



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.

Sponsors: James Vacca, Gale A. Brewer, Lewis A. Fidler, Letitia James, Michael C. Nelson, Kendall Stewart, Rosie Mendez, James S. Oddo

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Attachments: 1. Committee Report 11/24/09, 2. Hearing Transcript 11/24/09, 3. Hearing Testimony 11/24/09

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5/20/2009	*	City Council	Referred to Comm by Council	
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12/31/2009	*	City Council	Filed (End of Session)	

Int. No. 1008

By Council Members Vacca, Brewer, Fidler, James, Nelson, Stewart, Mendez and Oddo

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 28-105.1 of the administrative code of the city of New York is amended by lettering such section as subdivision a and by adding new subdivisions b and c to read as follows:

b. (1) The commissioner shall not issue a written permit to any applicant, pending payment by such applicant or owner of the property for which the permit is sought if the applicant is not the owner, of any outstanding (i) fines, civil penalties or judgments imposed or entered against such applicant or owner or any entity in which such applicant or owner has a financial interest of ten percent or greater, by a court of

competent jurisdiction or the environmental control board pursuant to this chapter; (ii) fees or other charges lawfully assessed by the commissioner against such applicant or owner pursuant to this chapter; (iii) fees, fines or a lien related to emergency repairs or repairs to buildings identified pursuant to section 27-2153 of this code performed by or on behalf of the department of housing preservation and development for any property owned by such applicant or owner; and (iv) tax arrears owed to the city; and satisfactory compliance by such applicant or owner with a request for corrective action or an order issued by the commissioner pursuant to this chapter.

(2) Where such applicant or owner has entered into a binding agreement for the payment of any of the amounts set forth in items i through iv of paragraph one of this subdivision, a written permit may be issued upon certification by the appropriate city agency or a determination by the commissioner that the applicant or contractor is in compliance with such agreement. Should there be a failure to comply with such agreement subsequent to the issuance of a written permit, the commissioner shall suspend or revoke such written permit.

(3) Notwithstanding the provisions of paragraph one of this subdivision, a written permit may be issued to correct an outstanding violation of the New York city construction codes, housing maintenance code or any other applicable provisions of law or where the commissioner determines that the issuance of a written permit is necessary to perform work to protect public health or safety.

c. The department shall establish by rule a process to allow any applicant to challenge the denial of a written permit pursuant to subdivision b of this section.

§2. This local law shall take effect six months after enactment, except that the commissioner of buildings shall take such actions, including the promulgations of rules, as are necessary for its implementation prior to such effective date.