



Legislation Details (With Text)

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Int. No. 183

By Council Members Weprin and Martinez; also Council Member Stewart

A Local Law to amend the administrative code of the city of New York in relation to the installation of illegal window gates.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 27 of the administrative code of the city of New York is hereby amended by adding a new subchapter 20 to follow subchapter 19 to read as follows:

SUBCHAPTER 20

Installation of Window Gates

Article

1. General

2. Window Gate Requirements

Article 1

General

§27-1070 Scope

§27-1071 Definitions

§27-1072 General Requirements

§27-1070 Scope. The provisions of this subchapter shall establish and control the minimum requirements for the installation and use of window gates in all dwelling places.

§27-1071 Definitions. Whenever used in this subchapter, the following terms shall mean and include:

1. "Window Gate" shall mean any gate, grill, bar or similar device designed to be fastened onto or within an exterior window frame of a building.

2. "Dwelling" shall mean any building, structure or portion thereof which is used or occupied, in whole or in part, as the home, residence or sleeping place of one or more persons.

§27-1072 General Requirements. All window gates installed after the effective date of this local law shall be used in accordance with the provisions of this subchapter.

Article 2

Window Gate Requirements

§27-1073 Installation and Use of Window Gates.

§27-1074 Notice.

§27-1075 Violations and Penalties.

§27-1076 Enforcement.

§27-1073 Installation and Use of Window Gates. It shall be unlawful for any person to install or use a window gate in a dwelling unless such window gate has received approval by the Board of Standards and Appeals.

§27-1074 Notice. Every window gate which does not comply with requirements set by the Board of Standards and Appeals for use in a dwelling shall contain affixed to it a warning label stating the following:

Warning: It shall be unlawful to install this gate on any window in a dwelling.

§27-1075 Violations and Penalties. a. Any person found to be in violation of section 27-1073 shall be liable for a civil penalty of not more than three hundred dollars for the first violation; not more than five hundred dollars for the second violation; and not more than one thousand dollars for the third and all subsequent violations.

b. Any manufacturer or retailer found to be in violation of section 27-1074 shall be liable for a civil penalty of not more than one hundred dollars for the first violation; not more than two hundred fifty dollars for the second violation and not more than five hundred dollars for the third and all subsequent violations.

c. The penalties provided by subdivision a of this section shall be in addition to any other penalty imposed by any other provision of law or rule thereunder.

§27-1076 Enforcement. The department shall enforce the provisions of this subchapter. In addition, designated enforcement officers of the fire department shall have the power to enforce the provisions of this subchapter.

§2. This local law shall take effect ninety days after its enactment.