

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 93

Introduced by Council Members Brannan and Louis (by request of the Mayor).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to authorizing a change in the name of the Flatbush Avenue business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the Church Avenue business improvement district

Be it enacted by the Council as follows:

§ 1. Section 25-435 of the administrative code of the city of New York, as added by local law number 63 for the year 1993, subdivision a of such section as amended by local law number 235 for the year 2017, is amended to read as follows:

§ 25-435 [Flatbush] *Church Avenue/Flatbush* Avenue business improvement district.

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the [Flatbush] *Church Avenue/Flatbush* Avenue business improvement district beginning on July 1, [2017] 2023, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three hundred eighty-six thousand dollars (\$386,000)] *five hundred eighty-nine thousand dollars (\$589,000)*.

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the [Flatbush] *Church Avenue/Flatbush Avenue* business improvement district plan.

§ 2. Section 25-435.1 of the administrative code of the city of New York, as added by local law number 69 for the year 2021, is amended to read as follows:

§ 25-435.1 [Flatbush] *Church Avenue/Flatbush Avenue* business improvement district; amendments to the district plan. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize additional services for the [Flatbush] *Church Avenue/Flatbush Avenue* business improvement district and to authorize a change in the method of assessment upon which the district charge in the [Flatbush] *Church Avenue/Flatbush Avenue* business improvement district is based, and the council having determined further that the tax and debt limitations prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there are hereby authorized in the [Flatbush] *Church Avenue/Flatbush Avenue* business improvement district such changes as set forth in the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.

b. Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan setting forth the authorization of additional services and containing the change in the method of assessment authorized by subdivision a of this section.

§ 3. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-435.2 to read as follows:

§ 25-435.2 *Church Avenue/Flatbush Avenue business improvement district; extension of district.*
a. *The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law*

and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, the Church Avenue/Flatbush Avenue business improvement district in the borough of Brooklyn is hereby extended. Such district is extended in accordance with the amended district plan of 2023 required to be filed with the city clerk pursuant to subdivision b of this section.

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan of 2023 upon which the Church Avenue/Flatbush Avenue business improvement district, and the extension thereof, is based.

c. The amended district plan of 2023 shall not be further amended except in accordance with chapter four of this title.

§ 4. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-435.3 to read as follows:

§ 25-435.3 Church Avenue/Flatbush Avenue business improvement district; amendment of the district plan. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the Church Avenue/Flatbush Avenue business improvement district is based, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan of 2023 required to be filed with the city clerk pursuant to subdivision b of this section.

b. The city council having determined, pursuant to subdivision c of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the maximum total amount to be expended for improvements in the district, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in the Church Avenue/Flatbush Avenue business improvement district such change as is set forth in the amended district plan of 2023 required to be filed with the city clerk pursuant to subdivision c of this section.

c. Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan of 2023 containing the change in the method of assessment authorized by subdivision a of this section and the increase in the maximum total amount to be expended for improvements authorized by subdivision b of this section.

§ 5. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-451.2 as follows:

§25-451.2 Dissolution of Church Avenue business improvement district. The recommendations of the Church Avenue district management association concerning the proposed dissolution of the Church Avenue business improvement district having been requested and considered by the city council in accordance with subdivision (a) of section 25-415 of chapter four of this title, therefore, pursuant to the authority granted by such subdivision, the Church Avenue business improvement district is hereby dissolved as of the end of calendar day June 30, 2023, provided that as of such date there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the Church Avenue business improvement district.

§ 6. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2023; provided that sections three and four of this local law take

effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York and are retroactive to and deemed to have been in full force and effect as of July 1, 2023.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 8, 2023 and returned unsigned by the Mayor on July 13, 2023.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 93 of 2023, Council Int. No. 958-A of 2023) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter

STEPHEN LOUIS, Acting Corporation Counsel.