



Legislation Text

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Int. No. 149

By Council Members Provenzano and McMahon; also Council Member Koppell

A Local Law to amend the administrative code of the city of New York in relation to unlawful posting.

Be it enacted by the Council as follows:

Section 1. Section 10-119 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. If the telephone number that appears on any handbill, poster, notice, sign or advertisement placed in violation of subdivision a of this section belongs to a telephone answering service and no other telephone number or address is readily obtainable to locate the person or business advertised therein, such telephone answering service shall be held liable for a violation of subdivision a in accordance with the provisions of section 10-121.

§2. Section 10-119 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. The commissioner of the department of sanitation shall be authorized to issue subpoenas to obtain official telephone records for the purpose of determining the identity and location of any person or entity reasonably believed by the commissioner to have violated subdivision a of this section.

§3. Section 10-121 of the administrative code of the city of New York is amended to read as follows:

§10-121 Violation. a. Any person convicted of a violation of any of the provisions of section 10-119 or 10-120 of the code shall be punished by a fine of not less than [fifty] one hundred dollars nor more than [one] five hundred dollars, for the first offense and not less than [one] two hundred dollars nor more than [two hundred fifty] one thousand dollars for the second and each subsequent offense, plus the cost of the removal of the unauthorized signs, imprisonment for not more than ten days, or both; provided, however, that subdivision b of section 10-119 of the code shall not apply with respect to criminal prosecutions brought pursuant to this

subdivision.

b. In the instance where the notice of violation, appearance ticket or summons is issued for breach of the provisions of section 10-119 or 10-120 of the code and sets forth thereon civil penalties only, such process shall be returnable to the environmental control board, which shall have the power to impose the civil penalties of not less than [fifty] one hundred dollars nor more than [one] five hundred dollars for the first offense and not less than [one] two hundred dollars nor more than [two hundred fifty] one thousand dollars for the second and each subsequent offense.

§4. This local law shall take effect ninety days after its enactment.