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Int. No. 679

By Council Members Van Bramer, Ferreras, Fidler, James, Koppell, Lander, Williams, Crowley, Levin, Barron, Mark-Viverito, Garodnick, Rodriguez, Brewer and Ulrich

A Local Law to amend the New York city charter, in relation to expanding the membership of the board of standards and appeals.

Be it enacted by the Council as follows:

Section 1. Section 659 of the New York city charter, as amended by local law 49 of 1991, is hereby amended to read as follows:

§ 659. Constitution and apportionment. a. There shall be an independent board of standards and appeals located within the office of administrative trials and hearings. The board of standards and appeals shall consist of [five] sixteen members to be termed commissioners, five to be appointed by the mayor, one to be appointed by the public advocate, five to be appointed, one each, by the borough presidents, and five to be appointed by the council, each for a term of six years.

b. One of the members appointed by the mayor, and one of the members appointed by the council, shall

be a planner with professional qualifications and at least ten years' experience as a planner. One of the members appointed by the mayor, and one of the members appointed by the council, shall be a registered architect and shall have had at least ten years' experience as an architect. One of the members appointed by the mayor, and one of the members appointed by the council, shall be a licensed professional engineer and shall have had at least ten years' experience as an engineer. The mayor shall designate one of the members, who shall have the required experience as an architect, planner or as an engineer, to serve as chair and shall designate one of the members to serve as vice-chair, who shall act as chair in the absence of the chair or in the event that a vacancy exists in the office of chair. Of the five members appointed by the mayor and the five members appointed by council, respectively, [no more than two] each shall be a resident[s] of [any one] a different borough.

c. Every member of the board shall receive a salary, which shall not be reduced during his or her term of office except in case of general reduction of salaries and in proportion to reductions of salaries of other officers with similar salaries. A member shall not engage in any other occupation, profession or employment. Members shall attend the hearings and executive sessions of the board, and shall perform such other duties as may be required by the chair.

d. Vacancies shall be filled by [the mayor] whomever made the appointment for the unexpired term of the member whose place has become vacant and with a person having his or her qualifications.

§ 2. Subdivision 6 of section 666 of the New York city charter, as amended by local law 49 of 1991, is hereby amended by adding a new paragraph d, to read as follows:

(d) each appeal shall be decided by a panel made up of the members appointed by the mayor, the members appointed by the council, the member appointed by the public advocate, and the member appointed by the borough president for the affected borough. A majority vote of these twelve panel members shall be required to render a decision. For purposes of this subdivision the term "affected borough" shall mean the borough in which land at issue in an appeal is located. In the event that more than one borough is affected, the

chair shall select one commissioner of an affected borough to be on the panel deciding the appeal.

§ 3. This local law shall become effective ninety days after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

SAG
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