



Legislation Text

File #: Int 1228-2018, **Version:** *

Int. No. 1228

By Council Members Dromm, Yeger and Cabrera

A Local Law to amend the administrative code of the city of New York, in relation to certain sanitation violations received during declared emergencies or severe weather conditions

Be it enacted by the Council as follows:

Section 1. Section 16-142 of the administrative code of the city of New York is amended to read as follows:

§ 16-142 Violations received after a disaster. a. For the purposes of this section, the term "covered person" means any owner, lessee, tenant or occupant of a one-, two- or three-family residential building or of a premises or lot that contained such a building immediately preceding a natural or man-made disaster, including the conditions described in subdivision b.

b. It shall be an affirmative defense to a violation of subdivision two of section 16-118 for any covered person that:

1. A natural or man-made disaster, as determined by the commissioner, occurred within the prior 30 days preceding issuance of such violation and such building or premises is within the area affected by such disaster; or

2. The covered person was displaced by such disaster and such building or premises was undergoing or scheduled for work or acquisition through a city-operated disaster recovery program responding to such disaster ; or

3. Such violation was issued during a period and place in which the mayor proclaimed a local state of emergency pursuant to section 24 of the executive law; or

4. Such violation was issued on a date for which the mayor publicly urged residents to remain indoors due to temperatures of extreme heat or cold; or

5. Such violation was issued on a date for which the department of emergency management issued a cold weather alert or the national weather service issued a winter weather advisory; or

6. Such violation was issued on a date during which the average daytime temperature was less than 25 degrees Fahrenheit and the covered person is either more than 65 years of age or an individual with a disability.

§ 2. This local law takes effect 120 days after becoming law.

BJR
LS 1109
Int. 1564-2017
2/16/18 4:26PM