



Legislation Text

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Int. No. 277

By Council Members Gioia, Vallone, Reed, Addabbo, Felder, Fidler, Foster, Gerson, Jackson, Jennings, Katz, Koppell, Liu, McMahon, Monserrate, Nelson, Quinn, Recchia, Sanders, Sears, Serrano, Weprin, Brewer, Gallagher, and Oddo; also Council Member Seabrook

A Local Law to amend the administrative code of the city of New York, in relation to the sale of aerosol spray paint cans and broad tipped indelible markers.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 10 of the administrative code of the city of New York is hereby amended by the addition of a new section 10-117.3 to read as follows:

§10-117.3. Posting of sign; notice with purchase. a. All persons who sell or offer to sell aerosol spray paint cans or broad tipped indelible markers shall post a sign, to be prominently displayed at or adjacent to each counter over which such items are sold, stating the prohibitions and restrictions on the sale and use of aerosol spray paint cans or broad tipped indelible markers as prescribed in subdivisions a, b, and c of section 10-117 and the penalties for violations of subdivisions a and b, as described in subdivisions f and g of section 10-117.

b. Any person who violates the provisions of this section shall be subject to a civil penalty of not less than \$250 nor more than \$500 for the first violation, and not less than \$500 nor more than \$1,000 for each subsequent violation. For the purposes of this section, if on any single day the required signage is not displayed in accordance with section 10-117.3 or regulations promulgated pursuant to this subchapter, it shall be considered a single violation.

c. The commissioner of the department of consumer affairs may make and promulgate such rules and regulations as are necessary to carry out the provisions of this section.

§2. This local law shall take effect immediately.