



Legislation Text

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Int. No. 949-A

By Council Members Reyna, Comrie, Koo, Mendez, Rose, Wills, Vallone, Gentile, Arroyo, Levin, Dromm, Eugene, King, Rodriguez, Barron, Gennaro, Greenfield, Jackson, Lander, Williams and Halloran

A Local Law to provide for retrospective review by the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the department of transportation, and the fire department of those agencies' existing violations.

Be it enacted by the Council as follows:

Section 1. Retrospective review of existing violations. Within 120 days of the enactment of this section, the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the department of transportation, and the fire department shall conduct a retrospective review of those provisions of the administrative code, the rules of the city of New York, and the New York city health code which establish violations and which are enforced by such agency, and shall submit a report to the mayor and the speaker regarding those existing violations for which a penalty or fine may be assessed for which there is no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a penalty or fine. This report shall include:

(1) a description of each violation for which the agency recommends that a cure period or other opportunity for ameliorative action be provided prior to the imposition of a penalty or fine, and the basis for such conclusion; and

(2) a list of all other existing violations established by the agency's rules for which a penalty or fine may be assessed for which there is no cure period or other opportunity for ameliorative action by the party or parties

subject to enforcement prior to the imposition of a penalty or fine. This list shall identify, either on individual item or aggregate basis, the rationale for the absence of a cure period or other opportunity for ameliorative action.

§2. This local law shall take effect immediately.

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