



Legislation Text

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Int. No. 392

By Council Members Ulrich and Brannan

A Local Law to amend the administrative code of the city of New York, in relation to instituting cure periods for certain department of sanitation and department of buildings violations by veterans service organizations

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term “veterans service organization” means an association, corporation or other entity that qualifies under paragraphs (2), (4), (7), (8), (10), (19) or (23) of subsection (c) of section 501 of the internal revenue code as a tax-exempt organization that has been organized for the benefit of veterans; and that is (i) chartered by congress under part B of subtitle II of title 36 of the United States code, (ii) recognized or approved by the secretary of the federal department of veterans affairs for purposes of preparation, presentation and prosecution of laws administered by such department under section 5902 of title 38 of the United States code and paragraphs (a) and (c) of section 628 of part 14 of title 38 of the code of federal regulations, or (iii) both.

b. The department shall provide a warning period of 120 days during which a veterans service organization may cure a violation issued by the department.

c. After such warning period expires, the veterans service organization may request the department for an extension of time to cure the violation. The organization shall make such a request in a manner and form determined by the department and shall include proof that such organization attempted to cure the violation

within the initial warning period of 120 days.

d. The department shall determine by rule which categories of violations qualify for such warning period.

e. The department shall not apply such warning period to any safety-threatening violation.

§ 2. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new exception 11 to read as follows:

11. The department shall apply the cure period and conditions provided pursuant to section 16-143 to any violation the department issues to any veterans service organization.

§ 3. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-106 to read as follows:

§ 31-106 Outreach campaign pertaining to certain department of sanitation and department of buildings violations by veterans service organizations. a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as provided in section 16-143.

b. The department shall conduct and promote a public information and outreach campaign to inform veterans service organizations about the cure periods available pursuant to sections 16-143 and 28-202.1. The department shall also post information about such cure periods on its website.

§ 4. This local law takes effect 120 days after it becomes law, except that the department of sanitation, department of buildings, and department of veterans’ services shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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