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

5043

2015-2016 Regular Sessions

I N S E N A T E

April 29, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the administrative code of the city of New York, in relation to abandoned buildings and stalled construction sites

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

Section 1. The administrative code of the city of New York is amended by adding a new section 28-118.22 to read as follows:

S 28-118.22 ABANDONED BUILDINGS AND/OR STALLED CONSTRUCTION SITES. ALL NEW BUILDING CONSTRUCTION OR ALTERATIONS OF CURRENT BUILDINGS IN AN R1, 2, 3 OR 4 ZONING AREA SHALL COMPLETE CONSTRUCTION AND/OR ALTERATIONS AND OBTAIN A CERTIFICATE OF OCCUPANCY WITHIN FOUR YEARS OF THE INITIAL PERMIT FOR SUCH CONSTRUCTION AND/OR ALTERATION. IF SUCH CONSTRUCTION IS NOT COMPLETE AND A CERTIFICATE OF OCCUPANCY PURSUANT TO THIS ARTICLE IS NOT OBTAINED WITHIN FOUR YEARS, THE DEPARTMENT MAY DEMOLISH THE STRUCTURE AND RETURN THE SITE TO A CLEAN AND SAFE CONDITION AT THE PROPERTY OWNER'S EXPENSE.

S 2. Section 28-214.1 of the administrative code of the city of New York, as amended by section 54 of part A of local law 141 of the city of New York for the year 2013, is amended to read as follows:

S 28-214.1 Order to seal, secure, and close. 1. If the commissioner determines such action is necessary to the preservation of life and safety the commissioner may order a building subject to a vacate order to be sealed, secured and closed.

2. AFTER A PERIOD OF TWO YEARS, IF NO ATTEMPT IS MADE TO REHABILITATE THE "SEALED" STATUS OF SUCH BUILDING PURSUANT TO SUBDIVISION ONE OF THIS SECTION, SUCH BUILDING MAY BE DEMOLISHED AT THE PROPERTY OWNER'S EXPENSE PURSUANT TO SECTION 28-214.1.5 OF THIS ARTICLE.

S 3. This act shall take effect immediately.

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

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