Legislation Details (With Text)

File #:	Int 1168-2018 **Version:** A	**Name:**	Extending the call-up deadlines for review of revocable consents for sidewalk cafes.
Type:	Introduction	**Status:**	Filed (End of Session)
		In control:	Committee on Land Use
On agenda:	10/17/2018		
Enactment date:		**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to extending the call-up deadlines for review of revocable consents for sidewalk cafes.		
Sponsors:	Rafael Salamanca, Jr., Ben Kallos, Kalman Yeger		
Indexes:			
Attachments:	1. Summary of Int. No. 1168-A, 2. Summary of Int. No. 1168, 3. Int. No. 1168, 4. October 17, 2018 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 10-17-2018, 6. Minutes of the Stated Meeting - October 17, 2018, 7. Proposed Int. No. 1168-A - 11/14/18		

Date	Ver.	Action By	Action	Result
10/17/2018	*	City Council	Introduced by Council	
10/17/2018	*	City Council	Referred to Comm by Council	
12/31/2021	A	City Council	Filed (End of Session)	

Proposed Int. No. 1168-A

By Council Members Salamanca, Kallos and Yeger

A Local Law to amend the administrative code of the city of New York, in relation to extending the call-up deadlines for review of revocable consents for sidewalk cafes.

Be it enacted by the Council as follows:

Section 1. Subdivisions g and h of section 20-225 of the administrative code of the city of New York are amended to read as follows:

g. Within [twenty] 40 days of the date the petition is received by the council pursuant to subdivision f of this section, the council may resolve by the majority vote of all council members to review the petition. If the council does not so resolve, the approval of the petition by the department shall be forwarded to the mayor for approval pursuant to subdivision i of this section, unless, in accordance with that subdivision, the petition is one for which the mayor has determined that separate and additional mayoral approval is not required.

h. If the council resolves to review a petition pursuant to subdivision g of this section, the council shall

hold a public hearing, after giving public notice not less than five days in advance of such hearing. The council shall take final action on the petition and shall file with the mayor its resolution, if any, with respect to the petition, except that if, in accordance with subdivision i of this section, the petition is one for which the mayor has determined that separate and additional mayoral approval is not required, the council shall file its resolution with the department. Such filing of the resolution shall take place within [fifty] 60 days of the filing of the petition with the council pursuant to subdivision f of this section. The affirmative vote of a majority of all the council members shall be required to approve, approve with modifications or disapprove the petition. Any modifications by the council shall not affect the terms of any proposed revocable consent agreement which relate to term, compensation, revocability, exclusivity, security, insurance, indemnification, erection, maintenance or removal of any structure, right of access by the city and rights of abutting property owners. If within the time period provided for in this subdivision, the council fails to act or fails to act by the required vote on a petition, the council shall be deemed to have approved the petition.

§ 2. Subdivisions e and f of section 20-226 of the administrative code of the city of New York are amended to read as follows:

e. Within [twenty] 40 days of the date the petition is received by the council pursuant to subdivision c of this section, the council may resolve by majority vote of all the council members to review the petition. If the council does not so resolve, the approval of the petition by the department shall be forwarded to the mayor for approval pursuant to subdivision g of this section, unless, in accordance with that subdivision, the petition is one for which the mayor has determined that separate and additional mayoral approval is not required.

f. If the council resolves to review a petition pursuant to subdivision e of this section, the council shall hold a public hearing, after giving public notice not less than five days in advance of such hearing. The council shall take final action on the petition and shall file with the mayor its resolution, if any, with respect to the petition, except that if, in accordance with subdivision g of this section, the petition is one for which the mayor has determined that separate and additional mayoral approval is not required, the council shall file its resolution

with the department. Such filing of the resolution shall take place within [fifty] 60 days of the filing of the petition with the council pursuant to subdivision c of this section. The affirmative vote of a majority of all the council members shall be required to approve, approve with modifications or disapprove the petition. Any modification by the council shall not affect the terms of any proposed revocable consent agreement which relate to term, compensation, revocability, exclusivity, security, insurance, indemnification, erection, maintenance or removal of any structure, right of access by the city and rights of abutting property owners. If within the time period provided for in this subdivision, the council fails to act or fails to act by the required vote on a petition, the council shall be deemed to have approved the petition. If within the time period provided for in this subdivision, the council approves the petition with modifications, the petitioner shall accept such modifications within fifteen days of such approval, or the council shall be deemed to have denied the petition.

§ 3. This local law takes effect 60 days after it becomes law.

JHC
LS #8062
11/14//2018

powered by Legistar™