Legislation Details (With Text)

File #:	Int 1058-2016	**Version:**	A	**Name:**	Criminal Justice Reform Act (CJRA) - Penalties for excessive noise.
Type:	Introduction			**Status:**	Enacted
				In control:	Committee on Public Safety
On agenda:	2/5/2016				
Enactment date:	6/13/2016			**Enactment #:**	2016/072

Title: A Local Law to amend the administrative code of the city of New York, in relation to the penalties for excessive noise

Sponsors: Melissa Mark-Viverito, Helen K. Rosenthal, Ritchie J. Torres, Jumaane D. Williams, Vanessa L. Gibson, Mark Levine, Laurie A. Cumbo, Ydanis A. Rodriguez, Stephen T. Levin, Donovan J. Richards, Annabel Palma, Daniel R. Garodnick, Mathieu Eugene, Ruben Wills, Brad S. Lander, Eric A. Ulrich

Indexes:

Attachments: 1. Legislative History Report, 2. Summary of Int. No. 1058-A, 3. Summary of Int. No. 1058, 4. Int. No. 1058 - 2/5/16, 5. Committee Report 1/25/16, 6. Hearing Testimony 1/25/16, 7. Hearing Transcript 1/25/16, 8. February 5, 2016 - Stated Meeting Agenda with Links to Files, 9. Proposed Int. No. 1058-A - 5/24/16, 10. Committee Report 5/25/16, 11. Hearing Transcript 5/25/16, 12. May 25, 2016 - Stated Meeting Agenda with Links to Files, 13. Fiscal Impact Statement, 14. Int. No. 1058-A (FINAL), 15. Hearing Transcript - Stated Meeting 5-25-16, 16. Mayor's Letter, 17. Minutes of the Stated Meeting - May 25, 2016, 18. Local Law 72

Date	Ver.	Action By	Action	Result
1/25/2016	*	Committee on Public Safety	P-C Item Laid Over by Comm	
1/25/2016	*	Committee on Public Safety	Hearing on P-C Item by Comm	
2/5/2016	*	City Council	Introduced by Council	
2/5/2016	*	City Council	Referred to Comm by Council	
5/25/2016	*	Committee on Public Safety	Hearing Held by Committee	
5/25/2016	*	Committee on Public Safety	Amendment Proposed by Comm	
5/25/2016	*	Committee on Public Safety	Amended by Committee	
5/25/2016	A	Committee on Public Safety	Approved by Committee	Pass
5/25/2016	A	City Council	Approved by Council	Pass
5/25/2016	A	City Council	Sent to Mayor by Council	
6/13/2016	A	Mayor	Hearing Held by Mayor	
6/13/2016	A	Mayor	Signed Into Law by Mayor	
6/13/2016	A	City Council	Recved from Mayor by Council	

Int. No. 1058-A

By The Speaker (Council Member Mark-Viverito) and Council Members Rosenthal, Torres, Williams, Gibson, Levine, Cumbo, Rodriguez, Levin, Richards, Palma, Garodnick, Eugene, Wills, Lander and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to the penalties for

excessive noise

Be it enacted by the Council as follows:

Section 1. Section 24-218 of the administrative code of the city of New York is amended by adding a new subdivision (a-1) to read as follows:

(a-1) No person shall make, continue or cause to permit or be made or continued any unreasonable noise:

(1) for any commercial purpose or during the course of conducting any commercial activity; or

(2) through the use of a device, other than a device used within the interior living space of an individual residential unit, installed within or upon a multiple dwelling or a building used in part or in whole for non-residential purposes.

§ 2. Table I of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York, as added by local law number 113 for the year 2005, is amended by adding a new row following the row that begins 24-216(d), and the row beginning 24-218 is amended, to read as follows:

24-218 (a)	150	75	250	150	500	350
24-218 (a-1)	1000	350	2000	700	3000	1050

§ 3. Section 24-257 of the administrative code of the city of New York is amended by adding a new subdivision (g) to read as follows:

(g) The default penalty imposed pursuant to paragraph 5 of subdivision (b) of this section for a violation of section 24-218(a), as set forth in section 3-115 of title 48 of the rules of the city of New York or any successor provision, shall not exceed 150 percent of the scheduled penalty set forth therein.

§ 4. The administrative code of the city of New York is amended by adding a new section 24-270 to read as follows:

§ 24-270 Uniform civil penalties for unreasonable noise. Notwithstanding any inconsistent provision of law, the civil penalties for the violation of paragraphs 1, 2, and 3 of section 1-05(d) of title 56 of the rules of the

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city of New York, or any successor rule of the department of parks and recreation that prohibits or regulates noise, or paragraphs 16 and 17 of subdivision c of section 18-146 of the administrative code, shall be no greater than the civil penalties established in section 24-257 of this chapter for a violation of section 24-218(a) of this chapter, except in such cases in which the respondent received notice of such violation while engaged in commercial activities.

§ 5. This local law takes effect nine months after it becomes law, and shall apply to proceedings for enforcement of title 24 of the administrative code commenced on and after such date.

BC
LS # 3417
5/17/17

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