Legislation Details (With Text)

File #:	Res 2008-2009	**Version:**	*	**Name:**	Make all buildings and structures located in the city of NY that are owned, leased or operated by the state of NY subject to NYC Building Code and the NYC Fire Code. (A.8407/S.5597)
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Housing and Buildings
On agenda:	6/10/2009				
Enactment date:				**Enactment #:**	

Title: Resolution urging the New York State Legislature to pass and the Governor to sign A.8407 and S.5597, which would make all buildings and structures located in the city of New York that are owned, leased or operated by the state of New York subject to New York City Building Code and the New York City Fire Code.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
6/10/2009	*	City Council	Introduced by Council	
6/10/2009	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 2008

Resolution urging the New York State Legislature to pass and the Governor to sign A.8407 and S.5597, which would make all buildings and structures located in the city of New York that are owned, leased or operated by the state of New York subject to New York City Building Code and the New York City Fire Code.

By Council Members Gennaro, Vacca, Vallone Jr., Brewer, Fidler, Gentile, Jackson, Liu, Mealy, Nelson and Sanders Jr.

Whereas, The safety of residents, workers, and emergency personnel in and around construction sites is of utmost importance to both New York City and New York State; and

Whereas, The tragic death of two firefighters at the Deutsche Bank building on August 18, 2007 led the City of New York to comprehensively reevaluate safety procedures at construction, demolition, and asbestos abatement sites; and

Whereas, A package of twelve bills will make substantive changes to improve construction, demolition, and asbestos abatement safety practices in the City of New York; and

Whereas, A significant portion of buildings in New York City, however, are owned, leased, or operated by the State of New York, the Federal Government, and other governmental entities; and

Whereas, Currently, the New York City Department of Buildings (DOB) and the New York City Fire Department (FDNY) have limited enforcement powers over buildings and properties owned, leased, or operated by the state, depending on the enabling statute of the state entities or whether they have entered into a memorandum of understanding with the City; and

Whereas, DOB exercises its enforcement powers upon state entities mainly through the voluntary filing of construction and demolition projects by those entities; and

Whereas, FDNY exercises its enforcement powers mainly through courtesy inspections and liaison relationships; and

Whereas, The voluntary nature of State buildings' compliance with City building and fire codes may allow hazardous conditions to exist without City agencies' knowledge; and

Whereas, The City's inability to impose and enforce its code and the potential lack of pertinent information about the conditions within State buildings may hamper the ability of emergency service providers to appropriately respond to and handle an emergency, and may place emergency service personnel, the public and building occupants in danger; and

Whereas, A.8407, currently pending in the New York State Assembly, and companion bill S. 5597, currently pending in the New York State Senate, would make all buildings and structures located in the City of New York that are owned, leased or operated by the State of New York subject to New York City Building Code and the New York City Fire Code; and

Whereas, The New York State Legislature and the Governor of the State of New York will enhance the safety of the public and emergency personnel and allow first responders to operate more effectively by passing and signing this legislation; now, therefore, be it

Resolved, That the New York City Council urges the New York State Legislature to pass and the

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Governor to sign A.8407 and S.5597, which would make all buildings and structures located in the city of New York that are owned, leased or operated by the state of New York subject to New York City Building Code and the New York City Fire Code.

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