



Legislation Text

File #: Int 0379-2003, **Version:** *

Int. No. 379

By Council Members Gioia, Avella, Brewer, Fidler, Foster, Lopez, Nelson, Recchia, Seabrook and Gerson

A Local Law to amend the administrative code of the city of New York, in relation to requiring supermarket property owners to provide sixty days public notice of closure.

Be it enacted by the Council a follows:

Section 1. Chapter 5 of Title 20 of the administrative code of the city of New York is hereby amended by adding a new subchapter 14, to read as follows:

SUBCHAPTER 14

NOTICE REQUIREMENTS FOR PROPERTY OWNERS OF SUPERMARKETS

§ 20-770 a. Definition. "Supermarket" shall mean a retail food market of 6,500 or more square feet.

b. Notice requirement. Any person who owns a supermarket or leases the real estate, property or facility in which such supermarket conducts business shall be required to provide sixty days public notice of closure. Such notice shall include, but is not limited to: 1) large signs posted conspicuously outside and throughout the supermarket to be closed for at least sixty days prior to closure; and 2) printed notice of the closure in at least three newspapers serving the community in which the supermarket does business. Such printed notice shall appear at least sixty days prior to closure and shall run for at least fourteen days.

c. Regulations. The commissioner shall promulgate such regulations as shall be necessary to effectuate the purposes of this subchapter.

d. Penalties. Any person who violates any of the provisions of this subchapter or regulations promulgated pursuant to this subchapter shall pay a civil penalty of not less than two hundred fifty dollars nor more than five hundred dollars for the first offense and for each succeeding offense a penalty of not less than

five hundred dollars nor more than seven hundred fifty dollars. For the purposes of this section, if the required notice is not provided on any single day within ninety days of the scheduled closure, it shall be considered a single violation.

e. Enforcement. Designated employees of the department of consumer affairs shall have the power to enforce the provisions of this subchapter.

§2. This local law shall take effect ninety days after its enactment into law provided, however, that the department of consumer affairs may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

2/5/03 - DB
LS # 1775