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2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

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:

1 Section 1. The parks, recreation and historic preservation law is
2 amended by adding a new section 14.11 to read as follows:
3 S 14.11 DEMOLITION OF LOCALLY DESIGNATED HISTORIC BUILDINGS. THE OWNER
4 OF A PUBLICLY OR PRIVATELY OWNED BUILDING DESIGNATED BY A LOCAL HISTOR-
5 ICAL SOCIETY AS A HISTORIC BUILDING SHALL PROVIDE PUBLIC NOTICE OF THE
6 INTENDED DEMOLITION OF SUCH HISTORIC BUILDING AT LEAST ONE YEAR PRIOR TO
7 SUCH INTENDED DEMOLITION BY:
8 1. PUBLISHING NOTIFICATION OF THE INTENDED DEMOLITION OF SUCH HISTORIC
9 BUILDING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE AREA WHERE THE
10 HISTORIC BUILDING IS LOCATED NO LESS THAN ONE YEAR PRIOR TO THE INTENDED
11 DATE OF DEMOLITION OF SUCH BUILDING;
12 2. POSTING SIGNS ON THE AFFECTED HISTORIC BUILDING OR THE PROPERTY ON
13 WHICH SUCH BUILDING IS SITUATED AT LEAST TEN MONTHS PRIOR TO THE
14 INTENDED DATE OF THE DEMOLITION OF SUCH BUILDING. SUCH SIGNS SHALL
15 CLEARLY AND CONSPICUOUSLY STATE THE DATE OF THE PROPOSED DEMOLITION,
16 THAT THERE WILL BE AT LEAST TWO PUBLIC HEARINGS REGARDING THE PROPOSED
17 DEMOLITION, AND THE DATE OF THE FIRST PUBLIC HEARING;
18 3. MAILING NOTIFICATION OF THE INTENDED DEMOLITION OF THE HISTORIC
19 BUILDING TO ALL RESIDENTS WITHIN A TWO-MILE RADIUS OF SUCH BUILDING AT
20 LEAST TEN MONTHS PRIOR TO THE INTENDED DEMOLITION. SUCH MAILING SHALL
21 INCLUDE THE TIME, DATE, AND LOCATION OF THE PUBLIC HEARINGS TO BE HELD
22 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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1 4. HOLDING AT LEAST TWO PUBLIC HEARINGS ON THE PROPOSED DEMOLITION
2 BEFORE THE RELEVANT STATE AGENCY OR GOVERNMENTAL BODY AUTHORIZING SUCH
3 DEMOLITION. ONE HEARING SHALL BE HELD AT LEAST NINE MONTHS PRIOR TO THE
4 INTENDED DEMOLITION AND THE SECOND SHALL BE HELD AT LEAST SIX MONTHS
5 PRIOR TO INTENDED DEMOLITION.
6 S 2. This act shall take effect immediately.