

1883

2009-2010 Regular Sessions

I N S E N A T E

February 9, 2009

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the public authorities law, in relation to exempting veterans organizations in New York city from sewer and water charges

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

1 Section 1. Subdivision 5 of section 1045-j of the public authorities
2 law, as amended by chapter 514 of the laws of 1984, is amended to read
3 as follows:
4 5. Such fees, rates, rents or other charges, if not paid when due,
5 shall constitute a lien upon the premises served and a charge against
6 the owners thereof, which lien and charge shall bear interest at the
7 same rate as would unpaid taxes of the city. Such lien shall take
8 precedence over all other liens or encumbrances, except taxes, and may
9 be foreclosed against the lot or building served in the same manner as a
10 lien for such taxes. The amount which remains due and unpaid for sixty
11 days may, with interest thereon at the same rate as unpaid city taxes
12 and with reasonable attorneys' fees, be recovered by the water board in
13 a civil action in the name of the water board against such owners. The
14 city, and any state agency shall be subject to the same fees, rates,
15 rents or other charges under the same conditions as other users of such
16 water system or sewerage system, or both, as the case may be. Tax exempt
17 organizations shall be charged according to the provisions of chapter
18 six hundred ninety-six of the laws of eighteen hundred eighty-seven, as
19 amended by chapters eight hundred ninety-three and eight hundred nine-
20 ty-four of the laws of nineteen hundred eighty and by provisions which
21 may by law extend the provisions of such chapters from time to time;
22 PROVIDED THAT VETERANS ORGANIZATIONS, AS DEFINED IN SECTION FOUR HUNDRED
23 FIFTY-TWO OF THE REAL PROPERTY TAX LAW AND LOCATED IN THE CITY, SHALL
24 NOT BE CHARGED ANY INCONSISTENT PROVISION OF LAW NOTWITHSTANDING. Any

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

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1 agreement for the supply of water or sewerage services between the city
2 or an agency thereof and any other municipality or water supply system,
3 or any administrative determination by a state agency, or any other
4 arrangement in this regard, in effect at the time the water board shall
5 be established, shall remain in full force and effect and be binding
6 upon the water board as if it were a party to such agreement, determi-
7 nation or other arrangement. All rights, powers, duties, obligations
8 and functions provided by law with respect to the fixing of charges or
9 rates for the supply of water or sewerage services to users outside the
10 city, including but not limited to those set forth in [article one of
11 title K of chapter fifty-one] SECTION 5-429 of the administrative code
12 of the city of New York and article eight of the environmental conserva-
13 tion law, shall be deemed to apply, as appropriate, to the water board
14 established pursuant to this title. In addition to any other lawful
15 enforcement methods and pursuant to rules and regulations of the water
16 board promulgated pursuant to this title, the payment of fees, rates,
17 rents or other charges for water service or sewerage service to any
18 premises may be enforced by discontinuing the water service or sewerage
19 service to such premises provided that such discontinuance or discon-
20 nection of any supply of water or the provision of sewerage service, or
21 both, as the case may be, shall not be carried out except in the manner
22 and upon the notice as is required of a water-works corporation pursuant
23 to subdivisions three-a, three-b and three-c of section eighty-nine-b
24 and section one hundred sixteen of the public service law.

25 S 2. This act shall take effect on the first of January next succeed-
26 ing the date on which it shall have become a law.