File #: Int 0017-2014, **Version:** *

Int. No. 17

By Council Members Mendez, Garodnick, Johnson, Chin, Gentile, Greenfield, Koo, Levin, Palma, Rosenthal, Reynoso, Kallos and Koslowitz

A Local Law to amend the administrative code of the city of New York, in relation to after hours work authorization.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 24-220 of the administrative code of the city of New York is amended to read as follows:

(c) A copy of the plan shall be kept at the construction site and shall be [made available for inspection upon the request of persons authorized to enforce the provisions of this code] posted in a conspicuous place at the work site, visible to the public for the duration of the work or the use and operation of the equipment.

§ 2. Subdivision a of section 24-223 of the administrative code of the city of New York is amended to read as follows:

§24-223 After hours work authorization. (a) Notwithstanding section 24-222 of this subchapter, an agency authorized to issue permits for construction work may, along with such permit, issue an after hours work authorization for the work site. Such after hours authorization may permit construction work to be performed at the site before 7 a.m. or after 6 p.m. on weekdays and/or on Saturdays and/or Sundays subject to the conditions and restrictions set forth in this section, provided, however, that permits issued pursuant to paragraph four of subdivision e of this section, shall not authorize construction work to be performed at the site before 7 a.m. or after 8 p.m. on weekdays, or before 11 a.m. or after 4 p.m. on Saturdays and, furthermore, shall not authorize any work on Sundays.

§ 3. Paragraph 5 of subdivision e of section 24-223 of the administrative code of the city of New York is REPEALED.

§ 4. Section 24-223 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

(f) The following procedures shall be followed when an entity seeks authorization pursuant to subdivision e of this section:

(1) An entity that is seeking an authorization for after hours construction work, pursuant to paragraphs one, two, or three of subdivision e of this section, shall submit, as part of its application, a detailed explanation of the material condition or conditions that exist that require such authorization. The authorizing agency shall issue a written decision detailing the rationale for granting or denying such authorization, and shall make each application and written decision available on the agency's website not later than five business days after the decision is issued.

(2) An entity that is seeking an authorization for after hours construction work, pursuant to paragraph four of subdivision e of this section, shall submit, as part of its application, a detailed explanation of the material condition or conditions that exist that require such authorization. The authorizing agency shall make all such applications available on the agency's website not less than five business days before authorizing after hours construction work at a work site, and shall allow members of the public to submit comments on such applications either electronically or by mail. The agency shall issue a written decision detailing the rationale for granting or denying such authorization not later than five business days after a grant or denial is issued, and shall make such decision available on the agency's website. In determining whether to authorize after hours construction work, the agency shall take into account: (i) public comments on such applications, and (ii) whether other after hours construction work has been authorized within a five-block radius of the work site.

(3) The authorizing agency shall allow persons to subscribe to an email alert system that will provide information about any application filed pursuant to subdivision e of this section. The authorizing agency shall

provide opportunities for city residents to provide an email address to the authorizing agency for this purpose and shall maintain a database of all such email addresses. The authorizing agency shall send email notifications regarding any application to interested parties who provide the authorizing agency with an email address for this purpose and who reside in the community board district where the after hours construction work is requested to occur. Each email notification shall consist of all pertinent information related to such application and include links to the authorizing agency's website to access relevant forms, materials and other additional information.

§ 5. Line 24-223 of table I of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York is amended to read as follows:

24-223 [3,500] 8,000 [875] 2,000 [7,000] 16,000 [1,750] 4,000 [10,500] 24,000 [2,625] 6,000

§ 6. This local law shall take effect ninety days after its enactment into law.

LS# 48
CH
1/21/14
Int. 1183/2013