



Legislation Text

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Int. No. 170

By Council Members Maisel and Yeger

A Local Law to amend the administrative code of the city of New York, in relation to certificates of occupancy

Be it enacted by the Council as follows:

Section 1. Section 28-118.5 of the administrative code of the city of New York is amended to read as follows:

§28-118.5 Review of applications for certificates of occupancy. All applications for certificates of occupancy and accompanying submittal documents shall be examined promptly after their submission. If the building [is entitled to the certificate of occupancy applied for,] conforms substantially to the approved plans and the provisions of the building code and other applicable laws and regulations, the application shall be approved and the certificate of occupancy issued by the commissioner within 10 calendar days after submission of a complete application. Otherwise, the application shall be rejected and written notice of rejection, stating the grounds of rejection, shall be given to the applicant within 10 calendar days of the submission of the application. Wherever an application has been rejected and proof is thereafter submitted establishing that the grounds of rejection have been met and that the building is entitled to the certificate of occupancy applied for, the application shall be approved and the certificate of occupancy issued within 10 calendar days after submission of such proof. For the purposes of this section, the term “conforms substantially” shall mean completed to such a point that the premises are habitable and safe for occupancy and there has been reasonable compliance with all applicable laws and regulations. Cosmetic and aesthetic matters of non-completion or installation of items not required by applicable laws and regulations may not serve as the basis for any finding or decision of non-conformance.

§2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

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