



Legislation Text

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**File #:** Int 0781-2015, **Version:** \*

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Int. No. 781

By Council Members Ulrich, Cabrera, King and Vallone

A Local Law to amend the administrative code of the city of New York, in relation to liability for the cost and expense of sidewalk repairs and for injuries resulting from failure to repair by the owner of a house of worship

Be it enacted by the Council as follows:

Section 1. Subdivision b and subdivision c of Section 7-210 of the administrative code of the city of New York are amended to read as follows:

b. Notwithstanding any other provision of law, the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, shall be liable for any injury to property or personal injury, including death, proximately caused by the failure of such owner to maintain such sidewalk in a reasonably safe condition. Failure to maintain such sidewalk in a reasonably safe condition shall include, but not be limited to, the negligent failure to install, construct, reconstruct, repave, repair or replace defective sidewalk flags and the negligent failure to remove snow, ice, dirt or other material from the sidewalk. This subdivision shall not apply to one-, two- or three-family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, nor shall it apply to real property that is used as a house of worship. For purposes of this section, the term “house of worship” shall have the same meaning as such term is defined in section 19-162.1 of this code.

c. Notwithstanding any other provision of law, the city shall not be liable for any injury to property or personal injury, including death, proximately caused by the failure to maintain sidewalks (other than sidewalks abutting one-, two- or three-family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes or sidewalks abutting real property that is used

as a house of worship) in a reasonably safe condition. This subdivision shall not be construed to apply to the liability of the city as a property owner pursuant to subdivision b of this section.

§ 2. Section 19-152 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new subdivision t to read as follows:

t. The provisions of this section shall not apply to the owner of real property used as a house of worship. The term “house of worship” shall have the same meaning as such term is defined in section 19-162.1 of this chapter.

§ 3. This local law shall take effect immediately upon enactment.

ENB  
LS #4446  
4/21/15 11:06 A.M.