

6388

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

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 chapter 532 of the laws of 2015, is amended to read as follows:
3 3. Notwithstanding any provision of law, rule or regulation to the
4 contrary, a certificate of occupancy for a one or two family residential
5 dwelling WHICH IS OTHERWISE IN COMPLIANCE WITH ALL APPLICABLE LAWS shall
6 be issued by the department of buildings of the city of New York for any
7 building abutting an unmapped street without a review by the board of
8 standards and appeals in the following circumstances: (a) if the corpo-
9 ration counsel of the city of New York has issued an opinion determining
10 that the public way has been open and in use to the public for a minimum
11 of ten years and has been attested to by documents satisfactory to the
12 municipality, that the unmapped street abutting such building or struc-
13 ture shall have been suitably improved to the satisfaction of the
14 department of transportation of the city of New York in accordance with
15 standards and specifications approved by such department as adequate in
16 respect to the public health, safety and general welfare for the special
17 circumstances of the particular unmapped street, and that such building
18 or structure is equipped with an automatic fire sprinkler, or (b) if the
19 department of buildings of the city of New York determines that [other]
20 SUCH one or two family residential [dwellings which have] DWELLING IS
21 LOCATED WITHIN THE SAME BLOCK AND FRONTING ON THE SAME UNMAPPED STREET
22 IN QUESTION AS ANOTHER BUILDING OR STRUCTURE THAT successfully appealed
23 to the board of standards and appeals and [have] HAS been issued
24 [certificates] A CERTIFICATE of occupancy [are located within the same
25 block where such buildings or structures also have frontage that direct-
26 ly abuts the unmapped street in question, that such unmapped street] AND
27 PROVIDED THE UNMAPPED STREET FRONTING SUCH ONE OR TWO FAMILY RESIDENTIAL
28 DWELLING has been suitably improved to the [satisfaction] STANDARDS AND

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

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1 SPECIFICATIONS of such department of transportation [in accordance with
2 the same standards, specifications, and reasonable exceptions included
3 in the cases of appeals and any other reasonable exception that will
4 further protect any such street or highway layout], and further provided
5 that such one or two family residential dwelling is equipped with an
6 automatic fire sprinkler system. Nothing contained in this subdivision
7 shall limit the jurisdiction of the board of standards and appeals to
8 determine the application of the zoning resolution.
9 S 2. This act shall take effect immediately.