

SUPPLEMENT TO

THE CITY RECORD

THE COUNCIL —STATED MEETING OF
WEDNESDAY, JULY 25, 2012

THE COUNCIL

*Minutes of the Proceedings for the
STATED MEETING
of
Wednesday, July 25, 2012, 3:06 p.m.*

The President Pro Tempore (Council Member Rivera)
Acting Presiding Officer

Council Members

Christine C. Quinn, Speaker

	Vincent J. Gentile	Rosie Mendez
Charles Barron	Sara M. Gonzalez	James S. Oddo
Gale A. Brewer	David G. Greenfield	Annabel Palma
Margaret S. Chin	Daniel J. Halloran III	Domenic M. Recchia, Jr.
Leroy G. Comrie, Jr.	Vincent M. Ignizio	Diana Reyna
Elizabeth S. Crowley	Robert Jackson	Joel Rivera
Inez E. Dickens	Letitia James	Ydanis A. Rodriguez
Erik Martin Dilan	Peter A. Koo	Deborah L. Rose
Daniel Dromm	G. Oliver Koppell	James Sanders, Jr.
Mathieu Eugene	Karen Koslowitz	Eric A. Ulrich
Julissa Ferreras	Bradford S. Lander	James Vacca
Lewis A. Fidler	Jessica S. Lappin	Peter F. Vallone, Jr.
Helen D. Foster	Stephen T. Levin	James G. Van Bramer
Daniel R. Garodnick	Melissa Mark-Viverito	Mark S. Weprin
James F. Gennaro	Darlene Mealy	Jumaane D. Williams

Excused: Council Members Arroyo, Cabrera, Nelson, Seabrook, Vann and Wills.

The Majority Leader (Council Member Rivera) assumed the Chair as the President Pro Tempore and Acting Presiding Officer.

After being informed by the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the President Pro Tempore (Council Member Rivera).

There were 45 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, N.Y., N.Y. 10007.

INVOCATION

The Invocation was delivered by Rev. Susie Elliott, Mt. Paran Baptist Church, 1665 Broadway Brooklyn, NY 11207.

May we pray,
Our Father and our God,
we thank you, Lord,

For this day that you have given us,
We will rejoice and be glad in it.
We are grateful
for all that you have done for us,
that which you will do.
We thank you for the City Council
and every member and all
connected to the Council.
We ask that you would be
the guiding force for all the decision
made for this council
and that these decisions
will benefit the people
of this great city.
Bless now, Lord, as they go in session.
Guide, direct, and help them to remember
it is about the people they serve.
God, we give you glory,
we give you praise
and we give you honor.

Amen.

Council Member Dilan moved to spread the Invocation in full upon the Record.

At this point, the Speaker (Council Member Quinn) asked for a Moment of Silence in memory of the following individuals:

Eleven members of the Israeli Olympic team were taken hostage and killed by Palestinian terrorists forty years ago at the 1972 Munich Olympics. The Speaker (Council Member Quinn) asked for a moment of silence in their memory and to show the solidarity of this City and the Council with the State of Israel. She thanked a number of individuals who had visited the Council during the day for this moment of remembrance, including the Consul General of Israel to New York, Ido Aharoni and other members of the Consul's office, Rabbi Joseph Potasnik from the New York Board of Rabbis, and representatives from both the Jewish Community Relations Council of New York and the Metropolitan Council on Jewish Poverty. The Speaker (Council Member Quinn) noted that such moments of remembrances help recommit ourselves as Americans and international citizens in the quest to end terror and violence.

Twelve innocent people were killed and fifty-eight injured after a gunman opened fire in a crowded movie theater in Aurora, Colorado on July 20, 2012. The gunman was carrying legally obtained automatic weapons and ammunition including some of which he was able to purchase online. The Speaker (Council Member Quinn) offered the Council's thoughts and prayers to all those who were victims of the Aurora shooting and to all those who have been victims of gun violence in New York City this summer including four year old Lloyd Morgan, Jr., of the Bronx.

Sylvia Woods, 86, owner of the world renowned restaurant Sylvia's in Harlem, died on July 19, 2012. She was born in 1926 in segregated South Carolina, moved to New York, and worked as a hairdresser and a factory worker. In 1962, she bought the luncheonette that later bore her name on 127 Street and Lennox Avenue with some borrowed money and savings she and her late husband Herbert had accumulated. Her restaurant Sylvia's soon became a must-stop for locals, luminaries, politicians and tourists from around the world. She passed away at her home surrounded by her family. She leaves behind her four children, eighteen grandchildren, eleven great-grandchildren and two great-great grandchildren. At this point, the floor was yielded to the Assistant Majority Leader (Council Member Dickens) who spoke in fond memory of her friend, Ms. Sylvia Woods.

ADOPTION OF MINUTES

Council Member Ignizio moved that the Minutes of the Stated Meeting of June 13, 2012 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-851

Communication from the Mayor - Submitting the name of Richard Stabile to the Council for its advice and consent regarding his reappointment to the New York City Tax Commission.

