



Legislation Details (With Text)

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Int. No. 333

By Council Members Fidler, Comrie and Gonzalez

A Local Law to amend the administrative code of the city of New York, in relation to certificates of occupancy.

Be it enacted by the Council as follows:

Section 1. Section 28-118.5 of the administrative code of the city of New York is amended by adding subsections 28-118.5.1 and 28-118.5.2 to read as follows:

§28-118.5 Review of applications for certificates of occupancy. All applications for certificates of occupancy and accompanying submittal documents shall be examined promptly after their submission. If the building [is entitled to the certificate of occupancy applied for,] conforms substantially to the approved plans and the provisions of the building code and other applicable laws and regulations, the application shall be approved and the certificate of occupancy issued by the commissioner within 10 calendar days after submission of a complete application. Otherwise, the application shall be rejected and written notice of rejection, stating the grounds of rejection, shall be given to the applicant within 10 calendar days of the submission of the

application. Wherever an application has been rejected and proof is thereafter submitted establishing that the grounds of rejection have been met and that the building is entitled to the certificate of occupancy applied for, the application shall be approved and the certificate of occupancy issued within 10 calendar days after submission of such proof.

§28-118.5.1 Definition of “conforms substantially”. For purposes of this section, the term “conforms substantially” shall mean completed to such a point that the premises are habitable and safe for occupancy and there has been reasonable compliance with the applicable provisions of the administrative code of the city of New York. Cosmetic and aesthetic matters of non-completion or installation of items not covered by the administrative code may not be the basis for any finding or decision of non-conformance.

Section 3. this local law shall take effect immediately after its enactment into law.

LS #890
TBD 7/12/10