



Legislation Text

File #: Int 0142-2018, **Version:** *

Int. No. 142

By Council Members Levin, Ayala and Lander

A Local Law to amend the administrative code of the city of New York, in relation to preventing certain types of dust from construction from becoming airborne

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 24-146 of the administrative code of the city of New York is amended to read as follows:

(c) No person shall cause or permit a building or its appurtenances or a road to be constructed, altered or repaired without taking such precautions as may be ordered by the commissioner or as established by the rules of the department to prevent dust, including dust from any material, regardless of composition, designed and customarily used in construction, including, but not limited to, any rails, pillars, columns, beams, bricks, flooring, wall, ceiling, roofing material, insulation material, gravel, sand, cement or asphalt, from becoming airborne.

§ 2. Subdivision b of section 24-190 of the administrative code of the city of New York is amended to read as follows:

(b) Any person, other than a corporation, who violates any order of the commissioner or the board or any provision of section 24-120, 24-122 or 24-146 of this code or who illegally breaks a seal on equipment, upon conviction shall be punished for each offense by a fine of not less than [fifty dollars] \$50 nor more than [five hundred dollars] \$500 or by imprisonment for not more than [thirty] 30 days or by both.

Any corporation which violates any order of the commissioner or the board or any provision of section 24-120[,] or 24-122 [or 24-146] of this code, or which illegally causes a seal to be broken, upon conviction

shall be punished for each offense by a fine of not less than [one hundred dollars] \$100 nor more than [two thousand dollars] \$2,000.

Any corporation which violates any provision of section 24-146 of this code shall be punished for each offense by a fine of not less than \$500 nor more than \$2,000 or by imprisonment for not more than 30 days or by both.

Every day during which such violation occurs constitutes a separate offense.

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner of environmental protection may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

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