STATE OF NEW YORK

8728

IN SENATE

March 4, 2024

Introduced by Sens. JACKSON, SEPULVEDA, PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend the New York city charter, in relation to service of certain notice of violations returnable to the environmental control board

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

Section 1. Clause (iv) of subparagraph (a) of paragraph 2 of subdivision d of section 1049-a of the New York city charter, as added by chapter 163 of the laws of 2000 and such section as renumbered by local law 35 of the city of New York for the year 2008, is amended and a new clause (v) is added to read as follows:

(iv) service of a notice of violation of any of the provisions of section 10-119 or 10-120 of the administrative code of the city of New York and over which the environmental control board has jurisdiction, may be made by certified mail, return receipt requested, to the respondent's last known residence or business address, provided that delivery of such notice shall be restricted to the respondent. Service by certified mail shall be deemed complete upon mailing of the notice of violation unless the notice of violation is returned to the sender by the United States postal service for any reason other than refusal of delivery[.]**; and**

(v) service of a notice of violation of any provision of title sixteen of the administrative code of the city of New York by the department of sanitation on a respondent that is a closed commercial establishment, such violation may be made by affixing such notice in a conspicuous place to the premises where the violation occurred and by mailing a copy of such notice of violation via first class mail directly to the commercial establishment to the address at which the violation was issued. Service by first class mail is deemed complete upon mailing of the notice of violation.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

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

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