



Legislation Text

File #: Int 0284-2004, **Version:** *

Int. No. 284

By Council Members Yassky, Quinn, Addabbo, Brewer, Felder, Fidler, Foster, Jackson, Martinez, Seabrook, Stewart, Gerson, Clarke and Recchia

A Local Law to amend the administrative code of the City of New York, in relation to the issuance of permits for the repair and construction of streets and sidewalks by the Department of Transportation.

Be it in enacted by the Council as follows:

Section 1. Subdivision f of section 19-103 of the administrative code of the city of New York is hereby amended to read as follows:

§19-103. f. The commissioner may refuse to issue a permit to an applicant who has exhibited a pattern of disregard for the provisions of this subchapter, of section 24-521 of the code, the rules or orders of the department in relation thereto or the terms or conditions of permits issued pursuant to such provisions, or (ii) who has been found liable by a court or in a proceeding before the environmental control board for a violation of any provision of this subchapter, of section 24-521 of the code, of a rule or order of the department in relation thereto or of a term or condition of a permit issued pursuant to such provision, which violation caused an imminent peril to life or property. For the purposes of opening a street or sidewalk, a “pattern of disregard” shall include, but shall not be limited to, where an applicant has failed to return any street or sidewalk to its preexisting condition after completing any previous work for which a permit was issued to the applicant by the commissioner. The commissioner shall keep a record of all permittees who have failed to restore any street or sidewalk to its preexisting condition. A determination as to whether a street or sidewalk was restored to its preexisting condition shall consider such factors as material type, color, finish or distinctive design.

§2. This local law shall take effect immediately after its enactment into law.

APB
LS# 1217