

9513

I N A S S E M B L Y

January 8, 2010

Introduced by M. of A. BENJAMIN -- read once and referred to the Committee on Housing

AN ACT to amend the administrative code of the city of New York, in relation to the installation of radiator covers and notification to tenants of the obligation of owners to supply radiator covers

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 two new sections 17-124 and 17-125 to read as follows:

3 S 17-124 RADIATOR COVERS. A. OWNERS, LESSEES, AGENTS AND OTHER PERSONS
4 WHO MANAGE OR CONTROL MULTIPLE DWELLINGS SHALL INSTALL OR CAUSE TO BE
5 INSTALLED RADIATOR COVERS ON ALL RADIATORS IN USE IN ANY DWELLING UNIT
6 IN WHICH A CHILD TWELVE YEARS OR YOUNGER RESIDES.

7 B. OWNERS, LESSEES, AGENTS OR OTHER PERSONS WHO MANAGE OR CONTROL
8 MULTIPLE DWELLINGS SHALL REIMBURSE ANY TENANT WHO INSTALLS OR CAUSED TO
9 BE INSTALLED ANY AND ALL RADIATOR COVERS ON ANY RADIATOR IN USE IN ANY
10 DWELLING UNIT IN WHICH THEY RESIDE WITH A CHILD TWELVE YEARS OR YOUNGER.

11 C. WHENEVER USED IN THIS TITLE THE TERM "RADIATOR" SHALL MEAN AND
12 INCLUDE ANY STAND-ALONE, UPRIGHT STEAM RADIATOR.

13 S 17-125 RADIATOR COVERS; NOTIFICATION TO TENANTS. A. ALL LEASES
14 OFFERED TO TENANTS IN MULTIPLE DWELLINGS MUST CONTAIN A NOTICE, CONSPIC-
15 UOUSLY SET FORTH THEREIN, WHICH ADVISES TENANTS OF THE OBLIGATION OF THE
16 OWNER, LESSEE, AGENT OR OTHER PERSON WHO MANAGES OR CONTROLS A MULTIPLE
17 DWELLING TO INSTALL RADIATOR COVERS ON ALL RADIATORS IN USE IN ANY
18 DWELLING UNIT IN WHICH A CHILD TWELVE YEARS OR YOUNGER RESIDES, AND
19 WHERE FURTHER INFORMATION REGARDING THE PROCUREMENT OF SUCH RADIATOR
20 COVERS IS AVAILABLE.

21 B. THE OWNER, LESSEE, AGENT OR OTHER PERSON WHO MANAGES OR CONTROLS
22 MULTIPLE DWELLINGS MUST CAUSE TO BE DELIVERED TO EACH RESIDENTIAL UNIT A
23 NOTICE ADVISING OCCUPANTS OF THE OBLIGATION OF SUCH OWNER, LESSEE, AGENT
24 OR OTHER PERSON WHO MANAGES OR CONTROLS A MULTIPLE DWELLING TO INSTALL
25 RADIATOR COVERS AND WHERE FURTHER INFORMATION REGARDING THE PROCUREMENT
26 OF SUCH RADIATOR COVERS IS AVAILABLE. SUCH NOTICE MUST BE PROVIDED ON AN
27 ANNUAL BASIS IN A FORM AND MANNER APPROVED BY THE DEPARTMENT AND MAY BE

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

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1 DELIVERED IN CONJUNCTION WITH THE ANNUAL NOTICE REQUIRED PURSUANT TO
2 SECTION 17-123 OF THIS CODE AND THE RULES OF THE DEPARTMENT OF HEALTH
3 AND MENTAL HYGIENE PERTAINING TO THE INSTALLATION OF WINDOW GUARDS.

4 C. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL PROMULGATE SUCH
5 REGULATIONS AS IT DEEMS NECESSARY TO COMPLY WITH THE PROVISIONS OF THIS
6 SECTION, WITH RESPECT TO THE ANNUAL NOTICE TO TENANTS, AND THE NOTICE
7 REQUIREMENT IN ALL MULTIPLE DWELLING LEASES.

8 D. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION, OR THE
9 REGULATIONS PROMULGATED HEREUNDER, SHALL BE GUILTY OF A MISDEMEANOR
10 PUNISHABLE BY A FINE OF UP TO FIVE HUNDRED DOLLARS OR IMPRISONMENT FOR
11 UP TO SIX MONTHS, OR BOTH. IN ADDITION, ANY VIOLATION OF THIS SECTION
12 SHALL CONSTITUTE A CIVIL VIOLATION SUBJECT TO A PENALTY OF NOT MORE THAN
13 FIVE HUNDRED DOLLARS PER VIOLATION. A CIVIL VIOLATION UNDER THIS SECTION
14 SHALL BE ADJUDICATED BEFORE THE ADMINISTRATIVE TRIBUNAL OF THE DEPART-
15 MENT.

16 S 2. This act shall take effect on the sixtieth day after it shall
17 have become a law.