



Legislation Text

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Int. No. 1244

By Council Members Greenfield, Gentile and Koo

A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for the unlawful opening of fire hydrants.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 24-346 of chapter 3 of title 24 of the administrative code of the city of New York is amended to read as follows:

b. Any person who violates or fails to comply with any of the provisions of this chapter and chapter four of this title or any order, rule or regulation issued by the board or commissioner or with the conditions of any permit issued by the commissioner within the city of New York shall be liable for a civil penalty of not less than fifty nor more than one thousand dollars for each violation, except that the civil penalty for the removal of a manhole cover in violation of section 24-304 shall be not less than two thousand five hundred dollars nor more than ten thousand dollars, and except that the civil penalty for the unlawful opening, use, operation, or tampering with a fire hydrant or high pressure hydrant in violation of section 24-308 shall be not less than two hundred fifty dollars. In the case of a continuing violation each day's continuance shall be a separate and distinct offense. The [environmental control board] office of administrative trials and hearings shall have the power to impose such civil penalties. A proceeding to impose such penalties shall be commenced by the service of a notice of violation returnable to such [board] office. Such [board] office, after a hearing as provided by the rules and regulations of the [board] office, shall have the power to enforce its final decisions and orders imposing such civil penalties as if they were money judgments pursuant to subdivision d of section one thousand forty-nine-a of the New York city charter. A civil penalty imposed by the board may also be collected in an action brought in the name of the city in any court of competent jurisdiction. The board, in its discretion, may, within the limits set forth in this subdivision, establish a schedule of civil penalties indicating the

minimum and maximum penalty for each separate offense.

§ 2. This local law takes effect immediately.

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