



Legislation Details (With Text)

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**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to issue notice to the department of buildings when a property is under consideration for designation as a landmark, requiring the department of buildings to issue notice to the landmarks preservation commission when permit applications for buildings under consideration for designation as a landmark are received, and revoking permits previously issued by the department of buildings when a property is designated as a landmark.

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**Indexes:**

**Attachments:** 1. Hearing Transcript - Landmarks 10/23/07, 2. Hearing Testimony - Landmarks 10/23/07, 3. Hearing Transcript - Landmarks 6/23/09, 4. Hearing Testimony - Landmarks 6/23/09, 5. Hearing Testimony (Con't) - Landmarks 6/23/09, 6. Hearing Transcript - Landmarks 6/25/09

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3/14/2007	*	City Council	Referred to Comm by Council	
10/23/2007	*	Subcommittee on Landmarks, Public Siting and Maritime Uses	Hearing Held by Committee	
10/23/2007	*	Subcommittee on Landmarks, Public Siting and Maritime Uses	Laid Over by Subcommittee	
6/23/2009	*	Subcommittee on Landmarks, Public Siting and Maritime Uses	Hearing Held by Committee	
6/23/2009	*	Subcommittee on Landmarks, Public Siting and Maritime Uses	Recessed	
6/25/2009	*	Subcommittee on Landmarks, Public Siting and Maritime Uses	Hearing Held by Committee	
6/25/2009	*	Subcommittee on Landmarks, Public Siting and Maritime Uses	Laid Over by Subcommittee	
12/31/2009	*	City Council	Filed (End of Session)	

Int. No. 542

By Council Member Mendez, Lappin, Brewer, Garodnick, Avella, Fidler, Gentile, Gonzalez, James, Koppell, Liu, Mark-Viverito, Mealy, Nelson, Sears, Weprin, Recchia Jr., Barron, Gerson, Arroyo and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to issue notice to the department of buildings when a property is under consideration

for designation as a landmark, requiring the department of buildings to issue notice to the landmarks preservation commission when permit applications for buildings under consideration for designation as a landmark are received, and revoking permits previously issued by the department of buildings when a property is designated as a landmark.

Be it enacted by the Council as follows:

Section 1. Subdivision j of section 25-303 of the administrative code of the city of New York is amended to read as follows:

j. All designations and supplemental designations of landmarks, landmark sites, interior landmarks, scenic landmarks and historic districts made pursuant to subdivision a shall be made pursuant to notices of public hearings given, as provided in section 25-313. In addition to such notice, the commission shall give notice to the city planning commission, the department of buildings, all affected community boards and the office of the borough president in whose borough the property or district is located in advance of any public hearing relating to such designations.

§2. Section 25-321 of the administrative code of the city of New York is amended to read as follows:

§25-321. Applicability and procedure where a permit was previously issued. (1) [The provisions of this chapter shall be inapplicable to the construction, reconstruction, alteration or demolition of any improvement on a landmark site or in a historic district or containing an interior landmark, or of any landscape feature of a scenic landmark, where ] Where a permit for the performance of [such work] the construction, reconstruction, alteration or demolition of any improvement on a landmark site or in a historic district or containing an interior landmark, or of any landscape feature of a scenic landmark was issued by the department of buildings, or, in the case of a landscape feature of a scenic landmark, where plans for such work have been approved, prior to the effective date of the designation, or amended or modified designation, pursuant to the provisions of section 25-303 of this chapter, first making the provisions of this chapter applicable to such improvement or landscape feature or to the improvement parcel or property in which such improvement or landscape feature is or is to be located[.], the department of buildings shall suspend such permit and issue a stop-work order. Such suspension and stop-work order shall be effective upon service, as defined in section 26-117 of this code.

(2) The department of buildings shall forthwith determine if the holder of such permit had undertaken substantial construction and made substantial expenditures in furtherance of such permit prior to the designation as a landmark of such improvement, landscape feature, improvement parcel, or property in which a landscape feature is to be located. If the department of buildings determines that substantial construction and substantial expenditures had been made in furtherance of such permit, the suspension of such permit and the stop work order shall be immediately rescinded. If the department of buildings determines that substantial construction and substantial expenditures had not been made in furtherance of such permit, then the department of buildings shall revoke such permit.

(3) The department of buildings shall forthwith give notice of any determination made pursuant to subdivision two of this section to the holder of such permit and to the commission.

(4) The provisions of this section shall not apply to any improvement subject to the provisions of subdivision a of section 25-318 of this chapter, to any city-aided project, or to any project subject to the provisions of section 25-312 of this chapter.

§3. Section 26-108 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. The landmarks preservation commission shall give written notice to the department of any public hearing or meeting relating to any designation or supplemental designation of landmarks, landmark sites, interior landmarks, scenic landmarks and historic districts made pursuant to subdivision a of section 25-303 of this code.

§4. Article 19 of subchapter 1 of chapter 1 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-191.2 to read as follows:

§27-191.2. Notice for buildings under consideration by the landmark preservation commission. The commissioner shall, within three business days of receipt of an application for a permit for a property for which the department has received notice from the landmarks preservation commission pursuant to subdivision d of

section 26-108, forward a copy of such application to the chair of the landmarks preservation commission.

§5. This local law shall take effect immediately.

JTB

LS #1441

02/05/07