundaries the property to be condemned is located should vote on the proposed action to insure that the impact on the community is fully considered; and

Whereas, Because the costs of relocation for a condemnee can be prohibitive, the condemnor should pay such relocation costs; and

Whereas, To promote these goals, Assembly Bill A 661-A and companion Senate Bill S 915-A were introduced to limit the use of eminent domain to public projects, to define public projects, to allow the local governing body to vote when eminent domain is used by an industrial development agency and to provide relocations costs to the condemnees; and

Whereas; There is the need to balance the needs of society and individual liberties; now, therefore be it

Resolved, That the Council of the City of New York supports New York State Assembly Bill A 661-A and New York State Senate companion Bill S 915-A an act to amend the eminent domain procedure law, in relation to the use of eminent domain only for public projects, approval of the use of eminent domain by the governing body when the condemnor is an industrial development agency and the requirement that the condemnor pay relocation costs.

LS#5740
08/04/08
CJS