The New York City Council

City Hall
New York, NY 10007

Legislation Details (With Text)

File #:	Int 0090-2002 **Version:** A	**Name:**	Health Code pertaining to pests.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Health
On agenda:	3/13/2002		
Enactment date:	12/22/2003	**Enactment #:**	2003/074

Title: A Local Law to amend the administrative code of the city of New York, in relation to establishing minimum fines for the violation of or nonconformance with provisions of the health code or any other applicable law, rule or regulation pertaining to the eradication of rodents, the elimination of rodent harborages or other rodent related nuisances.

Sponsors: Philip Reed, Maria Baez, Leroy G. Comrie, Jr., Bill De Blasio, G. Oliver Koppell, Michael E. McMahon, Miguel Martinez, Hiram Monserrate, Michael C. Nelson, Christine C. Quinn, Diana Reyna, Joel Rivera, Helen Sears, John C. Liu, Alan J. Gerson, Margarita Lopez, Gale A. Brewer, Jose M. Serrano, Robert Jackson, Tracy L. Boyland, Letitia James, David I. Weprin

Indexes:

Attachments: 1. Committee Report 6/18, 2. Hearing Transcript 6/18, 3. Committee Report 10/28, 4. Hearing Transcript 10/28, 5. Committee Report 12/10, 6. Hearing Transcript 12/10, 7. Stated Meeting - Hearing Transcript 12/15, 8. Fiscal Impact Statement, 9. Local Law

Date	Ver.	Action By	Action	Result
3/13/2002	*	City Council	Introduced by Council	
3/13/2002	*	City Council	Referred to Comm by Council	
6/18/2002	*	Committee on Health	Laid Over by Committee	
6/18/2002	*	Committee on Health	Hearing Held by Committee	
10/9/2002	*	Committee on Health	Deferred	
10/9/2002	*	Committee on Health	Hearing Held by Committee	
10/28/2003	*	Committee on Governmental Operations	Hearing Held by Committee	
10/28/2003	*	Committee on Governmental Operations	Laid Over by Committee	
10/28/2003	*	Committee on Health	Hearing Held by Committee	
10/28/2003	*	Committee on Health	Laid Over by Committee	
12/10/2003	*	Committee on Health	Hearing Held by Committee	
12/10/2003	A	Committee on Health	Approved by Committee	Pass
12/10/2003	*	Committee on Health	Amended by Committee	
12/10/2003	*	Committee on Health	Amendment Proposed by Comm	
12/15/2003	A	City Council	Sent to Mayor by Council	
12/15/2003	A	City Council	Approved by Council	Pass
12/22/2003	A	Mayor	Hearing Held by Mayor	
12/22/2003	A	Mayor	Signed Into Law by Mayor	
12/22/2003	A	City Council	Recved from Mayor by Council	

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Int. No. 90-A

By Council Members Reed, Baez, Comrie, DeBlasio, Diaz, Koppell, McMahon, Martinez, Monserrate, Nelson, Quinn, Reyna, Rivera, Sears, Liu, Gerson and Lopez

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to establishing minimum fines for the violation of or nonconformance with provisions of the health code or any other applicable law, rule or regulation pertaining to the eradication of rodents, the elimination of rodent harborages or other rodent related nuisances.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 17-133 of chapter one of title 17 of the administrative code of the city of New York is hereby REPEALED.

§ 2. Subdivision b of section 17-133 of chapter one of title 17 of the administrative code of the city of New York is amended to read as follows:

[b.] Every person, corporation, or body[,] that shall violate or not conform to any provisions of the health code of the city of New York, or any rule or sanitary regulation duly made, shall be liable to pay a penalty not exceeding [fifty dollars nor less than twenty dollars for each offense, which may be sued for and recovered by and in the name of the department, with costs, before any justice or tribunal in the city having jurisdiction over similar actions.] the maximum amount allowed by the health code of the city of New York, or any other applicable law, rule or regulation. The judge [or], justice, administrative law judge or hearing examiner who presided at a trial or hearing where such penalty is [claimed, on such trial, in writing,] determined and assessed shall fix, in writing, the amount of the penalty to be recovered, and shall direct that such amount [to be, and it shall] be included in the judgment or decision.

§ 3. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-133.1, to read as follows:

§ 17-133.1 Failure to abate rodents; penalties. Every person, corporation, or body that shall violate or not conform to any provisions of the health code of the city of New York or any applicable law, rule or

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regulation pertaining to the eradication of rodents, the elimination of rodent harborages or other rodent related nuisances shall be liable to pay a civil penalty of not less than three hundred dollars for the first violation. The penalty for each subsequent violation of the same provision of law, rule or regulation, at the same premises and under the same ownership or control, within a two-year period, shall be double the amount of the previous violation; provided, however, that such penalty shall not exceed the maximum allowable penalty set forth in section 17-133 of this code. Such penalties may be sued for and recovered by and in the name of the department, with costs, before any judge, justice, administrative law judge or hearing examiner in the city having jurisdiction of such or similar actions. The judge, justice, administrative law judge or hearing examiner who presided at a trial or hearing where such penalty is determined and assessed shall fix, in writing, the amount of the penalty to be recovered, and shall direct that such amount be included in the judgment or decision.

§ 4. This local law shall take effect immediately.

JM
LS# 149
10/28/2003