

STATE OF NEW YORK

9433

IN ASSEMBLY

March 14, 2024

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

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:

1 Section 1. Clause (iv) of subparagraph (a) of paragraph 2 of subdivision
2 d of section 1049-a of the New York city charter, as added by chapter
3 163 of the laws of 2000 and such section as renumbered by local law
4 35 of the city of New York for the year 2008, is amended and a new
5 clause (v) is added to read as follows:

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

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

25 § 2. This act shall take effect on the one hundred twentieth day after
26 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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