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 the sale of aerosol spray paint cans and broad tipped indelible markers		
Sponsors:	Robert F. Holden, Kalman Yeger, Joseph C. Borelli, David M. Carr, (by request of the Staten Island Borough President		
Indexes:			
Attachments:	1. Summary of Int. No. 201, 2. Int. No. 201, 3. January 31, 2018 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 01-31-2018, 5. Minutes of the Stated Meeting - January 31, 2018		

Date	Ver.	Action By	Action	Result
1/31/2018	*	City Council	Introduced by Council	
1/31/2018	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 201

By Council Members Holden, Yeger, Borelli and Carr (by the request of the Staten Island Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to the sale of aerosol spray paint cans and broad tipped indelible markers

Be it enacted by the Council as follows:

Section 1. Section 20-611 of the administrative code of the city of New York is amended to read as follows:

§20-611 Definitions. Whenever used in this subchapter, the following terms shall have the following meanings:

1. "Dealer of etching acid" shall mean any person, firm, partnership, corporation or company that engages in the business of dispensing etching acid.

2. "Dispense" shall mean to dispose of, give away, give, lease, loan, keep for sale, offer, offer for sale, sell, transfer or otherwise dispose of.

3. "Etching acid" shall have the same meaning set forth in subdivision e of section 10-117.

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4. "Broad tipped indelible marker" shall have the same meaning set forth in subdivision e of section 10-117.

5. "Dealer of graffiti instruments" shall mean any person, firm, partnership, corporation or company that engages in the business of dispensing one or several of the following products: etching acid, aerosol spray paint can(s), or broad tipped indelible marker(s).

[4]6. "Personal information" shall mean data pertaining to the purchaser of etching acid that may be used to identify such purchaser. Such information shall be limited to the purchaser's name, address, type of identification used in the purchase, identification number, if applicable, the date of purchase and amount of acid dispensed to the purchaser.

[5]7. "Purchasing records" shall mean all written or electronically recorded personal information about a purchaser of etching acid gathered at the time of purchase by a dealer of etching acid as required by this subchapter.

§2. Subdivision 1 of section 20-612 of the administrative code of the city of New York is amended to read as follows:

1. Every dealer of [etching acid]graffiti instruments shall request valid photo identification from each purchaser of etching acid, aerosol spray paint can(s), or broad tipped indelible marker(s) at the time of such purchase and, if the item purchased is etching acid, shall contemporaneously record in writing or electronically such purchaser's personal information.

§3. Section 20-613 of the administrative code of the city of New York is amended to read as follows:

§20-613 Posting notice. Every dealer of [etching acid]graffiti instruments shall conspicuously post at every table, desk or counter where orders are placed and/or payment is made a notice, the form and manner of which are to be provided by rule of the commissioner, indicating that all purchasers of etching acid, aerosol spray paint can(s), or broad tipped indelible marker(s) shall be required to provide valid photo identification and, if the purchase is of etching acid, their personal information and such information shall be recorded by the dealer of etching acid prior to purchase.

§4. This local law shall become effective ninety days after its enactment.

CJG/BG

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