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I N   A S S E M B L Y

January 21, 2010

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Introduced by M. of A. COOK, SCARBOROUGH, MARKEY -- Multi-Sponsored by  
-- M. of A. M. MILLER -- read once and referred to the Committee on  
Cities

AN ACT to amend the administrative code of the city of New York, in  
relation to ordering the confiscation of property or devices belonging  
to persistent violators of noise ordinances

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

1     Section 1. Subdivision (b) of section 24-257 of the administrative  
2 code of the city of New York is amended by adding a new paragraph 11 to  
3 read as follows:  
4     (11) ORDER THE CONFISCATION OF PROPERTY OR DEVICES, USED IN WILLFUL  
5 AND CONTINUAL VIOLATION OF ANY PROVISION OF THIS CODE OR ORDER OR REGU-  
6 LATION PROMULGATED BY THE COMMISSION OR THE BOARD, WHICH BELONGS TO ANY  
7 PERSON CLASSIFIED AS A PERSISTENT VIOLATOR AS PROVIDED IN PARAGRAPH TEN  
8 OF THIS SUBDIVISION. SUCH ORDER SHALL BE EFFECTIVE UPON SERVICE THEREOF.  
9 ANY PARTY AFFECTED BY SUCH AN ORDER MAY REQUEST A HEARING ON WRITTEN  
10 NOTICE, AND HE OR SHE SHALL BE AFFORDED A HEARING, WITHIN TWENTY-FOUR  
11 HOURS AFTER SERVICE OF SUCH REQUEST, PURSUANT TO SECTION 24-263 OF THIS  
12 CODE. IF SUCH AN ACCELERATED HEARING IS NOT REQUESTED, THEN A HEARING  
13 SHALL BE AFFORDED WITHIN TEN DAYS OF THE ISSUANCE OF THE ORDER. THE  
14 BOARD SHALL ISSUE ITS FINAL DECISION AND ORDER THEREON WITHIN THREE DAYS  
15 FROM THE CONCLUSION OF A HEARING HELD PURSUANT TO THIS SUBDIVISION.  
16     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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