

STATE OF NEW YORK

10115

IN ASSEMBLY

March 12, 2020

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Cities

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;

19 (v) the member of the federal House of Representatives representing
20 the district in which the proposed shelter is to be located; and

21 (vi) the borough president of the borough in which the proposed shel-
22 ter is to be located.

23 2. Within fifteen days of receiving notice pursuant to paragraph one
24 of this subdivision, the community board may request that the department
25 schedule a public hearing to be held within fifteen days at a location
26 within the community to be affected by the proposed shelter for the

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

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1 purpose of gaining public input thereon. Following any such public hear-
2 ing, the department shall consider all such comments and, in accordance
3 with reasonable concerns raised, modify its proposal for the establish-
4 ment of a shelter.

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

9 4. Not more than twenty days after the opening of any new shelter, the
10 department shall establish and operate a community advisory board for
11 the shelter to ensure ongoing collaboration with the community. Each
12 such board shall be composed of community members, and designees of
13 local elected officials and the community board.

14 § 2. The administrative code of the city of New York is amended by
15 adding a new section 21-324 to read as follows:

16 § 21-324 Privately owned hotels providing shelter for homeless indi-
17 viduals. a. On a quarterly basis, the department shall issue a report on
18 the use and proposed use of privately owned hotels for the provision of
19 shelter for homeless individuals. Such report shall be submitted to:

20 1. each community board for the community in which such a hotel is
21 located;

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

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

26 4. each state senator representing a district in which such a hotel is
27 located;

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

30 6. each borough president.

31 b. Prior to the placement of any homeless individuals in a privately
32 owned hotel, the department shall inspect and certify the hotel to
33 ensure its safety and the welfare of the homeless individuals to be
34 placed therein. Such inspection to ensure the safety and welfare of
35 individuals shall include, but not be limited to, certification that
36 such building has no outstanding violations. The department shall
37 establish and maintain a list of hotels that have been certified as
38 suitable for placement of homeless individuals with children which shall
39 be made available to the public in accordance with chapter forty-eight
40 of the New York city charter.

41 c. In the event that any additional hotel units are required to be
42 utilized to meet a projected need for shelter, the department shall
43 provide notice thereof, not less than one week prior to the utilization
44 of such units, to the appropriate public officials and body listed in
45 subdivision a of this section. Furthermore, the department shall cause
46 an inspection to be made of such units, pursuant to subdivision b of
47 this section, at least one week prior to the utilization thereof.

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

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

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

6 § 3. Emergency shelter for individuals in privately owned hotels. In
7 the event need for shelter exceeds the inventory of hotels currently
8 eligible for placement pursuant to section 21-324 of the administrative
9 code of the city of New York, as added by section two of this act, due
10 to inclement weather, as defined in section 304.1(a) of title 18 of the
11 New York state codes, rules and regulations, the department of homeless
12 services of the city of New York shall have the authority to temporarily
13 place individuals in hotels and conduct notification of community offi-
14 cials in the same manner as provided in such section of the administra-
15 tive code of the city of New York, within 48 hours of the placements.

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