

9161

I N   A S S E M B L Y

January 29, 2016

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Introduced by M. of A. CUSICK -- read once and referred to the Committee  
on Cities

AN ACT to amend the general city law, in relation to certificates of  
occupancy for unmapped streets in the city of New York

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

1     Section 1. Subdivision 3 of section 36 of the general city law, as  
2     added by a chapter of the laws of 2015, amending the general city law  
3     relating to certificates of occupancy for unmapped streets in the city  
4     of New York, as proposed in legislative bills numbers A.7487 and  
5     S.3472-A, is amended to read as follows:  
6     3. Notwithstanding any provision of law, rule or regulation to the  
7     contrary, a certificate of occupancy for a one or two family residential  
8     dwelling WHICH IS OTHERWISE IN COMPLIANCE WITH ALL APPLICABLE LAWS shall  
9     be issued by the department of buildings of the city of New York for any  
10    building abutting an unmapped street without a review by the board of  
11    standards and appeals in the following circumstances: (a) if the corpo-  
12    ration counsel of the city of New York has issued an opinion determining  
13    that the public way has been open and in use to the public for a minimum  
14    of ten years and has been attested to by documents satisfactory to the  
15    municipality, that the unmapped street abutting such building or struc-  
16    ture shall have been suitably improved to the satisfaction of the  
17    department of transportation of the city of New York in accordance with  
18    standards and specifications approved by such department as adequate in  
19    respect to the public health, safety and general welfare for the special  
20    circumstances of the particular unmapped street, and that such building  
21    or structure is equipped with an automatic fire sprinkler, or (b) if the  
22    department of buildings of the city of New York determines that [other]  
23    SUCH one or two family residential [dwellings which have] DWELLING IS  
24    LOCATED WITHIN THE SAME BLOCK AND FRONTING ON THE SAME UNMAPPED STREET  
25    IN QUESTION AS ANOTHER BUILDING OR STRUCTURE THAT successfully appealed  
26    to the board of standards and appeals and [have] HAS been issued  
27    [certificates] A CERTIFICATE of occupancy [are located within the same  
28    block where such buildings or structures also have frontage that direct-

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

LBD02109-07-6

1 ly abuts the unmapped street in question, that such unmapped street] AND  
2 PROVIDED THE UNMAPPED STREET FRONTING SUCH ONE OR TWO FAMILY RESIDENTIAL  
3 DWELLING has been suitably improved to the [satisfaction] STANDARDS AND  
4 SPECIFICATIONS of such department of transportation [in accordance with  
5 the same standards, specifications, and reasonable exceptions included  
6 in the cases of appeals and any other reasonable exception that will  
7 further protect any such street or highway layout], and further provided  
8 that such one or two family residential dwelling is equipped with an  
9 automatic fire sprinkler system. Nothing contained in this subdivision  
10 shall limit the jurisdiction of the board of standards and appeals to  
11 determine the application of the zoning resolution.

12 S 2. This act shall take effect on the same date and in the same  
13 manner as a chapter of the laws of 2015, amending the general city law  
14 relating to certificates of occupancy for unmapped streets in the city  
15 of New York, as proposed in legislative bills numbers A.7487 and  
16 S.3472-A, takes effect.