STATE OF NEW YORK

5497

2017-2018 Regular Sessions

IN SENATE

April 3, 2017

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to requiring the sanitation department of the city of New York to provide owners, lessees or person in charge of a premises at which a violation of the city solid waste disposal law is alleged to have occurred with a photograph of the materials, condition or situation constituting the violation

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

Section 1. Subdivision d of section 16-324 of the administrative code of the city of New York, as amended by local law number 142 of the city of New York for the year 2013, is amended to read as follows:

d. Any notice of violation or notice of hearing for a violation issued to the owner, net lessee or person in charge of a premises or to a food service establishment, mobile food commissary, store, or manufacturer, as those terms are defined in section 16-329 of this chapter, at which or by whom a violation of this chapter or any rule promulgated pursuant thereto is alleged to have occurred or to have been committed shall be served by delivering a copy of the notice thereof at the address maintained in the records of the department of housing preservation and development, the department of finance, or the department of health and mental hygiene. The notice of violation or notice of hearing may be served by regular mail or in accordance with section one thousand forty-nine-a of the charter or, if such notice is served by an agency other than the department, in accordance with the rules of such agency. **Any notice of violation or notice of hearing for a violation issued to the owner, net lessee or person in charge of a premises at which a violation of this chapter or any rule promulgated pursuant thereto is alleged to have occurred shall be accompanied by a photograph, taken by a uniformed member of the department of sanitation, of the materials,**

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

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condition or situation constituting the alleged violation. A copy of the photograph shall be either: 1. printed with the ticket at the time the ticket is issued; or 2. accessible online at the city of New York's website within forty-eight hours of the time of issuance of the ticket.

§ 2. This act shall take effect on the ninetieth day after it shall become a law.