

STATE OF NEW YORK

4802--A

2017-2018 Regular Sessions

IN SENATE

March 1, 2017

Introduced by Sens. KLEIN, AVELLA, ADDABBO, ALCANTARA, FELDER, HAMILTON, PERALTA, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- recommitted to the Committee on Cities in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the administrative code of the city of New York, in relation to the establishment of homeless shelters and the use of units in privately owned hotels for the provision of housing for homeless individuals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 21-312 of the administrative code of the city of
2 New York is amended by adding a new subdivision f to read as follows:

3 f. Establishment of new shelters. 1. Not less than forty-five days
4 prior to the public hearing held by the mayor's office of contract
5 services relating to the construction of a homeless shelter, the depart-
6 ment shall provide, in not less than two forms of communication, notice
7 of the details of the proposed shelter, including the social services
8 operator of such shelter, the address of such shelter, the expected
9 census of such shelter and the expected certified capacity of such shel-
10 ter, to the following officials:

11 (i) the community board of the community in which the proposed shelter
12 is to be located;

13 (ii) the city council member representing the district in which the
14 proposed shelter is to be located;

15 (iii) the member of the state assembly representing the district in
16 which the proposed shelter is to be located;

17 (iv) the state senator representing the district in which the proposed
18 shelter is to be located;

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

LBD07143-05-8

1 (v) the member of the federal House of Representatives representing
2 the district in which the proposed shelter is to be located; and
3 (vi) the borough president of the borough in which the proposed shel-
4 ter is to be located.

5 2. Within fifteen days of receiving notice pursuant to paragraph one
6 of this subdivision, the community board may request that the department
7 schedule a public hearing to be held within fifteen days at a location
8 within the community to be affected by the proposed shelter for the
9 purpose of gaining public input thereon. Following any such public hear-
10 ing, the department shall consider all such comments and, in accordance
11 with reasonable concerns raised, modify its proposal for the establish-
12 ment of a shelter.

13 3. The department, not less than forty-five days prior to the opening
14 of any new shelter, shall provide notice of the address, proposed census
15 and proposed certified capacity of such shelter to the precinct of the
16 police department in which such shelter is located.

17 4. Not more than twenty days after the opening of any new shelter, the
18 department shall establish and operate a community advisory board for
19 the shelter to ensure ongoing collaboration with the community. Each
20 such board shall be composed of community members, and designees of
21 local elected officials and the community board.

22 § 2. The administrative code of the city of New York is amended by
23 adding a new section 21-321 to read as follows:

24 § 21-321 Privately owned hotels providing shelter for homeless indi-
25 viduals. a. On a quarterly basis, the department shall issue a report on
26 the use and proposed use of privately owned hotels for the provision of
27 shelter for homeless individuals. Such report shall be submitted to:

28 1. each community board for the community in which such a hotel is
29 located;

30 2. each city council member representing a district in which such a
31 hotel is located;

32 3. each member of the state assembly representing a district in which
33 such a hotel is located;

34 4. each state senator representing a district in which such a hotel is
35 located;

36 5. each member of the federal House of Representatives representing a
37 district in which such a hotel is located; and

38 6. each borough president.

39 b. Prior to the placement of any homeless individuals in a privately
40 owned hotel, the department shall inspect and certify the hotel to
41 ensure its safety and the welfare of the homeless individuals to be
42 placed therein. Such inspection to ensure the safety and welfare of
43 individuals shall include, but not be limited to, certification that
44 such building has no outstanding violations. The department shall
45 establish and maintain a list of hotels that have been certified as
46 suitable for placement of homeless individuals with children which shall
47 be made available to the public in accordance with chapter forty-eight
48 of the city charter.

49 c. In the event that any additional hotel units are required to be
50 utilized to meet a projected need for shelter, the department shall
51 provide notice thereof, not less than one week prior to the utilization
52 of such units, to the appropriate public officials and body listed in
53 subdivision a of this section. Furthermore, the department shall cause
54 an inspection to be made of such units, pursuant to subdivision b of
55 this section, at least one week prior to the utilization thereof.

1 d. Whenever the department utilizes hotel units on a temporary basis
2 for the housing of homeless persons, it shall provide not less than one
3 week notice thereof to the public officials and body listed in subdivi-
4 sion a of this section, and to the precinct of the police department in
5 which such units are located.

6 e. In the event the department utilizes twenty-five or more units
7 within any single hotel, or utilizes any hotel unit for more than
8 fifteen consecutive days, it shall provide notice thereof to the public
9 officials and body listed in subdivision a of this section.

10 f. Within fifteen days of receiving any notice pursuant to subdivision
11 c, d or e of this section, the appropriate community board may schedule
12 to hold a public hearing within fifteen days within the community
13 affected by the hotel for the purpose of gaining public input thereon,
14 which shall be forwarded to the department.

15 § 3. Emergency shelter for individuals in privately owned hotels. In
16 the event need for shelter exceeds the inventory of hotels currently
17 eligible for placement pursuant to section 21-321 of the administrative
18 code of the city of New York, as added by section two of this act, due
19 to inclement weather, as defined in section 304.1(a) of title 18 of the
20 New York state codes, rules and regulations, the department of homeless
21 services of the city of New York shall have the authority to temporarily
22 place individuals in hotels and conduct notification of community offi-
23 cials in the same manner as provided in such section of the administra-
24 tive code of the city of New York, within 48 hours of the placements.

25 § 4. This act shall take effect on the thirtieth day after it shall
26 have become a law.