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

5233

2011-2012 Regular Sessions

I N A S S E M B L Y

February 14, 2011

Introduced by M. of A. HOOPER -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to permitting owners of a one family house to obtain a variance to legally establish codified second living quarters or rental spaces in such owners' homes

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 99-v to read as follows:

S 99-V. VARIANCE TO LEGALLY ESTABLISH CODIFIED SECOND LIVING QUARTERS OR RENTAL SPACES. EXCEPT IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, ANY MUNICIPALITY SHALL HAVE THE AUTHORITY TO PERMIT OWNERS OF A ONE FAMILY HOUSE TO OBTAIN A VARIANCE TO LEGALLY ESTABLISH CODIFIED SECOND LIVING QUARTERS OR RENTAL SPACES IN SUCH OWNERS' HOMES. SUCH NEWLY CREATED RENTAL SPACE SHALL MEET LOCAL CODES AND TAXES SHALL BE FAIRLY ASSESSED ON THE PROPERTY.

S 2. This act shall take effect immediately. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

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