



Legislation Text

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Int. No. 2487

By Council Member Yeger

A Local Law in relation to establishing a temporary program to resolve certain outstanding reports and associated unpaid civil penalties required by the department of buildings and reporting in relation thereto

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Civil penalty. The term “civil penalty” means a penalty that the department of buildings or the environmental control board has imposed on an owner for the failure to file or the late filing of a report, pursuant to title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York, which may or may not have been adjudicated by the environmental control board.

Owner. The term “owner” means any person, agent, firm, partnership, corporation or other legal entity, having a legal or equitable interest in, or control of, a building, structure, premises or equipment, pursuant to title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York.

Report. The term “report” means a report required by the department of buildings regarding a building, structure, premises or equipment, pursuant to title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York.

b. Temporary program to resolve outstanding reports and civil penalties. Notwithstanding any other provision of law to the contrary, the commissioner of finance shall establish a 1-year program for owners to resolve certain outstanding reports and any associated unpaid civil penalties. During such program, an owner may file outstanding reports, owed for the past 6 calendar years, and pay the department of finance the amount

of \$500 per report to resolve such outstanding reports and any associated unpaid civil penalties.

c. Limitations of the temporary program. 1. An owner who is the subject of a criminal investigation relating to the building, structure, premises or equipment at issue, shall not be eligible to participate in the temporary program.

2. The provisions of the temporary program shall not apply to an immediately hazardous violation, as defined in title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York.

3. At the conclusion of the temporary program, the requirements for filing any report or the associated unpaid civil penalties that an owner has not resolved through such program shall continue to have full legal effect and enforceability, regardless of whether such owner could have resolved such requirement or civil penalties under such program.

d. Outreach regarding the temporary program. Beginning no later than 60 days prior to the effective date of this local law, and continuing monthly thereafter until the end of the temporary program, the commissioner of finance, in collaboration with the commissioner of buildings, shall conduct culturally appropriate outreach in the designated citywide languages, as defined in section 23-1101 of the administrative code of the city of New York, to increase owners' awareness of, and participation in, such program. Such outreach shall include, but need not be limited to, posting information on the websites of the department of finance, the department of buildings and the 311 customer service center and conducting mailings and sending emails and text messages on the temporary program to owners.

e. Reporting required. No later than 180 days after the conclusion of the temporary program, the commissioner of finance, in collaboration with the commissioner of buildings, shall provide an analysis and summary on the success of such program to the mayor and the speaker of the council, and shall post such summary on the department of buildings' website. The required summary shall include, but need not be limited to, the following:

1. The number of owners who participated in such program;
 2. The number and types of outstanding reports that owners filed during such program;
 3. The amount that owners paid to the department of finance to resolve any associated unpaid civil penalties during such program;
 4. A description of any challenges with such program and the efforts made to address such challenges;
- and
5. Any recommendations for future such programs.

§ 2. This local law takes effect 90 days after it becomes law, except that subdivision d of section one of this local law takes effect immediately.

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