S T A T E O F N E W Y O R K

6010

2009-2010 Regular Sessions

I N A S S E M B L Y

February 24, 2009

Introduced by M. of A. GOTTFRIED -- Multi-Sponsored by -- M. of A. CLARK, DINOWITZ, GANTT, GLICK, MARKEY, MAYERSOHN, MILLMAN, ORTIZ, PHEFFER -- read once and referred to the Committee on Cities

AN ACT to amend the general city law, in relation to the power of cities regarding the applicability of local laws pertaining to building construction, operation, repair or removal to buildings developed, owned, operated or financed by the state

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

Section 1. The general city law is amended by adding a new section 20-h to read as follows:

S 20-H. POWER OF CITIES REGARDING THE APPLICABILITY OF CITY BUILDING LAWS TO BUILDINGS AND STRUCTURES OF THE STATE. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHERE A CITY HAS ENACTED OR ADOPTED LOCAL LAWS, ORDINANCES, REGULATIONS, OR CODES IN ACCORDANCE WITH LAW PERTAINING TO THE CONSTRUCTION, OPERATION, RECONSTRUCTION, ALTERATION, REPAIR OR REMOVAL OF A BUILDING, OR STRUCTURE, INCLUDING BUT NOT LIMITED TO, LOCAL LAWS, ORDINANCES AND REGULATIONS PERTAINING TO SAFETY, HEALTH, SANITATION OR FIRE PREVENTION AND SAFETY, HEREINAFTER REFERRED TO AS "LOCAL BUILDING ORDINANCES," THE CITY MAY, BY LOCAL LAW, ORDINANCE OR REGULATION, PROVIDE THAT SOME OR ALL OF ITS LOCAL BUILDING ORDINANCES SHALL BE APPLICABLE TO ALL BUILDINGS OR STRUCTURES LOCATED WITHIN THE TERRITORIAL JURISDICTION OF THE CITY THAT ARE DEVELOPED, OWNED, OPERATED OR FINANCED BY THE STATE, OR ANY AGENCY, OFFICER, DEPARTMENT, BOARD, COMMISSIONER, BUREAU, DIVISION, PUBLIC AUTHORITY, PUBLIC BENEFIT CORPORATION, POLITICAL SUBDIVISION OR INSTRUMENTALITY OF THE STATE. PROVIDED HOWEVER, THAT ANY SUCH LOCAL BUILDING ORDINANCES MUST BE UNIFORM IN THEIR APPLICABILITY FOR EACH CLASS OF BUILDINGS OR STRUCTURES THROUGHOUT THE CITY. FOR PURPOSES OF THIS SECTION, "BUILDING" MEANS A COMBINATION OF ANY MATERIALS, WHETHER PORTABLE OR FIXED, HAVING A ROOF, TO FORM A STRUCTURE TO AFFORD SHELTER FOR PERSONS, ANIMALS OR PROPERTY, AND SHALL INCLUDE ANY PART OR PARTS THEREOF.

S 2. This act shall take effect immediately.

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

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