

# 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:

1 Section 1. Clause (iv) of subparagraph (a) of paragraph 2 of subdivi-  
2 sion d of section 1049-a of the New York city charter, as added by chap-  
3 ter 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 respond-  
10 ent's last known residence or business address, provided that delivery  
11 of such notice shall be restricted to the respondent. Service by certi-  
12 fied 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 commer-  
22 cial 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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