S T A T E O F N E W Y O R K

6527

I N S E N A T E

February 23, 2012

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to providing notice of certain construction projects

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

Section 1. The general municipal law is amended by adding a new section 79 to read as follows:

S 79. NOTICE OF CONSTRUCTION PROJECTS. 1. FOR PURPOSES OF THIS SECTION:

(A) THE TERMS "CONSTRUCTION PROJECT" OR "PROJECT" SHALL MEAN THE ERECTION OF ANY NEW BUILDING OR FACILITY BY ANY MUNICIPALITY AND SHALL INCLUDE, BUT NOT BE LIMITED TO A WATER TOWER, FIRE STATION, WASTEWATER TREATMENT PLANT OR MUNICIPAL GOVERNMENT BUILDING. SUCH TERMS SHALL NOT INCLUDE ANY ROAD OR HIGHWAY WORK, REPAVING OR RESURFACING.

(B) "MUNICIPALITY" SHALL MEAN ANY CITY, TOWN, VILLAGE, COUNTY, AND ANY DISTRICTS THEREOF, INCLUDING, BUT NOT LIMITED TO ANY SEWER, DRAINAGE, WATER, WATER QUALITY TREATMENT, PARK, PUBLIC PARKING, LIGHTING, SNOW REMOVAL, WATER SUPPLY, SIDEWALK, REFUSE AND GARBAGE DISTRICT, AQUATIC PLANT GROWTH CONTROL DISTRICT OR AMBULANCE DISTRICT.

2. WITHIN SIXTY DAYS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION PROJECT, THE MUNICIPALITY RESPONSIBLE FOR SUCH PROJECT SHALL NOTIFY, IN WRITING, EVERY PERSON WHOSE PROPERTY BOUNDARY IS WITHIN FIVE HUNDRED FEET OF THE PROPERTY BOUNDARY OF SUCH CONSTRUCTION PROJECT, REGARDLESS OF WHAT MUNICIPALITY SUCH PERSONS RESIDE IN.

3. THE NOTICE PROVIDED FOR IN SUBDIVISION TWO OF THIS SECTION SHALL INCLUDE, BUT NOT BE LIMITED TO INFORMATION ABOUT THE SIZE OF THE PROJECT, THE CURRENT USE OF THE PROPERTY AND THE INTENDED USE AFTER THE COMPLETION OF SUCH PROJECT.

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

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

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