STATE OF NEW YORK

4963

2023-2024 Regular Sessions

IN ASSEMBLY

February 27, 2023

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to requiring that when a complaint is made to local code enforcement of a violation of the uniform fire prevention and building code which results in the issuance of a compliance order, the complainant shall also be provided a copy of such order

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

Section 1. Paragraphs h and i of subdivision 1 of section 381 of the executive law, as added by chapter 560 of the laws of 2010, are amended and a new paragraph j is added to read as follows:

h. minimum basic training and in-service training requirements for personnel charged with administration and enforcement of the state energy conservation construction code; [~~and~~]

i. standards and procedures for measuring the rate of compliance with the state energy conservation construction code, and provisions requiring that such rate of compliance be measured on an annual basis[~~.~~]**;**

j. in the event a complaint is made to a local government or the secretary which results in the issuance of an order in accordance with 19 NYCRR 1202.5 to remedy any condition found to exist in, on, or about any building in violation of the uniform fire prevention and building code, providing of such order in person or by registered or certified mail to the complainant who initially reported such violation.

§ 2. Subdivision 1 of section 382 of the executive law, as added by chapter 707 of the laws of 1981, is amended to read as follows:

1. In addition to and not in limitation of any power otherwise granted by law, every local government and its authorized agents shall have the power to order in writing the remedying of any condition found to exist in, on or about any building in violation of the uniform fire prevention and building code and to issue appearance tickets for violations of the

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

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uniform code. **A copy of an order served pursuant to this subdivision or 19 NYCRR 1202.5 shall also be provided to a complainant in accordance with the minimum rules and regulations established by the secretary pursuant to paragraph j of subdivision one of section three hundred eighty-one of this article, if such order was issued as a result of a complaint made by an individual.**

§ 3. This act shall take effect immediately.