July 3, 2012

The Honorable Christine C. Quinn
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Sections 31 and 153 of the City Charter, I am pleased to present again Richard Stabile to the City Council for advice and consent regarding his reappointment to the New York City Tax Commission.

Mr. Stabile is a resident of Queens, a Certified Public Accountant and a partner in the firm Stabile and Stabile. He earned a Bachelor of Arts degree in accounting from Queens College. When reappointed to the Tax Commission, Mr. Stabile will serve for the remainder of a six-year term that will expire on January 6, 2016.

Thank you to the City Council for reviewing this reappointment.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges & Elections.

M-852

Communication from the Mayor - Submitting the name of Kyriakos P. Tzanides to the Council for its advice and consent regarding his reappointment to the New York City Tax Commission.

July 3, 2012

The Honorable Christine C. Quinn
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Sections 31 and 153 of the City Charter, I am pleased to present again Kirk P. Tzanides to the City Council for advice and consent regarding his reappointment to the New York City Tax Commission.

Mr. Tzanides is a Brooklyn resident and a member of The Tzanides Law Firm.

He earned a Bachelor of Science degree from St. John's University, Notre Dame College, and a J.D. from St. John's University School of Law. When reappointed to the Tax Commission, Mr. Tzanides will serve for the remainder of a six-year term that will expire on January 6, 2016.

Thank you to the City Council for reviewing this reappointment.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges & Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-853

Communication from the Brooklyn Borough President - Submitting the name of Joseph Douek to the Council for its advice and consent regarding his appointment to the City Planning Commission, Pursuant to Section 192 of the City Charter.

June 29, 2012

Honorable Christine Quinn
New York City Council Speaker
250 Broadway — Suite 1856
New York, NY 10007

Dear Council Speaker Quinn:

I am writing to inform you that, pursuant to Section 192 of the New York City Charter, I have appointed Joseph Douek to serve as a member of the New York City Planning Commission effective July 1, 2012 for a term of five years.

Mr. Douek is the CEO of Willoughby's Konica Imaging Center and serves as a Board Member for the NYC Industrial Development Agency and the New York City Economic Development Corporation. He founded a wholesale photographic distributor which has grown to become one of the largest photographic distributors in the country. As an avid promoter of business throughout the borough, I am confident that his skills and background will make him a stellar addition as the Brooklyn representative for the City Planning Commission.

Sincerely,
Marty Markowitz

Referred to the Committee on Rules, Privileges & Elections.

M-854

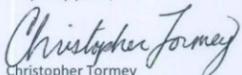
Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license LTM Global Car Services, Council District 20, pursuant to Section 19-511(i), of the administrative code of the city of New York.

NEW (5)	LICENSE #	COUNCIL DISTRICT
LTM Global Car Services	B02555	20
Manida Car Service	B02538	17
Mott Express Service Inc.	B02559	31
New Jubilee Car Service Inc.	B02553	19
X Radio Dispatcher Inc.	B02546	17
RENEWALS (4)	LICENSE #	COUNCIL DISTRICT
Active Express Car & Limousine Service	B01552	46
Double A Car Service Inc.	B02301	49
La Morenita Car & Limousine Service Inc.	B02315	48

Triple D Car & Limousine Service Inc.	B02338	28
RELOCATIONS (4):	LICENSE #	COUNCIL DISTRICT
Boerum Hill Car & Limousine Service Inc.	B02337	33
Safari Transportation Inc.	B02288	36
Taveras Family Group D/b/a Kings of Queens Car & Limousine Service	B02402	28
Tiffany's Car Service Inc.	B02462	20

The complete application packages compiled for the above bases are available for your review upon request. If you wish to receive a copy please contact Ms. Michelle Lange, Business Licensing Unit, at langem@tlc.nyc.gov. Please find enclosed herein the original applications for the approved base stations.

Very truly yours,



Christopher Tormey
Director of Applicant Licensing
Licensing & Standards Division
Taxi & Limousine Commission

DIAL 311 – Government Services and Information for NYC
www.nyc.gov/tlc
Printed on paper containing 30% post-consumer material.

Referred to the Committee on Transportation.

M-855

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Manida Car Service, Council District 17, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-856

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Mott Express Service Inc., Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-857

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license New Jubilee Car Services Inc., Council District 19, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-858

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license X Radio Dispatcher Inc., Council District 17, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-859

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Active Express Car & Limousine Service, Council District 46, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-860

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Double A Car Service Inc., Council District 49, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-861

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license La Morenita Car & Limousine Service Inc., Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-862

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Triple D Car & Limousine Service Inc., Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-863

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Go Car Corp., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-864

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station license Boerum Hill Car & Limousine Service Inc., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-865

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station license Tiffany's Car Service Inc., Council District 19, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-866

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station license Safari Transportation Inc., Council District 36, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-867

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station license Taveras Family Group D/b/a Kings of Queens Car & Limousine Service, Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-854 printed in this Communications from City, County & Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

LAND USE CALL UPS

M-868

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 11 Carmine St., CB 2, Application no. 20125522 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-869

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 512 West 23rd Street. CB 4, Application no. C 120177 PCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-870

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 57 Greenwich St., CB 2, Application no. 20125742 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-871

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 125 MacDougal Street, CB 2, Application no. 20125689 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-872

By Council Member Lander:

Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 320 Court Street, Borough of Brooklyn, Committee Board no. 6, Application 20125549 TCK shall be subject to review by the Council.

