

1857

2009-2010 Regular Sessions

I N S E N A T E

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Introduced by Sens. KLEIN, DIAZ, DUANE, HASSELL-THOMPSON, KRUEGER, ONORATO, SAMPSON, SMITH -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the public housing law, in relation to authorizing the New York city housing authority to promulgate rules and regulations that are subject to criminal and civil penalties for governing the use of its playgrounds, recreation areas, and other open spaces

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

1 Section 1. Section 402 of the public housing law is amended by adding
2 a new subdivision 10 to read as follows:
3 10. THE AUTHORITY SHALL HAVE THE POWER, WHICH SHALL BE IN ADDITION TO
4 ANY OTHER POWER GRANTED BY THIS CHAPTER, TO ADOPT RULES AND REGULATIONS
5 RELATING TO THE USE OF PLAYGROUNDS, RECREATION AREAS, AND OTHER OPEN
6 SPACES OF ITS PUBLIC HOUSING PROJECTS. A VIOLATION OF SUCH RULES AND
7 REGULATIONS SHALL CONSTITUTE A MISDEMEANOR PUNISHABLE BY NOT MORE THAN
8 NINETY DAYS IMPRISONMENT OR BY A FINE OF NOT MORE THAN ONE THOUSAND
9 DOLLARS OR BY BOTH. ANY VIOLATION OF SUCH RULES AND REGULATIONS SHALL
10 ALSO SUBJECT THE VIOLATOR TO A CIVIL PENALTY OF NOT MORE THAN TEN THOU-
11 SAND DOLLARS FOR EACH VIOLATION. AN ACTION OR PROCEEDING MAY BE
12 COMMENCED IN ANY COURT OF COMPETENT JURISDICTION ON BEHALF OF THE
13 AUTHORITY FOR THE RECOVERY OF SUCH PENALTY. SUCH RULES AND REGULATIONS
14 SHALL NOT TAKE EFFECT UNTIL FILED AS REQUIRED BY SECTION FIFTY-FOUR OF
15 THIS CHAPTER, AND, IN ADDITION, UNTIL FILED WITH THE CLERK OF THE MUNI-
16 CIPALITY IN WHICH THE PRINCIPAL OFFICE OF THE AUTHORITY IS LOCATED. THE
17 AUTHORITY SHALL MAKE REASONABLE EFFORTS TO POST APPROPRIATE SIGNS IN
18 SPECIFIC LOCATIONS WITHIN A PROJECT AS TO THE RULES AND REGULATIONS
19 GOVERNING CONDUCT AT SUCH LOCATIONS. THE PROMULGATION OF SUCH RULES AND
20 REGULATIONS SHALL NOT AFFECT THE VALIDITY OF ANY RULE OR REGULATION DULY
21 PROMULGATED UNDER AUTHORITY GRANTED BY ANY OTHER PROVISION OF THIS CHAP-
22 TER.
23 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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