Legislation Details (With Text)

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Title:	A Local Law in relation to the creation of a regulatory review panel to review provisions of the administrative code of the city of New York, the rules of the city of New York, the New York city health code, the New York city construction codes and state law and recommend cure periods for violations of certain provisions		
Sponsors:			
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Attachments:	1. Summary of Int. No. 1466, 2. Int. No. 1466, 3. March 13, 2019 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 3-13-19, 5. Minutes of the Stated Meeting - March 13, 2019, 6. Committee Report 3/18/19, 7. Hearing Testimony 3/18/19, 8. Hearing Transcript 3/18/19		

Date	Ver.	Action By	Action	Result
3/13/2019	*	City Council	Introduced by Council	
3/13/2019	*	City Council	Referred to Comm by Council	
3/18/2019	*	Committee on Small Business	Laid Over by Committee	
3/18/2019	*	Committee on Small Business	Hearing Held by Committee	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 1466

By Council Members Gjonaj, Yeger, Rosenthal and Rivera

A Local Law in relation to the creation of a regulatory review panel to review provisions of the administrative code of the city of New York, the rules of the city of New York, the New York city health code, the New York city construction codes and state law and recommend cure periods for violations of certain provisions

Be it enacted by the Council as follows:

Section 1. There is hereby established a regulatory review, which shall be composed of the commissioner of buildings, the commissioner of consumer affairs, the commissioner of environmental protection, the commissioner of finance, the fire commissioner, the commissioner of health and mental hygiene, the commissioner of sanitation, the commissioner of transportation and the chief administrative law judge, or their respective designees.

§ 2. Within 120 days of the enactment of this local law, the regulatory review commission, with assistance from the commissioner of small business services, shall conduct a review of all provisions of the administrative code of the city of New York, the rules of the city of New York, the New York city health code, the New York city construction codes and state laws, the violation of which may be penalized by a civil penalty, fine or imprisonment, and that are enforced by any of the agencies represented on the regulatory review commission.

§ 3. The regulatory review panel shall prepare a report based on its findings, which shall include the following:

1. A description of each violation for which the regulatory review panel recommends be repealed or that a cure period or other opportunity for ameliorative action be provided prior to the imposition of a civil penalty, fine or imprisonment, and the basis for such conclusion; and

2. A list of all other violations established by the rules of each agency represented on the regulatory review panel which may be penalized by a civil penalty, fine or imprisonment, and for which no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a civil penalty, fine or imprisonment is recommended. This list shall identify, either on an individual-item or aggregate basis, the rationale for the absence of a cure period or other opportunity for ameliorative action.

§ 4. The regulatory review panel shall hold a public hearing and shall make a draft of its report available to the public for inspection and comment not less than 30 days before such hearing, on the website of each agency represented on the regulatory review panel and on the website of the department of small business services. In addition to taking public comments at such hearing, the regulatory review panel shall also accept comments by e-mail and regular mail until 12:00 a.m. of the day of the hearing. Any comments received by the regulatory review panel shall also be made available to the general public for inspection.

§ 5. Within 210 days of the enactment of this local law, the regulatory review panel shall submit a final report to the speaker of the council. This report may incorporate public comments and shall include the

following:

1. A description of each violation the regulatory review panel recommends be repealed, or for which a cure period or other opportunity for ameliorative action is recommended to be provided prior to the imposition of a civil penalty, fine or term of imprisonment, and the basis for such conclusion. The regulatory review panel shall categorize the violations by severity and recommend appropriate cure periods for each violation on an individual-item or aggregate basis; and

2. A list of all other violations established by the rules of each agency represented on the regulatory review panel that may be penalized by a civil penalty, fine or imprisonment and for which no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a civil penalty, fine or term of imprisonment is recommended. This list shall identify, on an individual-item or aggregate basis, the rationale for the absence of a cure period or other opportunity for ameliorative action.

§ 6. This local law takes effect immediately.

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12/6/18 3:00 PM