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

681

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York and the general business law, in relation to requiring certain business signs to be posted in English

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

Section 1. Subdivisions f, g, h and i of section 19-124 of the administrative code of the city of New York are relettered subdivisions g, h, i and j and a new subdivision f is added to read as follows:

F. INFORMATION REQUIRED. 1. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION, A COMMERCIAL ESTABLISHMENT THAT ERECTS OR MAINTAINS A CANOPY SHALL BE REQUIRED TO PAINT, IMPRINT OR STENCIL DIRECTLY UPON THE CANOPY, WITHIN THE CHARACTER AND AREA LIMITATION PRESCRIBED BY THE ZONING RESOLUTION OF THE CITY, THE FIRM NAME OR DULY FILED TRADE NAME, AND THE ADDRESS OF THE PREMISES. WHEN SUCH INFORMATION IS PROVIDED IN A FOREIGN LANGUAGE IT MUST ALSO BE PROVIDED IN ENGLISH. THE PROVISIONS OF THIS SUBDIVISION SHALL APPLY TO ALL COMMERCIAL ESTABLISHMENTS REGARDLESS OF WHETHER THE ESTABLISHMENT OWNS OR LEASES THE PREMISES WHERE IT IS LOCATED.

2. NO LEASE OF A PREMISES TO A COMMERCIAL ESTABLISHMENT SUBJECT TO THE PROVISIONS OF THIS SUBDIVISION SHALL PROHIBIT THE DISPLAY OF ANY INFORMATION REQUIRED BY THIS SUBDIVISION.

S 2. Section 131 of the general business law, as amended by chapter 496 of the laws of 1973, is amended to read as follows:

S 131. [Ownership of] INFORMATION REGARDING merchandise establishments and services to be publicly revealed and displayed. 1. Every person, partnership, association or corporation owning or conducting any shop, store or other establishment or service wherein the sale of merchandise at retail or wholesale is carried on or transacted or a service is

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

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performed as a business shall cause the true, full name, including the full first name or legally registered trade name or names of the proprietor or owner or proprietors or owners of such shop, store or other establishment or service to be publicly revealed and prominently and legibly displayed in the English language either upon a window of such shop, store or other establishment or place where a service is performed or upon a sign conspicuously placed upon the exterior of the building containing the same. [The foregoing provisions shall not apply to a person, partnership, association or corporation operating under a lease, a department in a shop, store or other establishment or service as aforesaid where the lessor of such shop, store or other establishment or service is liable to customers for merchandise sold by and the operations of such leased department.] Failure to comply with the provisions of this section shall constitute a [misdemeanor] VIOLATION, PUNISHABLE BY A FINE OF TWO HUNDRED FIFTY DOLLARS FOR A FIRST OFFENSE; AND A FINE OF FIVE HUNDRED DOLLARS FOR A SECOND OFFENSE, PROVIDED THAT A PERSON, PARTNERSHIP, ASSOCIATION OR CORPORATION MAY NOT BE CHARGED WITH A SECOND OFFENSE WITHIN SIXTY DAYS OF THE DATE OF CONVICTION FOR THE FIRST OFFENSE; AND A FINE OF FIVE THOUSAND DOLLARS FOR A THIRD AND SUBSEQUENT OFFENSE, PROVIDED THAT A PERSON, PARTNERSHIP, ASSOCIATION OR CORPORATION MAY NOT BE CHARGED WITH A THIRD OFFENSE WITHIN THIRTY DAYS OF THE DATE OF CONVICTION FOR THE SECOND OFFENSE.

2. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION, IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, IN ALL DISTRICTS OF SUCH CITY, ANY PERMITTED SIGN CONTAINING INFORMATION IMPRINTED OR DISPLAYED IN A LANGUAGE OTHER THAN ENGLISH SHALL ALSO CONTAIN THE SAME INFORMATION IN ENGLISH.

S 3. The New York City department of consumer affairs shall promulgate any rules and regulations necessary to give effect to the provisions of this act, including but not limited to rules pertaining to the size and proportion of all English language signs required by the provisions of this act.

S 4. This act shall take effect immediately.