

1084--A

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sens. DILAN, ADAMS, DIAZ, DUANE, HASSELL-THOMPSON, HUNT-
LEY, KRUEGER, MONTGOMERY, ONORATO, PARKER, SAMPSON, SCHNEIDERMAN,
STAVISKY -- read twice and ordered printed, and when printed to be
committed to the Committee on Cities -- committee discharged, bill
amended, ordered reprinted as amended and recommitted to said commit-
tee

AN ACT to amend the administrative code of the city of New York, in
relation to the registration of property and designation of mailing
address or addresses

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The administrative code of the city of New York is amended
2 by adding a new section 11-309.1 to read as follows:
3 S 11-309.1 REGISTRATION OF PROPERTY. A. THE OWNER OF ANY LOT, PIECE
4 OR PARCEL OF LAND IN THE CITY OF NEW YORK MUST REGISTER SUCH PROPERTY,
5 TOGETHER WITH THE SECTION, BLOCK AND LOT NUMBER THEREOF, OR SUCH OTHER
6 IDENTIFYING INFORMATION AS AT THE TIME IS ESTABLISHED BY THE DEPARTMENT
7 OF FINANCE, AND A STATEMENT OF THE APPLICANT'S INTEREST THEREIN, TOGETH-
8 ER WITH A WRITTEN REQUEST THAT SUCH LOT, PIECE OR PARCEL OF LAND BE
9 REGISTERED IN THE NAME OF THE APPLICANT. IN SUCH STATEMENT THE APPLI-
10 CANT SHALL DESIGNATE AN ADDRESS TO WHICH OFFICIAL NOTIFICATIONS AND
11 CORRESPONDENCE SHALL BE MAILED TO, SUCH ADDRESS SHALL BE WHERE THE
12 APPLICANT RECEIVES THEIR DAILY OR REGULAR MAIL. SUCH APPLICANT SHALL
13 HAVE THE OPTION OF DESIGNATING A SECOND ADDRESS TO WHICH COPIES OF ALL
14 OFFICIAL NOTIFICATIONS AND CORRESPONDENCE SHALL BE MAILED. A BRIEF
15 DESCRIPTION OF SUCH LOT, PIECE OR PARCEL OF LAND CORRESPONDING TO THE
16 DESCRIPTION THEREOF IN THE STATEMENT SO FILED, TOGETHER WITH THE NAME OF
17 THE APPLICANT AND HIS OR HER DESIGNATED ADDRESS OR ADDRESSES AND THE
18 DATE OF SUCH APPLICATION, SHALL THEREUPON BE REGISTERED IN THE DEPART-
19 MENT OF FINANCE.
20 B. THE COMMISSIONER OF FINANCE OR HIS OR HER DESIGNEE SHALL FOR THE
21 PURPOSE OF THIS SECTION PROVIDE APPROPRIATE RECORDS FOR EACH SECTION OF
22 THE CITY, INCLUDED WITHIN THE RESPECTIVE BOROUGHs, AS THE SAME SHALL
23 APPEAR UPON THE TAX MAPS OF THE CITY.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD01850-03-9

1 S 2. Subdivisions a and b of section 11-312 of the administrative code
2 of the city of New York, as amended by local law number 26 of the city
3 of New York for the year 1996, are amended to read as follows:

