



Legislation Text

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Int. No. 1015

By Council Members Ariola, Holden, Paladino, Zhuang and Carr

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the wearing of ski masks in public places, on school premises, and on child care program premises

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-187 to read as follows:

§ 10-187 Prohibition on wearing ski masks. a. Definitions. As used in this section, the following terms have the following meanings:

Child care program premises. The term “child care program premises” means the buildings, grounds, or facilities, or any portion thereof, owned, occupied by, or under the custody or control of any program that meets the definition provided in subdivision d of section 47.01 of the New York city health code.

Public place. The term “public place” has the same meaning as set forth in section 10-134.2.

School premises. The term “school premises” has the same meaning as set forth in section 10-134.2.

Ski mask. The term “ski mask” means a close-fitting garment covering the whole head and face, with holes for the eyes, mouth, or nose, or any combination of the three.

b. Prohibition. No person shall wear a ski mask in a public place, on school premises, or on child care program premises.

c. Exceptions. The prohibition set forth in subdivision b of this section does not apply if a ski mask worn by a person:

1. Is part of a traditional holiday costume;

2. Is a garment worn for a religious purpose;

3. Is worn during the course of employment and for the purpose of ensuring the physical safety of the person;

4. Is part of a costume for a theatrical production;

5. Protects the person's body from the elements while the person is participating in a winter sport; or

6. Constitutes a form of expression that is protected by the First Amendment.

d. Civil penalty. Any person who violates the prohibition set forth in subdivision b of this section is liable for a civil penalty of \$250 that is recoverable in a proceeding before the office of administrative trials and hearings pursuant to chapter 45-A of the charter.

§ 2. This local law takes effect immediately.

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