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Title: A Local Law to amend the administrative code of the city of New York, in relation to creating an ombudsman position within the New York city department of youth and community development.

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Int. No. 334

By Council Members Fidler, Gennaro, Gonzalez, Mark-Viverito, Mendez, Nelson, Palma, Recchia Jr., Weprin, White Jr. and Foster

A Local Law to amend the administrative code of the city of New York, in relation to creating an ombudsman position within the New York city department of youth and community development.

Be it enacted by the Council as follows:

Section 1. Chapter 30 of the New York city charter is amended by adding a new section 737 to read as follows:

§ 737. **Ombudsman.** a. Establishment of ombudsman position and duties. There shall be in the department the position of ombudsman whose duties shall include, but not be limited to:

1. establishing a system to receive comments and complaints with respect to any emergency shelter, transitional independent living program, drop-in center and any other program or facility that receives funding from the department to serve the city’s runaway and homeless youth population, including but not limited to

establishing and publicizing the availability of a telephone number to receive such comments and complaints;

2. monitoring all emergency shelters, transitional independent living programs, drop-in centers and any other programs or facilities that receive funding from the department to serve the city's runaway and homeless youth population, including but not limited to making site visits to such programs or facilities, in order to ascertain whether such programs or facilities are operating in compliance with any contract with the department and in a manner that respects the rights of all youth under the jurisdiction of the department;

3. investigating complaints received pursuant to paragraph 1 of this subdivision and taking any appropriate action regarding such complaints; provided that the ombudsman shall immediately notify all appropriate agency officials of any incident that indicates that an act has occurred that may be the basis for disciplinary action and/or criminal prosecution; and

4. making recommendations to the commissioner with respect to improving programs and facilities that receive funding from the department to serve the city's runaway and homeless youth population.

b. Reporting 1. The ombudsman shall submit monthly reports to the commissioner indicating the number and nature of any comments and complaints received regarding any emergency shelter, transitional independent living program, drop-in center or other program or facility that receives funding from the department to serve the city's runaway and homeless youth population; steps undertaken to monitor such programs or facilities and the results of such monitoring; any investigation undertaken pursuant to paragraph 3 of subdivision a of this section and the results of such investigation; and recommendations made pursuant to paragraph 4 of subdivision a of this section.

2. The department shall submit a yearly report to the mayor and the speaker of the city council beginning on January 1, 2007, which shall include a compilation of the monthly reports submitted pursuant to subdivision b of this section and indicate any action taken by the department as a result of any complaint or recommendation received or monitoring or investigation undertaken pursuant to subdivision a of this section.

c. Posting of ombudsman information. All emergency shelters, transitional independent living programs,

drop-in centers and other programs or facilities that receive funding from the department to serve the city's runaway and homeless youth population shall post in a conspicuous location a sign indicating the phone number of the ombudsman established pursuant to paragraph 1 of subdivision a of this section and a statement indicating that any person may contact such ombudsman if such person has a comment or complaint regarding such program or facility.

§2. Effect of invalidity; severability. If any section, subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§3. Effective date. This local law shall take effect immediately.

LP
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