

S. 4444--A

A. 6844--A

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

April 5, 2011

---

IN SENATE -- Introduced by Sen. DILAN -- 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 committee

IN ASSEMBLY -- Introduced by M. of A. JEFFRIES -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT deeming certain parcels of real property in the city of New York as legally non-complying buildings for purposes of compliance with the zoning resolution of such city

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

1     Section 1. When, in the city of New York, a building containing eigh-  
2     teen or more residential units which was constructed and occupied as a  
3     residence prior to the effective date of this act:  
4     (i) is located in a zoning district in which residential use is  
5     permitted, and is designated as lot no. 7501 in tax block 1763, also  
6     known as 191 Spencer Street, lot no. 7501 in tax block 1763, also known  
7     as 191 Spencer Street, lot no. 7504 in tax block 1763, also known as 195  
8     Spencer Street, lot no. 7503 in tax block 1763, also known as 197 Spenc-  
9     er Street, lot no. 7505 in tax block 1763, also known as 201 Spencer  
10    Street, in the borough of Kings; and  
11    (ii) was initially occupied as a residence in accordance with a tempo-  
12    rary certificate of occupancy issued by the department of buildings of  
13    the city of New York on or before October 28, 2004; and  
14    (iii) is owned in accordance with a plan for condominium ownership  
15    that was declared effective by the office of the attorney general of the  
16    state of New York on or before June 2, 2004; and

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

LBD08970-02-1

1 (iv) the attorney general of the state of New York has determined that  
2 the purchasers of residential units in such building acted in good faith  
3 and in reasonable reliance upon the declaration of effectiveness of the  
4 condominium plan for such building issued by such attorney general; and

5 (v) there has been a finding by the commissioner of buildings of such  
6 city that as of January 28, 2010, the department of buildings reviewed  
7 plans and/or a scope of work that had been submitted on behalf of the  
8 owners of such building to the department of buildings of such city for  
9 the work required to be performed for purposes of achieving compliance  
10 with health and safety requirements of the 1968 New York city building  
11 code, such plans and/or scope of work has been found acceptable to the  
12 department of buildings and that the work set forth in such plans and/or  
13 scope of work is performed in accordance with all applicable building  
14 code requirements, such building shall be deemed a legal non-complying  
15 building for purposes of compliance with the provisions of the zoning  
16 resolution of such city.

17 S 2. This act shall take effect immediately.