

436

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

---

Introduced by Sen. DILAN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

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 ASSEMBLY, 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.

LBD00563-01-3

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.