

6388--A

Cal. No. 19

I N S E N A T E

January 8, 2016

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general city law, in relation to certificates of occupancy for unmapped streets in the city of New York

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

1 Section 1. Subdivision 3 of section 36 of the general city law, as
2 added by a chapter of the laws of 2015, amending the general city law
3 relating to certificates of occupancy for unmapped streets in the city
4 of New York, as proposed in legislative bills numbers A.7487 and
5 S.3472-A, is amended to read as follows:
6 3. Notwithstanding any provision of law, rule or regulation to the
7 contrary, a certificate of occupancy for a one or two family residential
8 dwelling WHICH IS OTHERWISE IN COMPLIANCE WITH ALL APPLICABLE LAWS shall
9 be issued by the department of buildings of the city of New York for any
10 building abutting an unmapped street without a review by the board of
11 standards and appeals in the following circumstances: (a) if the corpo-
12 ration counsel of the city of New York has issued an opinion determining
13 that the public way has been open and in use to the public for a minimum
14 of ten years and has been attested to by documents satisfactory to the
15 municipality, that the unmapped street abutting such building or struc-
16 ture shall have been suitably improved to the satisfaction of the
17 department of transportation of the city of New York in accordance with
18 standards and specifications approved by such department as adequate in
19 respect to the public health, safety and general welfare for the special
20 circumstances of the particular unmapped street, and that such building
21 or structure is equipped with an automatic fire sprinkler, or (b) if the
22 department of buildings of the city of New York determines that [other]
23 SUCH one or two family residential [dwellings which have] DWELLING IS
24 LOCATED WITHIN THE SAME BLOCK AND FRONTING ON THE SAME UNMAPPED STREET

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

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1 IN QUESTION AS ANOTHER BUILDING OR STRUCTURE THAT successfully appealed
2 to the board of standards and appeals and [have] HAS been issued
3 [certificates] A CERTIFICATE of occupancy [are located within the same
4 block where such buildings or structures also have frontage that direct-
5 ly abuts the unmapped street in question, that such unmapped street] AND
6 PROVIDED THE UNMAPPED STREET FRONTING SUCH ONE OR TWO FAMILY RESIDENTIAL
7 DWELLING has been suitably improved to the [satisfaction] STANDARDS AND
8 SPECIFICATIONS of such department of transportation [in accordance with
9 the same standards, specifications, and reasonable exceptions included
10 in the cases of appeals and any other reasonable exception that will
11 further protect any such street or highway layout], and further provided
12 that such one or two family residential dwelling is equipped with an
13 automatic fire sprinkler system. Nothing contained in this subdivision
14 shall limit the jurisdiction of the board of standards and appeals to
15 determine the application of the zoning resolution.

16 S 2. This act shall take effect on the same date and in the same
17 manner as a chapter of the laws of 2015, amending the general city law
18 relating to certificates of occupancy for unmapped streets in the city
19 of New York, as proposed in legislative bills numbers A.7487 and
20 S.3472-A, takes effect.