

STATE OF NEW YORK

3586--A

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1 -- recommitted to the Committee on Cities 1 in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York, in relation to enacting the "adjacent neighbors' bill of rights"

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

1 Section 1. This act shall be known and may be cited as the "adjacent
2 neighbors' bill of rights".

3 § 2. The administrative code of the city of New York is amended by
4 adding a new section 28-103.34.2 to read as follows:

5 § 28-103.34.2 Adjacent neighbors' bill of rights. 1. The commissioner
6 shall develop a bulletin known as the "adjacent neighbors' bill of
7 rights" advising homeowners who are adjacent to a property under devel-
8 opment or construction of their rights and available resources and post
9 such bulletin on the department's website. Such bulletin shall be
10 translated into the top ten languages of the city of New York as deter-
11 mined by chapter 11 of title 23, with such versions publicly accessible
12 through the department's website. Copies of such bulletin, including
13 translations shall be provided by the commissioner to all state and
14 local elected officials, community boards, and any other organizations
15 deemed necessary by the commissioner.

16 2. The bulletin developed pursuant to this section shall include the
17 following, along with other information added at the discretion of the
18 commissioner, not otherwise inconsistent with the information set forth
19 in the bulletin:

20 a. an advisory on the availability of homeowners' rights at the
21 department to review plans submitted by developers and approved by the
22 department and further advise homeowners of their rights;

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

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1 b. an advisory on when a developer is required to negotiate a license
2 agreement with the homeowner and that such homeowner may seek represen-
3 tation from or consult third party professionals;

4 c. an advisory of a homeowner's right to require a developer to take
5 protective measures involving the party wall, including but not limited
6 to, the installation of crack gauges and vibration monitors;

7 d. an advisory of a developer's obligation to share copies of develop-
8 er's then-current plans, specifications, surveys or engineering reports
9 specific to the access sought by developers to the homeowner's property,
10 including the nature of the protections, anticipated location or
11 locations, along with further information regarding developer's instal-
12 lation dates, and approximate durations of time that the protections are
13 expected to remain in place; and

14 e. an advisory of other frequently asked questions as they pertain to
15 rights and obligations for developers and adjoining homeowners; and
16 contact information and other resources within the department related to
17 plans and permits available to homeowners.

18 § 3. This act shall take effect on the same date and in the same
19 manner as local law number 126 of the city of New York for the year
20 2021, takes effect.