



Legislation Text

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By Council Members James, Barron, Brewer, Gentile, Gerson, Katz, Liu, Lopez, Martinez, McMahon, Monserrate, Perkins, Seabrook, Vallone Jr., Vann, Recchia, Lanza, and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to restricting the use of eminent domain by the city of New York.

Be it enacted by the Council as follows:

Section 1. Section 5-304 of the administrative code of the city of New York is amended by adding thereto new subdivisions d and e to read as follows:

d. Notwithstanding any other provision of law, the city may not use the power of eminent domain to take ownership of private property solely for economic development purposes, nor may city funds be used as part of or in conjunction with any other federal, state or local project undertaken for economic development purposes which uses the power of eminent domain to take ownership of private property.

e. For the purposes of this section, the term "economic development" shall be defined as any activity to increase tax revenue, tax base, employment, or general economic health, when that activity does not result in (i) the transfer of land to public ownership, such as for a road, hospital or military base; (ii) the transfer of land to a private entity that is a common carrier, such as a railroad or utility; or (iii) the transfer of property to a private entity when eminent domain will remove a harmful use of the land, such as the removal of public nuisances, removal of structures that are beyond repair or that are unfit for human habitation or use, or acquisition of abandoned property.

§2. This local law shall take effect immediately after its enactment into law.