

8490

2011-2012 Regular Sessions

I N   A S S E M B L Y

June 17, 2011

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Introduced by M. of A. TITONE -- read once and referred to the Committee  
on Cities

AN ACT to amend the New York city charter, in relation to service of  
notice of violation returnable to the environmental control board on  
the registered owner of a motor vehicle impounded by the department of  
sanitation of such city

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

1     Section 1. Clauses (iii) and (iv) of subparagraph (a) of paragraph 2  
2     of subdivision d of section 1049-a of the New York city charter, clause  
3     (iii) as amended and clause (iv) as added by chapter 163 of the laws of  
4     2000 and as renumbered by local law number 35 of the local laws of the  
5     city of New York for the year 2008, are amended and a new clause (v) is  
6     added to read as follows:  
7     (iii) service of a notice of violation of any provision of the admin-  
8     istrative code relating to the prevention of noise pollution caused by  
9     an audible motor vehicle burglar alarm and over which the environmental  
10    control board has jurisdiction may be served upon the owner of a motor  
11    vehicle by affixing such notice to said vehicle in a conspicuous place;  
12    [and]  
13    (iv) service of a notice of violation of any of the provisions of  
14    section 10-119 or 10-120 of the administrative code of the city of New  
15    York and over which the environmental control board has jurisdiction,  
16    may be made by certified mail, return receipt requested, to the respond-  
17    ent's last known residence or business address, provided that delivery  
18    of such notice shall be restricted to the respondent. Service by certi-  
19    fied mail shall be deemed complete upon mailing of the notice of  
20    violation unless the notice of violation is returned to the sender by  
21    the United States postal service for any reason other than refusal of  
22    delivery; AND

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

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1 (V) SERVICE OF A NOTICE OF VIOLATION OF ANY PROVISION OF THE ADMINIS-  
2 TRATIVE CODE OF THE CITY OF NEW YORK ON A RESPONDENT WHO IS THE REGIS-  
3 TERED OWNER OF A MOTOR VEHICLE IMPOUNDED BY THE DEPARTMENT OF SANITATION  
4 IN CONNECTION WITH THE VIOLATION FOR WHICH THE NOTICE OF VIOLATION IS TO  
5 BE SERVED MAY BE MADE BY CERTIFIED MAIL TO THE ADDRESS AT WHICH THE  
6 VEHICLE IS REGISTERED, PROVIDED THAT DELIVERY IS RESTRICTED TO THE  
7 RESPONDENT. SERVICE BY CERTIFIED MAIL IS DEEMED COMPLETE UPON MAILING OF  
8 THE NOTICE OF VIOLATION.  
9 S 2. This act shall take effect on the one hundred twentieth day after  
10 it shall have become a law.