

3736--A

2013-2014 Regular Sessions

I N S E N A T E

February 13, 2013

Introduced by Sen. ADDABBO -- 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

AN ACT authorizing the reinstatement of prior approved work permits and waiving the requirements of section 35 and subdivision 2 of section 36 of the general city law as such provisions relate to rebuilding and repairing homes devastated by Hurricane Sandy in the city of New York; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative intent. The storms, rains and floods of Hurri-
2 cane Sandy beginning on October 29, 2012 and ending November 3, 2012
3 catastrophically impacted real property situated in the city of New
4 York. Storm surge in the Breezy Point neighborhood in the borough of
5 Queens severely damaged or destroyed approximately 167 homes, followed
6 by a major fire which destroyed approximately 127 homes. Homeowners in
7 this area have long been required to submit applications with the board
8 of standards and appeals to improve and upgrade their residences pursu-
9 ant to the requirements of sections 35 and 36 of the general city law.
10 The process of review of such applications and ultimate grant of the
11 appeal to the general city law can last nearly one year or more. The
12 legislature finds that it is in the best interests of homeowners of
13 Breezy Point to expedite the rebuilding and repair of homes devastated
14 in the wake of Hurricane Sandy through waiver of the requirements of
15 sections 35 and 36 of the general city law for a period of 12 months.
16 S 2. Definitions. For the purposes of this act, the following terms
17 shall have the following meanings:

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

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1 1. "Hurricane Sandy" shall mean the storms, rains, or floods which
2 occurred within the city of New York during the period beginning on
3 October 29, 2012 and ending November 3, 2012.

4 2. "Board" shall mean the board of standards and appeals established
5 by chapter 2 of title 25 of the administrative code of the city of New
6 York.

7 3. "Department" shall mean the department of buildings of the city of
8 New York as defined in section 27-232 of the administrative code of the
9 city of New York.

10 4. "Homeowner" shall mean any owner of a residential building located
11 on block 16350 lot 400, block 16350 lot 300 or block 16340 lot 50 in the
12 borough of Queens in the city of New York.

13 S 3. Reinstatement of prior approved permits. In instances where the
14 department approved applications for work permits for buildings located
15 on block 16350 lot 400, block 16350 lot 300 or block 16340 lot 50 in the
16 borough of Queens, including applications for new buildings, Alt-1 and
17 Alt-2 alterations, that expired due to Hurricane Sandy, the department
18 shall reinstate such prior approvals and allow the issuance of new work
19 permits based on such reinstatements to reconstruct originally approved
20 plans subject to required new code compliance. No letter of no
21 objection shall be required to be issued by the board prior to the issu-
22 ance of these new work permits.

23 S 4. Waiver of permit and hearing requirements. For a period of 12
24 months after the effective date of this act, the board shall waive the
25 requirements of section 35 and subdivision 2 of section 36 of the gener-
26 al city law such that any homeowner seeking to rebuild or repair his or
27 her residence due to damage caused by Hurricane Sandy shall not be
28 required to seek the grant of an appeal from the board or undergo a
29 hearing process. This section shall also apply to applications for new
30 buildings and Alt-1 and Alt-2 alterations due to destruction caused by
31 Hurricane Sandy, such that homeowners shall not be required to submit
32 such applications for approval by the board for a period of 12 months
33 after the effective date of this act.

34 S 5. This act shall take effect immediately and shall expire and be
35 deemed repealed 1 year after such effective date.