



Legislation Text

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Proposed Int. No. 243-A

By Council Members Brewer, Addabbo, Avella, Comrie, Felder, Fidler, Gennaro, Gerson, Gioia, Jackson, Lopez, McMahon, Moskowitz, Provenzano, Recchia, Reed, Reyna, Stewart and Vallone; also Council Members Quinn, Koppell, Yassky, Oddo and Golden

A Local Law to amend the administrative code of the city of New York, in relation to the possession, sale and display of etching acid.

Be it enacted by the Council as follows:

SECTION 1. Section 10-117 of the administrative code of the city of New York is hereby amended to read as follows:

§ 10-117. Defacement of property, possession, sale and display of aerosol spray paint cans, [and] broad tipped markers and etching acid prohibited in certain instances.

a. No person shall write, paint or draw any inscription, figure or mark of any type on any public or private building or other structure or any other real or personal property owned, operated or maintained by a public benefit corporation, the city of New York or any agency or instrumentality thereof or by any person, firm, or corporation, or any personal property maintained on a city street or other city-owned property pursuant to a franchise, concession or revocable consent granted by the city, unless the express permission of the owner or operator of the property has been obtained.

b. No person shall carry an aerosol spray paint can, [or] broad tipped indelible marker or etching acid into any public building or other public facility with the intent to violate the provisions of subdivision a of this section.

c. No person shall sell or offer to sell an aerosol spray paint can, [or] broad tipped indelible marker or etching acid to any person under eighteen years of age.

d. All persons who sell or offer for sale aerosol spray paint cans, [or] broad tipped indelible markers or etching acid shall not place such cans, [or] markers or etching acid on display and may display only facsimiles of such cans, [or] markers or etching acid containing no paint, [or] ink or etching acid.

e. For the purpose of this section, the term “broad tipped indelible marker” shall mean any felt tip marker or similar implement containing a fluid that is not water soluble and which has a flat or angled writing surface one-half inch or greater. For the purpose of this section, the term “etching acid” shall mean any liquid, cream, paste or similar chemical substance that can be used to etch, draw, carve, sketch, engrave, or otherwise alter, change or impair the physical integrity of glass or metal.

§2. This local law shall take effect 120 days after enactment.

LS# 436
TQ