



Legislation Details (With Text)

**File #:** Int 0949-2012 **Version:** A **Name:** Agencies' existing violations.  
**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Small Business

**On agenda:** 10/11/2012

**Enactment date:** 4/23/2013 **Enactment #:** 2013/035

**Title:** A Local Law to provide for retrospective review by the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the department of transportation, and the fire department of those agencies' existing violations.

**Sponsors:** Diana Reyna, Leroy G. Comrie, Jr., Peter A. Koo, Rosie Mendez, Deborah L. Rose, Ruben Wills, Peter F. Vallone, Jr., Vincent J. Gentile, Maria Del Carmen Arroyo, Stephen T. Levin, Daniel Dromm, Mathieu Eugene, Andy L. King, Ydanis A. Rodriguez, Charles Barron, James F. Gennaro, David G. Greenfield, Robert Jackson, Brad S. Lander, Jumaane D. Williams, Daniel J. Halloran III

**Indexes:**

**Attachments:** 1. Int. No. 949 - 10/11/12, 2. Committee Report 2/28/13, 3. Hearing Testimony 2/28/13, 4. Hearing Transcript 2/28/13, 5. Committee Report 4/8/13, 6. Hearing Transcript 4/8/13, 7. Fiscal Impact Statement, 8. Hearing Transcript - Stated Meeting 4-9-13, 9. Mayor's Letter, 10. Local Law 35

Date	Ver.	Action By	Action	Result
10/11/2012	*	City Council	Introduced by Council	
10/11/2012	*	City Council	Referred to Comm by Council	
2/28/2013	*	Committee on Small Business	Hearing Held by Committee	
2/28/2013	*	Committee on Small Business	Laid Over by Committee	
2/28/2013	*	Committee on Governmental Operations	Hearing Held by Committee	
2/28/2013	*	Committee on Governmental Operations	Laid Over by Committee	
4/8/2013	*	Committee on Small Business	Hearing Held by Committee	
4/8/2013	*	Committee on Small Business	Amendment Proposed by Comm	
4/8/2013	*	Committee on Small Business	Amended by Committee	
4/8/2013	A	Committee on Small Business	Approved by Committee	Pass
4/9/2013	A	City Council	Approved by Council	Pass
4/9/2013	A	City Council	Sent to Mayor by Council	
4/23/2013	A	Mayor	Hearing Held by Mayor	
4/23/2013	A	Mayor	Signed Into Law by Mayor	
4/23/2013	A	City Council	Recved from Mayor by Council	

Int. No. 949-A

By Council Members Reyna, Comrie, Koo, Mendez, Rose, Wills, Vallone, Gentile, Arroyo, Levin, Dromm, Eugene, King, Rodriguez, Barron, Gennaro, Greenfield, Jackson, Lander, Williams and Halloran

A Local Law to provide for retrospective review by the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the department of transportation, and the fire department of those agencies' existing violations.

Be it enacted by the Council as follows:

Section 1. Retrospective review of existing violations. Within 120 days of the enactment of this section, the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the department of transportation, and the fire department shall conduct a retrospective review of those provisions of the administrative code, the rules of the city of New York, and the New York city health code which establish violations and which are enforced by such agency, and shall submit a report to the mayor and the speaker regarding those existing violations for which a penalty or fine may be assessed for which there is no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a penalty or fine. This report shall include:

(1) a description of each violation for which the agency recommends that a cure period or other opportunity for ameliorative action be provided prior to the imposition of a penalty or fine, and the basis for such conclusion; and

(2) a list of all other existing violations established by the agency's rules for which a penalty or fine may be assessed for which there is no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a penalty or fine. This list shall identify, either on individual item or aggregate basis, the rationale for the absence of a cure period or other opportunity for ameliorative action.

§2. This local law shall take effect immediately.

SAG/dss  
3/7/13  
LS #879