4 a. One-half (i) the uniform annual water charges and extra and miscel-
5 laneous charges for water not metered and (ii) annual service charges
6 shall become due and payable, in advance if entered on January first,
7 nineteen hundred seventy-four for the period commencing January first,
8 nineteen hundred seventy-four and ending June thirtieth, nineteen
9 hundred seventy-four. Commencing on June thirtieth, nineteen hundred
10 seventy-four, uniform annual water charges and extra and miscellaneous
11 charges for water not metered and annual service charges shall be due
12 and payable in advance on the thirtieth day of June in each year, if
13 entered. If any of such rents and charges which become due and payable
14 on or before June thirtieth, nineteen hundred seventy-six shall not have
15 been paid to the commissioner of finance or his or her designee on or
16 before the last day of the month following the month of entry, it shall
17 be the duty of the commissioner of finance or his or her designee to
18 charge, collect and receive interest thereon to be calculated at the
19 rate of seven percent per annum from the date when such rents and charg-
20 es became due and payable to December thirty-first, nineteen hundred
21 seventy-six, and at the rate of fifteen percent per annum from January
22 first, nineteen hundred seventy-seven to the date of payment. If any of
23 such rents and charges which shall become due and payable on or after
24 June thirtieth, nineteen hundred seventy-seven are not paid to the
25 commissioner of finance or his or her designee on or before the last day
26 of the month following the month of entry, it shall be the duty of the
27 commissioner of finance or his or her designee to charge, collect and
28 receive interest thereon to be calculated at the rate of fifteen percent
29 per annum from the date when such rents and charges became due and paya-
30 ble to the date of payment. If not so entered and payable, but entered
31 at any time subsequent thereto, they shall be due and payable when
32 entered and notice thereof shall be mailed within five days of such
33 entry to the [premises against which they are imposed addressed to
34 either the owner or the occupant and] OWNER OF SUCH PREMISES AT THE
35 ADDRESS OR ADDRESSES REGISTERED WITH THE DEPARTMENT OF FINANCE PURSUANT
36 TO SECTION 11-309.1 OF THIS CHAPTER, if entered on or before December
37 thirty-first, nineteen hundred seventy-six but not paid on or before the
38 last day of the month following the month of entry, it shall be the duty
39 of the commissioner of finance or his or her designee to charge, collect
40 and receive interest thereon to be calculated at the rate of seven
41 percent per annum from the date of entry to December thirty-first, nine-
42 teen hundred seventy-six, and at the rate of fifteen percent per annum
43 from January first, nineteen hundred seventy-seven to the date of
44 payment; if entered on or after January first, nineteen hundred seven-
45 ty-seven but not paid on or before the last day of the month following
46 the month of entry, it shall be the duty of the commissioner of finance
47 or his or her designee to charge, collect and receive interest thereon
48 to be calculated at the rate of fifteen percent per annum from the date
49 of entry to the date of payment.

50 b. All charges for meters and their connections and for their setting,
51 repair and maintenance, and all charges in accordance with meter rates
52 for supply of water measured by meter, including minimum charges for the
53 supply of water measured by meter, shall be due and payable when
54 entered, and notice thereof shall be mailed within five days of such
55 entry stating the amount due and the nature of the rent or charge to the
56 [last known address of the person whose name appears on the record of

1 such rents and charges as being the owner, occupant or agent or, where
2 no name appears] OWNER OF SUCH PREMISES AT THE ADDRESS OR ADDRESSES
3 REGISTERED WITH THE DEPARTMENT OF FINANCE PURSUANT TO SECTION 11-309.1
4 OF THIS CHAPTER, AND to the premises addressed to either the owner or
5 the occupant, and if entered on or before December thirty-first, nine-
6 teen hundred seventy-six but not paid on or before the last day of the
7 month following the month of entry, it shall be the duty of the commis-
8 sioner of finance or his or her designee to charge, collect and receive
9 interest thereon to be calculated at the rate of seven percent per annum
10 from the date of entry to December thirty-first, nineteen hundred seven-
11 ty-six, and at the rate of fifteen percent per annum from January first,
12 nineteen hundred seventy-seven to the date of payment; if entered on or
13 after January first, nineteen hundred seventy-seven but not paid on or
14 before the thirtieth day following the date of entry, it shall be the
15 duty of the commissioner of finance or his or her designee to charge,
16 collect and receive interest thereon to be calculated at the rate of
17 fifteen percent per annum from the date of entry to the date of payment.

18 S 3. Subdivisions b and c of section 11-313 of the administrative code
19 of the city of New York, as amended by local law number 26 and subdivi-
20 sion b as separately amended by local law number 59 of the city of New
21 York for the year 1996, are amended to read as follows:

