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

4190

2013-2014 Regular Sessions

I N S E N A T E

March 13, 2013

Introduced by Sen. LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the parks, recreation and historic preservation law, in relation to requiring public notice to be provided prior to the demolition of a historic building

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

Section 1. The parks, recreation and historic preservation law is amended by adding a new section 14.11 to read as follows:

S 14.11 DEMOLITION OF LOCALLY DESIGNATED HISTORIC BUILDINGS. THE OWNER OF A PUBLICLY OR PRIVATELY OWNED BUILDING DESIGNATED BY A LOCAL HISTORICAL SOCIETY AS A HISTORIC BUILDING SHALL PROVIDE PUBLIC NOTICE OF THE INTENDED DEMOLITION OF SUCH HISTORIC BUILDING AT LEAST ONE YEAR PRIOR TO SUCH INTENDED DEMOLITION BY:

1. PUBLISHING NOTIFICATION OF THE INTENDED DEMOLITION OF SUCH HISTORIC BUILDING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE AREA WHERE THE HISTORIC BUILDING IS LOCATED NO LESS THAN ONE YEAR PRIOR TO THE INTENDED DATE OF DEMOLITION OF SUCH BUILDING;

2. POSTING SIGNS ON THE AFFECTED HISTORIC BUILDING OR THE PROPERTY ON WHICH SUCH BUILDING IS SITUATED AT LEAST TEN MONTHS PRIOR TO THE INTENDED DATE OF THE DEMOLITION OF SUCH BUILDING. SUCH SIGNS SHALL CLEARLY AND CONSPICUOUSLY STATE THE DATE OF THE PROPOSED DEMOLITION, THAT THERE WILL BE AT LEAST TWO PUBLIC HEARINGS REGARDING THE PROPOSED DEMOLITION, AND THE DATE OF THE FIRST PUBLIC HEARING;

3. MAILING NOTIFICATION OF THE INTENDED DEMOLITION OF THE HISTORIC BUILDING TO ALL RESIDENTS WITHIN A TWO-MILE RADIUS OF SUCH BUILDING AT LEAST TEN MONTHS PRIOR TO THE INTENDED DEMOLITION. SUCH MAILING SHALL INCLUDE THE TIME, DATE, AND LOCATION OF THE PUBLIC HEARINGS TO BE HELD PURSUANT TO SUBDIVISION FOUR OF THIS SECTION; AND

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

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4. HOLDING AT LEAST TWO PUBLIC HEARINGS ON THE PROPOSED DEMOLITION BEFORE THE RELEVANT STATE AGENCY OR GOVERNMENTAL BODY AUTHORIZING SUCH DEMOLITION. ONE HEARING SHALL BE HELD AT LEAST NINE MONTHS PRIOR TO THE INTENDED DEMOLITION AND THE SECOND SHALL BE HELD AT LEAST SIX MONTHS PRIOR TO INTENDED DEMOLITION.

S 2. This act shall take effect immediately.