# Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | Int 1155-2018 **Version:** * | **Name:** | Maximum fines for illegal postings. |
| **Type:** | Introduction | **Status:** | Filed (End of Session) |
| | | **In control:** | Committee on Consumer Affairs and Business Licensing |
| **On agenda:** | 10/17/2018 | | |
| **Enactment date:** | | **Enactment #:** | |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to maximum fines for illegal postings. | | |
| **Sponsors:** | | | |
| **Indexes:** | | | |
| **Attachments:** | 1. Summary of Int. No. 1155, 2. Int. No. 1155, 3. October 17, 2018 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 10/17/20, 5. Minutes of the Stated Meeting - October 17, 2018 | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 10/17/2018 | * | City Council | Introduced by Council | |
| 10/17/2018 | * | City Council | Referred to Comm by Council | |
| 12/31/2021 | * | City Council | Filed (End of Session) | |

Int. No. 1155

By Council Members Koslowitz and Adams

A Local Law to amend the administrative code of the city of New York, in relation to maximum fines for illegal postings.

Be it enacted by the Council as follows:

Section 1. Section 10-121 of chapter 1 of title 10 of the administrative code of the city of New York is amended to read as follows:

§ Section 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 seventy-five dollars nor more than one hundred fifty dollars, for the first offense and not less than one hundred fifty dollars nor more than [two hundred fifty] $1,000 dollars for the second and each subsequent offense within a twelve month period, 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 [seventy five dollars]$75 nor more than [one hundred fifty dollars]$150 for the first offense and not less than [one hundred fifty dollars]$150 nor more than [two hundred fifty] $1,000 for the second and each subsequent offense within a twelve month period. Anyone found to have violated the provisions of [S]section 10-119 [or 10-120], in addition to any penalty imposed, shall be responsible for the cost of the removal of the unauthorized signs. Anyone found to have violated section 10-119 of this chapter by affixing any handbill, poster, notice, sign or advertisement to a tree by means of nailing or piercing the tree by any method shall have an additional penalty imposed equal to the amount of the original penalty.

c. Any person convicted of a violating section 10-120 of the code shall be punished by a fine of not less than $75 nor more than one hundred fifty dollars, for the first offense and not less than $150 nor more than $250 for the second and each subsequent offense within a 12 month period, plus the cost of the removal of the unauthorized signs, imprisonment for not more than ten days, or both.

d. In the instance where the notice of violation, appearance ticket or summons is issued for breach of section 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 $75 nor more than $150 dollars for the first offense and not less than $150 nor more than $250 for the second and each subsequent offense within a 12 month period. Anyone found to have violated the provisions of section 10-120, in addition to any penalty imposed, shall be responsible for the cost of the removal of the unauthorized signs.

[c]e. In the event that a violator fails to answer such notice of violation, appearance ticket or summons within the time provided therefor by the rules and regulations of the environmental control board, he or she shall become liable for additional penalties. The additional penalties shall not exceed fifty dollars for each

violation.

[d]f. Any person found in violation of any of the provisions of section 10-119 or 10-120 of the code shall be liable for a civil penalty as provided for in subdivision b of this section.

[e]g. Liability and responsibility for any civil penalty imposed pursuant to this section for any violation of section 10-119 or 10-120 of the code shall be joint and severable on the part of any corporation found to be liable and responsible and its officers, principals, and stockholders owning more than ten percent of its outstanding voting stock.

[g]h. For the purposes of imposing a criminal fine or civil penalty pursuant to this section, every handbill, poster, notice, sign or advertisement pasted, posted, painted, printed or nailed in violation of section 10-119 of the code or torn down, defaced or destroyed in violation of section 10-120 of the code, shall be deemed to be the subject of a separate violation for which a separate criminal fine or civil penalty shall be imposed.

§ 2. This local law takes effect immediately.

LUR/BAM/JJD
LS 2005, 3955, 6258
5/3/18


powered by Legistar™