



Legislation Text

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Int. No. 109

By Council Members Gentile, Koo, Rivera, Cabrera, Oddo, Halloran, Comrie, Fidler, Lander, Nelson and Ulrich

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 veterans' organization that is qualified as an exempt organization pursuant to United States Internal Revenue Code Section 501(c)(19) or Section 501(c)(23), or that is qualified as an exempt organization pursuant to United States Internal Revenue Code Section 501(c)(3) and operates for one or more of the purposes enumerated in United States Treasury Regulation Section 1.501(c)(19)-1(c), provided that this exemption shall apply only to such portions of the premises used by such veterans' organization for charitable purposes, purposes enumerated in United States Treasury Regulation Section 1.501(c)(19)-1(c), or purposes enumerated in United States Internal Revenue Code Section 501(c)(23); or a religious or educational institution, corporation or association organized and operated exclusively for religious 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 religious or educational institution, corporation or association 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.

§2. This local law shall take effect immediately.

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