22 b. The sewer rents charged against metered premises in accordance with
23 the provisions of paragraphs two and three of subdivision b of section
24 24-514 of the code and the rules duly promulgated pursuant to such
25 section, including the minimum rents for the use of the sewer system,
26 charged pursuant to such section and rules, and the sewer rents charged
27 against any premises in accordance with the provisions of paragraphs
28 four and five of subdivision b of section 24-514 of the code and rules
29 duly promulgated pursuant to such section, including the minimum rents
30 for the use of the sewer system, charged pursuant to such section and
31 rules shall become due and shall become a charge or lien on the premises
32 when the amount thereof shall have been fixed by the commissioner of
33 environmental protection, and an entry thereof shall have been made
34 against such premises with the date of such entry, in the book in which
35 sewer rents are to be entered. The sewer surcharges charged against any
36 premises pursuant to section 24-523 of the code shall become due and
37 shall become a charge or lien on the premises when the amount thereof
38 shall have been fixed by the commissioner of environmental protection
39 and an entry thereof shall have been made against such premises in the
40 book in which sewer surcharges are to be entered. A notice thereof,
41 stating the amount due and the nature of the rent, surcharge or charge
42 shall be mailed, within five days after such entry, to the [last known
43 address of the person whose name appears upon the records in the office
44 of the department of finance as being the owner, occupant or agent or,
45 where no name appears, to the premises addressed to either the owner or
46 the occupant] OWNER OF SUCH PREMISES AT THE ADDRESS OR ADDRESSES REGIS-
47 TERED WITH THE DEPARTMENT OF FINANCE PURSUANT TO SECTION 11-309.1 OF
48 THIS CHAPTER. If such rent, surcharge or charge shall have been entered
49 on or before December thirty-first, nineteen hundred seventy-six but not
50 paid on or before the last day of the month following the month of
51 entry, it shall be the duty of the commissioner of finance or his or her
52 designee to charge, collect and receive interest thereon to be calcu-
53 lated at the rate of seven percent per annum from the date of entry to
54 December thirty-first, nineteen hundred seventy-six, and at the rate of
55 fifteen percent per annum from January first, nineteen hundred seventy-
56 seven to the date of payment; if entered on or after January first,

1 nineteen hundred seventy-seven but not paid on or before the thirtieth
2 day following the date of entry, it shall be the duty of the commission-
3 er of finance or his or her designee to charge, collect and receive
4 interest thereon to be calculated at the rate of fifteen percent per
5 annum from the date of entry to the date of payment. The rents or charg-
6 es for the use of the sewer system charged during any specified period
7 of time pursuant to the provisions of section 24-514 of the code and the
8 rules promulgated thereunder shall be computed, in accordance with the
9 provisions of such section and the rules duly promulgated thereunder, on
10 the basis of water rents or charges computed for the same period.

11 c. Sewer rents charged against unmetered premises in accordance with
12 the provisions of paragraphs two and three of subdivision b of section
13 24-514 of the code and the rules duly promulgated pursuant to such
14 section, for the use of the sewer system during the one-year period
15 commencing on the first day of July of each year, shall be due and paya-
16 ble and shall become a charge or lien on the premises on the first day
17 of January following such first day of July, if entered, except that
18 commencing on June thirtieth, nineteen hundred seventy-four such sewer
19 rents shall be due and payable in advance on the thirtieth day of June
20 in each year, if entered, and shall become a charge or lien on the prem-
21 ises on such date. If any of such rents or charges which became due and
22 payable on or before June thirtieth, nineteen hundred seventy-six shall
23 not have been paid to the commissioner of finance or his or her designee
24 within thirty days after such first day of January, or, commencing on
25 the thirtieth day of June, nineteen hundred seventy-four, on or before
26 the last day of the month following the month of entry, it shall be the
27 duty of the commissioner of finance or his or her designee to charge,
28 collect and receive interest thereon to be calculated at the rate of
29 seven percent per annum from the date when such charges became due and
30 payable to December thirty-first, nineteen hundred seventy-six, and at
31 the rate of fifteen percent per annum from January first, nineteen
32 hundred seventy-seven to the date of payment. If any of such rents or
33 charges which shall become due and payable on or after June thirtieth,
34 nineteen hundred seventy-seven are not paid to the commissioner of
35 finance or his or her designee on or before the last day of the month
36 following the month of entry, it shall be the duty of the commissioner
37 of finance or his or her designee to charge, collect and receive inter-
38 est thereon to be calculated at the rate of fifteen percent per annum
39 from the date when such rents or charges became due and payable to the
40 date of payment. If not so entered and payable, but entered at any time
41 subsequent thereto, they shall be due and payable and shall become a
42 charge or lien on the premises when entered and notice thereof shall be
43 mailed within five days after such entry, to the [last known address of
44 the person whose name appears upon the records in the department of
45 finance as the owner or the occupant or if no name appears] OWNER OF
46 SUCH PREMISES AT THE ADDRESS OR ADDRESSES REGISTERED WITH THE DEPARTMENT
47 OF FINANCE PURSUANT TO SECTION 11-309.1 OF THIS CHAPTER, AND to the
48 premises addressed to either the owner or occupant. If any of such rents
49 or charges which were entered on or before December thirty-first, nine-
50 teen hundred seventy-six but not paid on or before the last day of the
51 month following the month of entry, it shall be the duty of the commis-
52 sioner of finance or his or her designee to charge, collect and receive
53 interest thereon to be calculated at the rate of seven percent per annum
54 from the date of entry to December thirty-first, nineteen hundred seven-
55 ty-six, and at the rate of fifteen percent per annum from January first,
56 nineteen hundred seventy-seven to the date of payment; if entered on or

