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Int. No. 188

By Council Members Comrie, Weprin, Foster, Gennaro, Lopez and Martinez; also Council Member Vann

A Local Law to amend the administrative code of the city of New York, in relation to establishing a temporary interagency task force to determine whether existing laws, rules, practices and procedures provide sufficient public safety in publicly- and privately-owned and managed buildings.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent. The Council finds that the failure to comply with building code and fire prevention code requirements on the part of many owners and operators of businesses, other commercial establishments and residences in the city continues to pose a serious threat to the health, safety and welfare of the City’s residents and visitors and is perilous to property.

The Council recognizes that the disregard of building and fire prevention code requirements is not limited to residential buildings but includes commercial properties and manufacturing buildings, any of which are likely to have violations that would be perilous to their occupants. Another important consideration is the number of distressed residential properties that contain a high number of housing maintenance code violations that are not being adequately addressed. The existing early warning system to identify multiple dwellings in

distress must be further coupled with aggressive actions to alleviate dangerous conditions where people reside. The Council recognizes that the increased frequency of building-related accidents and collapses may reflect a failure on the City's part to ensure public safety in publicly- and privately-owned and managed buildings, that this failure may in part be due to a gap in communications between important agencies such as the Fire Department, the Police Department, the Department of Housing Preservation and Development, the Department of Buildings and the Department of Sanitation.

Furthermore, the Council acknowledges that provisions of the Building Code, in particular, are seriously out of date and need to be reassessed with regards to current needs and industry standards.

Thus, the Council hereby declares that it is imperative that a temporary interagency task force be established that shall examine the above mentioned issues and foster greater communication and coordination among the various agencies involved.

§2. Temporary task force on dangerous buildings and dangerous conditions.

a. There is hereby established a temporary task force to study and assess the building code, the fire prevention code and the housing maintenance code and to develop a coordinated approach to resolving issues concerning non-compliance with those codes. The task force shall consist of fourteen members, seven members appointed by the mayor, with the Commissioner of Buildings serving as the chairperson, and seven members appointed by the speaker of the council. Such task force shall have a duration of four years. The members of the task force shall be appointed within thirty days of the effective date of this section. Each member shall serve without compensation for the duration of the task force. The task force shall include as ex-officio members the fire commissioner, the commissioner of buildings, the commissioner of housing preservation and development and the speaker of the council, each of whom may select a designee, and ten members of the public.

The members of the public shall consist of two registered architects, two professional engineers, two representatives of the for-profit real estate industry, two representatives of the not-for-profit real estate industry, one representative of a community-based housing organization and one representative of a community-based economic development organization. The mayor shall appoint one registered architect, one professional engineer, one representative of the for-profit real estate industry and one representative of the not-for-profit real estate industry. The speaker of the council shall appoint one registered architect, one professional engineer, one

representative of the for-profit real estate industry, one representative of the not-for-profit real estate industry, one representative of a community-based housing organizations and one representative of a community-based economic development organization. The members of the task force shall be appointed within thirty days of the effective date of this section, shall serve without compensation and shall continue in service until their successors have been appointed.

b. The task force may appoint an executive director to serve at its pleasure and may employ or retain such other employees and consultants as are necessary to fulfill its functions within appropriations for such purposes.

c. Within thirty days after the appointment of the last member of the task force, the task force shall establish separate study groups from amongst its members to study the current building code, the fire prevention code and the housing maintenance code.

d. Within six months of the appointment of the last member of the task force, the task force shall issue an interim report to the mayor and the council. The interim report shall make specific recommendations with respect to the areas listed below and shall include an assessment of the fiscal implications of each such recommendation:

1. Identification of all unsafe structures, vacant structures and structures abandoned by its owner;
2. Methods to secure unsafe structures, vacant structures and structures abandoned by its owner;
3. Interaction between and among the city agencies cited herein regarding unsafe buildings;
4. Amendments to the building and fire prevention codes to address out-dated provisions;
5. Methods to update applicable procedures which address illegal occupancies; and
6. Procedures to cure building and fire prevention code violations in both publicly-and privately-owned properties and recover from the property owner the cost of repairs done by the city to private property.

e. Within six months of the presentation of the interim report and every year thereafter, the task force shall issue a report with further recommendations or shall state why no further recommendations are appropriate at that time.

§3. This local law shall take effect thirty days after its enactment.