



Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to the issuance of building permits.

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Int. No. 405

By Council Members Lanza, Oddo, Fidler, Gentile, Stewart and Comrie; also Council Member McMahon

A Local Law to amend the administrative code of the city of New York, in relation to the issuance of building permits.

Be it enacted by the Council as follows:

Section 1. Section 26-129 of the administrative code of the city of New York is amended to read as follows:

§26-129 Record of applications. Each borough superintendent shall keep a record, in written and electronic form, of all applications presented to him or her concerning, affecting or relating to the construction, alteration or removal of buildings. Such record shall include the date of filing of each such application; the name and address of the applicant; the name and address of the owner of the land on which the building mentioned in such application is situated; the names and addresses of the architect and builder employed thereon; the names and addresses of all principal officers, shareholders, partners and other persons having a

financial interest in the applicant; a designation of the premises by street number, or by any means sufficient to identify the same; a statement of the nature and proposed use of such building; and a brief statement of the nature of the application, together with a memorandum of the decision of the borough superintendent upon such application and the date of the rendition of such decision. The books containing [such] the written records are hereby declared to be public records, and shall be open to inspection at all reasonable times. Records kept in electronic form are also declared to be public records and shall be made accessible on the department's website which shall be updated before the last business day of each month.

§2. Section 27-151 of the administrative code of the city of New York is amended to read as follows:

§27-151 Applicant. (a) Applications for permits, except for the construction of one- to three-family dwellings, shall be made by or [in] on behalf of the owner or lessee of the buildings, and if made by a person other than the owner, the application shall be accompanied by a signed statement of the applicant declaring that he or she is authorized by the owner to make the application. The full names of the owner, lessee and applicant, and of the principal officers thereof, if a corporation, shall be set forth in the application.

(b) Applications for permits for the construction of one- to three-family dwellings shall be made by the builder employed thereof, and shall be accompanied by a signed statement of such builder declaring that he or she is authorized by the owner to make the application and setting forth the full names and addresses of the owner, builder, and if the applicant is a corporation or partnership, the names and addresses of all principal officers, shareholders, partners and other persons thereof having a financial interest in the applicant, together with a list identifying: (1) all other building permits issued during the previous twelve months to such owner, builder, principal officers, shareholders, partners and other persons having a financial interest in the applicant; and (2) all other building permits issued during the previous twelve months to any other corporation, partnership, or other business entity in which such owner, builder, principal officer, partner, or other person, was or is presently an owner, builder, principal officer, shareholder, partner or other person having a financial interest in the applicant to which such other building permit was issued.

§3. Article 10 of subchapter 1 of chapter 1 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-151.1 to read as follows:

Section 27-151.1 Additional application requirements for the construction of one- to three-family dwellings. (a) Any application for the construction of a one- to three-family dwelling must be accompanied by a signed statement of the owner stating that such owner does not have any uncorrected violations of this title or title twenty-six of this code issued to such owner, or if the applicant is a corporation or partnership, a signed statement of the principal officer or general or managing partner, respectively, stating that such corporation, partnership, principal shareholders and all partners do not have any uncorrected violations of this title or title twenty-six of this code issued to such corporation, partnership, principal shareholders or partners.

(b) Any application for the construction of a one- to three-family dwelling must also be accompanied by a signed statement of the builder employed thereof stating that neither the builder, or if a corporation or partnership, neither the builder nor any principal officer, shareholder, partner, nor other person having a financial interest in the applicant, are liable for any uncorrected violations of this title or title twenty-six of this code issued either to such builder, principal officer, shareholder, partner or other person having a financial interest in the builder, or to any other corporation, partnership or business entity in which such builder, principal officer, shareholder, partner or other person had or has a financial interest.

§4. Article 19 of subchapter 1 of chapter 1 of the administrative code of the city of New York is amended by adding a new section 27-191.1, to read as follows:

§27-191.1 Permits for the construction of one- to three-family dwellings. A permit for the construction of a one- to three-family dwelling shall not be issued to an applicant under any of the following circumstances:

(a) when the application for a permit does not comply with the provisions of section 27-151 and section 27-151.1 of this code;

(b) when there are any uncorrected violations of this title or title twenty-six of this code issued to such owner;

(c) when there are any uncorrected violations of this title or title twenty-six of this code issued to such builder;

(d) where the builder is a corporation or partnership, when any violation of this title or title 26 of this code issued to any principal officer, shareholder, partner or other person having a financial interest in the builder remains uncorrected; or

(e) when the builder is a corporation or partnership, when there is any uncorrected violation of this title or title twenty-six of this code issued to any other corporation, partnership or business entity in which such builder, principal officer, shareholder, partner or other person was a principal officer, shareholder, partner or other person having a financial interest in such other corporation, partnership or business entity.

§5. This local law shall take effect thirty days after it shall have been enacted into law.

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