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

4835

2013-2014 Regular Sessions

I N A S S E M B L Y

February 11, 2013

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

AN ACT authorizing the reinstatement of prior approved work permits and waiving the requirements of section 35 and subdivision 2 of section 36 of the general city law as such provisions relate to rebuilding and repairing homes devastated by Hurricane Sandy in the city of New York; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative intent. The storms, rains and floods of Hurricane Sandy beginning on October 29, 2012 and ending November 3, 2012 catastrophically impacted real property situated in the city of New York. Storm surge in the Breezy Point neighborhood in the borough of Queens severely damaged or destroyed approximately 167 homes, followed by a major fire which destroyed approximately 127 homes. Other areas of the city of New York were similarly impacted. Homeowners in the city of New York have long been required to submit applications with the department of buildings and board of standards and appeals for permits to improve and upgrade their residences pursuant to the requirements of the general city law. The process of review of such applications and ultimate grant of the appeal to the general city law can last nearly one year or more. The legislature finds that it is in the best interests of homeowners in the city of New York to expedite the rebuilding and repair of homes devastated in the wake of Hurricane Sandy through waiver of the requirements of sections 35 and 36 of the general city law for a period of 12 months.

S 2. Definitions. For the purposes of this act, the following terms shall have the following meanings:

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

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1. "Hurricane Sandy" shall mean the storms, rains, or floods which occurred within the city of New York during the period beginning on October 29, 2012 and ending November 3, 2012.

2. "Board" shall mean the board of standards and appeals established by chapter 2 of title 25 of the administrative code of the city of New York.

3. "Department" shall mean the department of buildings of the city of New York as defined in section 27-232 of the administrative code of the city of New York.

S 3. Reinstatement of prior approved permits. In instances where the department approved applications for work permits, including applications for new buildings, Alt-1 and Alt-2 alterations, prior to Hurricane Sandy, the department shall reinstate all prior approvals and allow the issuance of new work permits to reconstruct originally approved plans subject to required new code compliance. In the event an updated approval from the board is required prior to reinstatement of prior approvals by the department, the board shall handle such request from the department as an administrative review and shall issue a letter of no objection within thirty days after the receipt of such request by the department.

S 4. Waiver of permit and hearing requirements. For a period of 12 months after the effective date of this act, the board shall waive the requirements of section 35 and subdivision 2 of section 36 of the general city law such that any homeowner residing in the city of New York seeking to rebuild or repair his or her residence in the aftermath of Hurricane Sandy shall not be required to seek the grant of an appeal from the board or undergo a hearing process. This section shall also apply to applications for new buildings, Alt-1 and Alt-2 alterations, such that homeowners shall not be required to submit such applications for approval by the board for a period of 12 months after the effective date of this act.

S 5. This act shall take effect immediately and shall expire and be deemed repealed 1 year after such effective date.