

7741

2009-2010 Regular Sessions

I N A S S E M B L Y

April 23, 2009

Introduced by M. of A. DESTITO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to exempting sleeping quarters in children's overnight camps from conflicting provisions of the state uniform fire prevention and building codes

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

1 Section 1. Subdivision 1 of section 383 of the executive law, as added
2 by chapter 707 of the laws of 1981, paragraph c as amended by chapter
3 772 of the laws of 1986, is amended to read as follows:
4 1. The provisions of this article and of the uniform fire prevention
5 and building code shall supersede any other provision of a general,
6 special or local law, ordinance, administrative code, rule or regulation
7 inconsistent or in conflict therewith [provided however] EXCEPT AS
8 PROVIDED IN THIS SUBDIVISION:
9 a. Nothing herein shall impair the validity of any action taken pursuant to or in compliance with such law or regulation before the effective date of the uniform code; [and]
10 b. Any improvement, modification, alteration, adaptation, redesign or repair required by or pursuant to any general, special or local law, administrative code, rule or regulation enacted and effective before the effective date of the uniform code shall be made in the manner and within the time so required[.];
11 c. That, in cities with a population of over one million, the existing building and fire prevention codes shall continue in full force and effect beyond January one, nineteen hundred eighty-four unless the council, after analysis and consultation with the building and fire officials of such cities, shall determine that said local code provisions are less stringent than the uniform code. Existing local statutory, regulatory and administrative laws and provisions of such cities shall
12 continue in full force and effect unless the foregoing is determined by

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

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1 the council. Notwithstanding this paragraph, when such factory manufac-
2 tured homes are intended for use as one or two family dwelling units or
3 multiple dwellings of not more than two stories in height, provided such
4 multiple dwellings are not intended for use as hotels or motels, the
5 provisions of this article and of the uniform fire prevention and build-
6 ing code pertaining to factory manufactured homes shall supersede any
7 other provision of general, special or local law, ordinance, administra-
8 tive code, rule or regulation inconsistent or in conflict therewith[.];
9 AND
10 D. SLEEPING QUARTERS IN A CHILDREN'S OVERNIGHT CAMP AS DEFINED IN
11 SUBDIVISION ONE OF SECTION THIRTEEN HUNDRED NINETY-TWO OF THE PUBLIC
12 HEALTH LAW SHALL BE GOVERNED BY SUBDIVISION SIX OF SECTION TWO HUNDRED
13 TWENTY-FIVE OF SUCH LAW.
14 S 2. This act shall take effect immediately.