



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 real estate advertising in New York City.

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Int. No. 715

By Council Members Brewer, Gennaro, James and Stewart

A Local Law to amend the administrative code of the city of New York, in relation to real estate advertising in New York City.

Be it enacted by the Council as follows:

Section 1. Legislative Intent. The Council finds and declares that the proliferation in the number, inconsistent size, and varying design of “for sale” signs placed on residential properties in New York City has a detrimental effect on the aesthetic value of New York City’s residential neighborhoods and, in order to promote and protect the aesthetic value of New York City’s residential neighborhoods, such signs should be regulated in order to limit their size.

§2. Subchapter 5 of chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-723.3 to read as follows:

§ 20-723.3 Real estate advertising ground sign restrictions. a. Definitions. As used in this section the following terms shall have the following meanings: (1) “Dwelling or real property or real estate” means a one-,

two-, three-, or four-family residence, and any vacant land which is offered for sale or lease for the construction thereon of any such residence.

(2) "Real estate broker" means a real estate broker as defined in article twelve-A of the real property law of the state of New York.

(3) "Real estate salesperson" means a person associated with a licensed real estate broker to list for sale, sell or offer for sale, at auction or otherwise, to buy or offer to buy or to negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate other than a mortgage loan as defined in section five hundred ninety of the banking law, or to lease or rent or offer to lease, rent or place for rent any real estate, or collects or offers or attempts to collect rent for the use of real estate for or in behalf of such real estate broker, or who, notwithstanding any other provision of law, performs any of the above stated functions with respect to the resale of a condominium property originally sold pursuant to the provisions of the general business law governing real estate syndication offerings.

(4) "Real estate office" means an office or other place of business which is primarily engaged in the selling, buying, leasing, or renting real property; listing real property for sale, purchase, lease, or rental; or providing brokerage services in connection with such selling, buying, leasing, renting, or listing.

(5) "Advertising ground sign" means signs, posters, or other advertising devices placed upon a dwelling or real property advertising the purchase, or the sale, lease or rental of the dwelling or real property.

b. Ground sign size restrictions. No person who owns, rents, or leases real property in New York City, or real estate broker, real estate sales person, or real estate office shall erect, maintain, attach, affix, or place or cause to be erected, maintained, attached, affixed, or placed, on or about a dwelling or real property any advertising ground sign with an area greater than four square feet.

c. Enforcement. The violation of any provision of this section or of any rule promulgated thereunder, shall be punishable upon proof thereof, by the payment of a civil penalty not to exceed the amounts specified in section 20-703 of this chapter.

§3. This local law shall take effect ninety days after enactment, except that the commissioner of consumer affairs shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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