



Legislation Text

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Int. No. 811

By Council Members Kallos, Ferreras-Copeland and Gentile

A Local Law to amend the New York city charter, in relation to requiring agencies to amend notices of violations if they are aware of deficiencies therein

Be it enacted by the Council as follows:

Section 1. Subparagraph (b) of paragraph (1) of subdivision d of section 1049-a of the New York city charter is amended to read as follows:

(b)(i) The form and wording of notices of violation shall be prescribed by the board. [The] A notice of violation or copy thereof when filled in and served shall constitute notice of the violation charged, and, if sworn to or affirmed, shall be prima facie evidence of the facts contained therein.

(ii) An agency that issues a notice of violation that does not include information required for a valid notice of violation by rule of the environmental control board or office of administrative trials and hearings shall, where possible, within 30 days of issuing such notice, or prior to the hearing date for such notice, whichever is earlier, amend the notice of violation to include such information. When a notice of violation is amended pursuant to this clause, the amending agency shall serve the amended notice as provided in paragraph (2) of subdivision d of this section, and a new hearing date shall be assigned.

§ 2. This local law takes effect 180 days after it becomes law, except that the environmental control board and office of administrative trials and hearings may take any actions necessary for its implementation, including the promulgation of rules, before such effective date.

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