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Title: A Local Law to amend the administrative code of the city of New York, in relation to demolition work without a permit.

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Int. No. 244

By Council Members Avella, Gentile, Gerson, Gonzalez, Koppell, Liu, Martinez, McMahon, Nelson, Quinn, Recchia, Seabrook and Sears

A Local Law to amend the administrative code of the city of New York, in relation to demolition work without a permit.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 26 of the administrative code of the city of New York is amended by adding a new section 26-123.1 to read as follows:

§26-123.1 Non-compliance, illegal demolition. Upon notification to the department by any person or agency of the existence of demolition work that is occurring without a permit, except when such work is directed to be performed by the commissioner to remove a dangerous or unsafe condition, the department shall immediately notify the police department, including the local precinct, where the demolition work is occurring or has occurred and the police department, as well as the department, may implement enforcement measures to

stop any illegal demolition work. In addition, the department shall notify the council member and community board in whose respective districts the demolition work is occurring or has occurred. Any person or persons who engages in illegal demolition work shall be punished as provided in section 26-248 of this chapter.

§2. Section 26-248 of the administrative code of the city of New York is amended by adding a new subdivision (i) to read as follows:

i. In addition to the penalties provided for in this section and in section 26-212.1 of this chapter, any person who is convicted of conducting demolition work without a permit, except when such work is directed to be performed by the commissioner or the commissioner of housing preservation and development to remove a dangerous or unsafe condition, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed five thousand dollars, or by imprisonment not to exceed six months or both. Such person shall also be subject to the payment of a penalty of not more than five thousand dollars to be recovered in a civil action brought in the name of the city in any court of competent jurisdiction or in a proceeding before the environmental control board.

§3. This local law shall take effect immediately.

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