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By Council Members Holden, Ariola, Dinowitz, Banks, Hanks, Ung, Narcisse, Brewer, Carr, Vernikov, Paladino, Marmorato and Morano

A Local Law to amend the administrative code of the city of New York, in relation to cure periods for certain violations by veterans service organizations

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-147 to read as follows:

§ 15-147 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term "veterans service organization" has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by

subdivision b of this section.

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-144 to read as follows:

§ 16-144 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term "veterans service organization" has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 3. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-200.1 to read as follows:

§ 17-200.1 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term "veterans service organization" has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure

such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 4. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.7 to read as follows:

§ 19-159.7 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term "veterans service organization" has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by

subdivision b of this section.

§ 5. Title 24 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11

CURE PERIODS FOR VETERANS SERVICE ORGANIZATIONS

§ 24-1101 Definitions. As used in this chapter, the following terms have the following meanings:

Department. The term "department" means the department of environmental protection.

Veterans service organization. The term "veterans service organization" has the same meaning as set forth in section 31-101.

§ 24-1102 Cure periods for certain department violations issued to veterans service organizations. a. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

b. After the cure period established by subdivision a of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision a of this section.

§ 6. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new exception 13 to read as follows:

13. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision

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of law, a veterans service organization, as defined by section 31-103, has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety. After such cure period expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by this exception.

§ 7. Section 31-101 of the administrative code of the city of New York is amended by adding a new definition of "veterans service organization" in alphabetical order to read as follows:

Veterans service organization. The term "veterans service organization" means an association, corporation or other entity that qualifies under paragraphs (2), (4), (7), (8), (10), (19) or (23) of subsection (c) of section 501 of the internal revenue code as a tax-exempt organization that has been organized for the benefit of veterans; and that is (i) chartered by congress under part B of subtitle II of title 36 of the United States code, or (ii) recognized or approved by the secretary of the federal department of veterans affairs for purposes of preparation, presentation and prosecution of laws administered by such department under section 5902 of title 38 of the United States code and paragraphs (a) and (c) of section 628 of part 14 of title 38 of the code of federal regulations.

§ 8. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-113 to read as follows:

§ 31-113 Outreach campaign pertaining to cure periods for certain violations. The department shall conduct a public information and outreach campaign to inform veterans service organizations about the cure periods available pursuant to sections 15-147, 16-144, 17-200.1, 19-159.7, 24-1102, and 28-202.1. The

department shall also post information about such cure periods on its website.

§ 9. This local law takes effect 120 days after it becomes law, except that the fire department, department of sanitation, department of health and mental hygiene, department of transportation, department of environmental protection, and department of buildings shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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