1 after January first, nineteen hundred seventy-seven but not paid on or
2 before the last day of the month following the month of entry, it shall
3 be the duty of the commissioner of finance or his or her designee to
4 charge, collect and receive interest thereon to be calculated at the
5 rate of fifteen percent per annum from the date of entry to the date of
6 payment. The sewer rents charged against unmetered premises for the use
7 of the sewer system during the one-year period commencing on the first
8 day of July of each year shall be computed in accordance with the
9 provisions of section 24-514 of the code and the rules duly promulgated
10 thereunder, upon the basis of water rents or charges computed for the
11 same period.

12 S 4. Section 11-314 of the administrative code of the city of New
13 York, as amended by local law number 59 of the city of New York for the
14 year 1996, is amended to read as follows:

15 S 11-314 Notice of rules and regulations; penalty for nonpayment;
16 water supply cut off. The rates and charges for supply of water, the
17 annual service charges and minimum charges, the sewer rents, the sewer
18 surcharges, the rules and regulations concerning the use of water, all
19 other rules and regulations affecting users of water or concerning
20 charges for supply of water, restrictions of the use of water, installa-
21 tion of meters, and all rules and regulations affecting property
22 connected with the sewer system, penalties and fines for violations of
23 rules and regulations shall be printed on each bill and permit so far as
24 in the judgment of the commissioner of environmental protection they are
25 applicable. This section and such printing and the printing of this
26 section on such bills and permits shall be sufficient notice to owners,
27 tenants or occupants of premises to authorize the imposition and recov-
28 ery of any charges, surcharges and fines imposed under such rules and
29 regulations and of any penalties imposed in pursuance of this chapter in
30 addition to cutting off the supply of water. Where water charges payable
31 in advance or sewer rents or charges payable as provided in subdivision
32 c of section 11-313 of this chapter, are not paid within the period
33 covered by such charges or rents, and a notice of such nonpayment is
34 mailed by the commissioner of finance to the [premises addressed to
35 "owner or occupant,"] OWNER OF SUCH PREMISES AT THE ADDRESS OR ADDRESSES
36 REGISTERED WITH THE DEPARTMENT OF FINANCE PURSUANT TO SECTION 11-309.1
37 OF THIS CHAPTER, the commissioner of environmental protection may shut
38 off the supply of water to such premises. Where water charges not paya-
39 ble in advance or sewer rents, sewer surcharges or charges payable as
40 provided in subdivisions b and d of section 11-313 of this chapter have
41 been made by the department and remain unpaid for more than thirty days
42 or where the commissioner of environmental protection has certified that
43 there is a flagrant and continued violation of a provision or provisions
44 of section 24-523 of the code or of any rule or regulation promulgated
45 pursuant thereto or of any order of the commissioner of environmental
46 protection issued pursuant thereto, after notice thereof mailed to the
47 [premises addressed to "owner or occupant,"] OWNER OF SUCH PREMISES AT
48 THE ADDRESS OR ADDRESSES REGISTERED WITH THE DEPARTMENT OF FINANCE
49 PURSUANT TO SECTION 11-309.1 OF THIS CHAPTER, the commissioner of envi-
50 ronmental protection may shut off the supply of water to the premises.

51 S 5. This act shall take effect on the ninetieth day after it shall
52 have become a law. Effective immediately any rules or regulations neces-
53 sary for the timely implementation of this act on its effective date are
54 authorized and directed to be made and completed on or before such
55 effective date.