



Legislation Text

File #: Int 1194-2023, **Version:** A

Int. No. 1194-A

By Council Members Gennaro, Rivera and Hanif

A local law to amend the administrative code of the city of New York, in relation to compensation awarded by the environmental control board to complainants for citizen noise complaints and to the maximum penalty authorized for violations of subdivision (b) of section 24-244 of such code for certain proceedings

Be it enacted by the Council as follows:

Section 1. Subdivisions (d) and (e) of section 24-261 of the administrative code of the city of New York are amended to read as follows:

(d) In any proceeding brought by the department after receiving a complaint pursuant to subdivision (a) of this section, the board shall award the complainant, out of the proceeds collected, fair and reasonable compensation, which shall not exceed [twenty-five] 25 percent of the proceeds collected, for disclosure of information or evidence not in the possession of the department, which leads to the imposition of the civil penalty; provided that for any proceeding brought by the department after receiving a complaint pursuant to subdivision (a) of this section alleging a violation of subdivision (b) of section 24-244, the board shall award the complainant, out of the proceeds collected, compensation in the amount of \$5.

(e) In any proceeding brought by a complainant, the board shall award, out of the proceeds collected, [fifty] 50 percent of any civil penalty as fair and reasonable compensation to such person; provided that for any proceeding brought by a complainant alleging a violation of subdivision (b) of section 24-244, the board shall award, out of the proceeds collected, compensation in the amount of \$10 to such person.

§ 2. Notwithstanding the amount of the civil penalties described in table 1 of paragraph 5 of subdivision (b) of section 24-257 of the administrative code of the city of New York, the maximum amount of a civil

penalty authorized to be imposed for a violation of subdivision (b) of section 24-244, in any proceeding commenced prior to the effective date of this local law pursuant to section 24-261 of such code for which a final decision and order has not been rendered prior to such date, shall be \$50. § 3. This local law takes effect immediately.

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11/28/2023 8:46 PM