



Legislation Details (With Text)

File #: Int 0138-2006 **Version:** A **Name:** Gates used to secure commercial premises.
Type: Introduction **Status:** Enacted
In control: Committee on Housing and Buildings

On agenda: 2/15/2006

Enactment date: 12/7/2009 **Enactment #:** 2009/075

Title: A Local Law to amend the administrative code of the city of New York, in relation to security grilles used to secure commercial premises.

Sponsors: Peter F. Vallone, Jr., Robert Jackson, Michael C. Nelson, Jessica S. Lappin, David Yassky, Bill De Blasio, Gale A. Brewer, Vincent J. Gentile, Vincent Ignizio, James S. Oddo, Lewis A. Fidler, James Vacca, James F. Gennaro, Kenneth C. Mitchell, Domenic M. Recchia, Jr., John C. Liu, Darlene Mealy, Helen Sears, David I. Weprin, Thomas White, Jr.

Indexes:

Attachments: 1. Int. No. 138 - 2/15/06, 2. Proposed Int. No. 138-A - 2/10/09, 3. Committee Report 2/10/09, 4. Hearing Testimony 2/10/09, 5. Hearing Transcript 2/10/09, 6. Committee Report 11/30/09, 7. Committee Report - Stated Meeting 11/30/09, 8. Hearing Transcript 11/30/09, 9. Fiscal Impact Statement, 10. Hearing Transcript - Stated Meeting 11/30/09, 11. Local Law

Date	Ver.	Action By	Action	Result
2/15/2006	*	City Council	Introduced by Council	
2/15/2006	*	City Council	Referred to Comm by Council	
2/10/2009	*	Committee on Housing and Buildings	Hearing Held by Committee	
2/10/2009	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
2/10/2009	*	Committee on Housing and Buildings	Laid Over by Committee	
11/30/2009	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/30/2009	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
11/30/2009	*	Committee on Housing and Buildings	Amended by Committee	
11/30/2009	A	Committee on Housing and Buildings	Approved by Committee	Pass
11/30/2009	A	City Council	Approved by Council	Pass
11/30/2009	A	City Council	Sent to Mayor by Council	
12/7/2009	A	Mayor	Hearing Held by Mayor	
12/7/2009	A	Mayor	Signed Into Law by Mayor	
12/7/2009	A	City Council	Recved from Mayor by Council	

Int. No. 138-A

By Council Members Vallone Jr., Jackson, Nelson, Lappin, Yassky, deBlasio, Brewer, Gentile, Ignizio, Oddo, Fidler, Vacca, Gennaro, Mitchell, Recchia Jr., Liu, Mealy, Sears, Weprin and White Jr.

A Local Law to amend the administrative code of the city of New York, in relation to security grilles used to secure commercial premises.

Be it enacted by the Council as follows:

Section 1. Section BC 1008.1.3.5 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

1008.1.3.5 Security grilles. In groups B, M and S, horizontal sliding or vertical security grilles are permitted at the main entrance where the opening of such grilles are essential to the operation of the establishments. Such grilles shall be [openable from the inside without the use of a key or special knowledge or effort during periods that the space is occupied. The grilles shall remain secured in the full-open position during the period of occupancy by the general public.] installed in accordance with the following criteria:

1. Security grilles shall be openable from the inside without the use of a key or special knowledge or effort during periods that the space is occupied.
2. The security grilles shall remain secured in the full-open position during the period of occupancy by the general public.
3. Except as to buildings or structures classified in occupancy group S, buildings or structures that have been designated as a landmark by the landmarks preservation commission or located in a historic district designated by such commission, on or after July 1, 2011, no security grille may be installed or replaced, nor shall the owner of a structure classified as a Group B or M occupancy or the operator of the business occupying such structure allow to be installed or replaced, a security grille to secure such property where the grille abuts the sidewalk, unless the grille, when closed, permits visibility from the sidewalk of at least seventy percent of the area covered by such grille.
4. No later than July 1, 2026, all security grilles installed on buildings or structures classified in occupancy groups B or M shall comply with the provisions of paragraph 3 of this section.

§2. Section 28-101.4.3 of the administrative code of the city of New York, is amended by adding a new subdivision eight to read as follows:

8. The installation and replacement of security grilles shall be governed by section 1008.1.3.5 of the New York city building code.

§3. Article 103 of title 28 of the administrative code of the city of New York, is amended by adding a new section 28-103.22 to read as follows:

28-103.22. Outreach on security grille visibility requirements. The commissioner shall, through or in cooperation with the department of small business services, the department of consumer affairs, and other city agencies deemed appropriate, develop an outreach program to manufacturers and installers of security grilles, business improvement districts, local development corporations, chambers of commerce and community boards to alert these groups and the businesses that utilize security grilles of the permit requirements and the requirements of this section, the penalties associated with violation thereof and the availability of any business loans, grants or tax subsidies related to the installation or use of such security grilles.

§4. Section 28-201.2.2 of the administrative code of the city of New York, is amended by adding a new item five to read as follows:

5. Notwithstanding the provisions of section 28-204.2 of this code, a violation of item 3 or item 4 of section 1008.1.3.5 of the New York city building code except that no penalty for such violation shall be imposed if the respondent corrects the condition constituting the violation and files a certificate with the department that the condition has been corrected within ninety days from the date set forth in the notice of violation. It shall be an affirmative defense that the nonconforming security grille was installed prior to July 1, 2011.

5.1. The fine or civil penalty for a violation described in item 5 shall be not less than two hundred fifty hundred dollars for the first offense and not less than one thousand dollars for each subsequent offense.

§5. This local law shall take effect on January 1, 2010 except, that, the commissioner of buildings shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

11/20/2009 12:30 PM