Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to providing additional time to answer and/or pay any outstanding summonses, fines, or penalties for food and general vendor violations if such outstanding summonses, fines, or penalties are preventing renewal of a food or general vendor license or permit.

Sponsors: Mathieu Eugene, Letitia James, Donovan J. Richards, Deborah L. Rose

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12/19/2013	*	City Council	Introduced by Council	
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12/31/2013	*	City Council	Filed (End of Session)	

Int. No. 1218

By Council Members Eugene, James, Richards and Rose

A Local Law to amend the administrative code of the city of New York, in relation to providing additional time to answer and/or pay any outstanding summonses, fines, or penalties for food and general vendor violations if such outstanding summonses, fines, or penalties are preventing renewal of a food or general vendor license or permit.

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision a of section 17-317 of title 17 of the administrative code of the city of New York is amended to read as follows:

2. the applicant, licensee, permittee, its officers, directors, shareholders, members, managers or employees have been found guilty of four or more violations of this subchapter or any rules promulgated pursuant thereto within a two-year period or have been found guilty of a violation of the provisions of part fourteen of the state sanitary code or of the New York city health code, or the applicant, licensee, permittee,

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its officers, directors, shareholders, members, managers, or employees have pending any unanswered summonses or unsatisfied fines or penalties for violation of this subchapter or any rules promulgated pursuant thereto. Notwithstanding the aforementioned, the commissioner may renew a food vendor license or permit if, before such license or permit expires, a licensee or permittee, or its officers, directors, shareholders, members, managers or employees, submits a request in writing to the commissioner for additional time to answer any unanswered summonses for violation of this subchapter or the regulations promulgated thereto, or to pay the total dollar amount of any unsatisfied fine or penalty for violation of this subchapter or any rules promulgated pursuant thereto and: (i) answers any unanswered summonses for violation of this subchapter or any rules promulgated pursuant thereto within thirty days of the expiration date of the license or permit; or (ii) pays the total dollar amount of any unsatisfied fine or penalty for violation of this subchapter or any rules promulgated pursuant thereto within one hundred twenty days of the expiration date of the license or permit.

§ 2. Subdivision b of section 20-456 of title 20 of the administrative code of the city of New York is amended to read as follows:

b. The commissioner may refuse to issue or renew a license if the applicant has been found to have violated chapter one or subchapter one of chapter five of this title or the rules or regulations thereto, provided, however, that in the event of a conflict between the provisions of such chapter and subchapter and the provisions of this subchapter, the provisions of this subchapter shall prevail; has pending any unanswered summonses or unsatisfied fines or penalties for violation of this subchapter or the regulations promulgated thereto; or for any cause set forth in any other section of this chapter as a ground for suspension or revocation. Notwithstanding the aforementioned, the commissioner may renew a general vendor license if before such license expires, the general vendor submits a request in writing to the commissioner for additional time to answer any unanswered summonses for violation of this subchapter or the regulations promulgated thereto, or to pay the total dollar amount of any unsatisfied fine or penalty for violation of this subchapter or any rules promulgated pursuant thereto and: (i) within thirty days of the expiration date of the license, a licensee answers

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any unanswered summonses for violation of this subchapter or the regulations promulgated thereto; or (ii) within one hundred twenty days of the expiration date of the license, a licensee pays the total dollar amount of any unsatisfied fine or penalty.

§ 3. This local law shall take effect 120 days after it shall have been enacted into law; provided that the commissioner and the commissioner of the police department may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, promulgating rules.

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