



Legislation Text

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Int. No. 436

By Council Members Weprin, Fidler, Gerson, James, Nelson, Palma, and Stewart

A Local Law to amend the administrative code of the city of New York, in relation to certificates of occupancy.

Be it enacted by the Council as follows:

Section 1. Section 26-222 of the administrative code of the city of New York is amended to read as follows:

§26-222 Requirement of certificate of occupancy. a. It shall be unlawful to occupy or use any building erected or altered after December sixth, nineteen hundred sixty-eight, unless and until a certificate of occupancy shall have been issued by the commissioner, certifying that such building conforms substantially to the approved plans and the provisions of the building code and other applicable laws and regulations. Nothing herein contained, however, shall be deemed to prohibit the commissioner from permitting the temporary occupancy and use of a building in accordance with and subject to the provisions of the building code and paragraph three of subdivision (b) of section six hundred forty-five of the charter.

b. For purposes of this section, the term “conforms substantially” shall mean completed to such a point that the premises is habitable and safe for occupancy and there has been reasonable compliance with the applicable provisions of the administrative code of the city of New York. Cosmetic and aesthetic matters of non-completion or installation of items not covered by the administrative code may not be the basis for any finding or decision of non-conformance.

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

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