Coupled on Call-Up Vote

M-873

By Council Member Van Bramer:

Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 42-02 Broadway, Astoria, Doyle's Corner Borough of Queens, Committee Board no. 1, Application 20125699 TCQ shall be subject to review by the Council.

Coupled on Call-Up Vote

LAND USE CALL UP VOTE

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such motions which were decided in the **affirmative** by the following vote:

Affirmative – Barron, Brewer, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Palma, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone Jr., Van Bramer, Weprin, Williams, Oddo, Rivera and the Speaker (Council Member Quinn) – **45**.

At this point, the President Pro Tempore (Council Member Rivera) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Finance

At this point the Speaker (Council Member Quinn) announced that the following items had been preconsidered by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 1438

Report of the Committee on Finance in favor of approving a Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

The Committee on Finance, to which the annexed resolution was referred on July 25, 2012, respectfully

REPORTS:

Introduction. The Council of the City of New York (the "Council") annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 28, 2012, the Council adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"). On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget"). On June 29, 2010, the Council adopted the expense budget for fiscal year 2011 with various programs and initiatives (the "Fiscal 2011 Expense Budget").

Analysis. This Resolution, dated July 25, 2012, amends the description for the Description/Scope of Services for Brooklyn Legal Services Corporation A, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$50,000 within the Department of Housing Preservation and Development, to read: "Funds will be used to sustain and expand its widely acclaimed Group Representation Unit. The Unit's staff provides critically needed legal support for a network of 15 full-time tenant organizers operating out of 6 community housing organizations. With increased resources we will be able to effect change in the communities we serve, drastically decreasing discriminatory housing practices and preserving *as many* affordable units *as possible* to ensure the continuing availability of this housing for low income individuals and families."

Additionally, this Resolution amends the description for the Description/Scope of Services for The Maspeth Town Hall, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$9,500 within the Department of Youth and Community Development. Funding for this organization will now be provided through the Department for the Aging and this Resolution amends the Description/Scope of Services to read "MTH offers a variety of energizing and stimulating classes for the 55 years and older. Our Gentle Chair Yoga classes will give our seniors the opportunity to exercise their minds and body, increase their strength, balance and concentration skills."

Also, this Resolution amends the description for the Description/Scope of Services for Staten Island Economic Development Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$80,000 within the Department of Small Business Services to read "\$60,000 will be used to support the continuation of the South Shore Merchant Program (SSM P). The primary purpose of the SSM P is to enhance the commercial districts of Annadale, Eltingville Great Kills \$20,000 will be used to support the Annual Business Development Conference."

Moreover, this Resolution amends the description for the Description/Scope of Services for St. Rosalia-Regina Pads Neighborhood Improvement Association, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$9,500 within the Department for the Aging, to read "Funding will support NIA which offers assistance, referrals and informational services and sponsors special events/ social gatherings that include senior proms and senior picnics. Also, funding will support NIA staff visits to senior centers per schedule to support and enhance their activities assisting with social fitness activities and distribute informational materials that address relevant issues and promote healthy living."

Additionally, this Resolution amends the description for the Description/Scope of Services for Research Foundation of the City University of New York, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$20,000 within the City University of New York, to read "To bring a part-time attorney to the district office to assist people with immigration issues, such *as* adjustment of status, applying for citizenship and permanent residency, as well as other legal concerns."

Further, this Resolution amends the description for the Description/Scope of Services for Dutch Kills Civic Association, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the

amount of \$6,000 within the Department of Youth and Community Development, to read "Our Association provides a Children's Summer Entertainment Series during the summer, which includes shows and concerts. Funds will also be used for general operating support for monthly meetings."

Also, this Resolution adds a description for the Description/Scope of Services for The Department of Parks and Recreation, an agency receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$12,000, to read "Funds will be used to hire 2 playground associates — 1 each for Brevoort and Lincoln Park Terrace playgrounds."

Moreover, this Resolution amends the description for the Description/Scope of Services for Midwood Development Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$14,641 within the Department of Youth and Community Development, to read: "Funds will be used to support "Project Sweep" supplemental cleaning in Bensonhurst."

Also, this Resolution amends the description for the Description/Scope of Services for Horticultural Society Of New York, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$10,000 within the Department of Youth and Community Development, to read: "Funds will be used to pay for expenses and supplies used for service and maintenance of green spaces in Council District #32."

Additionally, this Resolution amends the description for the Description/Scope of Services for Bedford Stuyvesant Restoration Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$75,000 within the Department of Small Business Services, to read: "To fund the efforts of the Coalition for the Improvement of Bedford Stuyvesant (CI BS) including workforce development, foreclosure intervention, housing and financial education."

Further, this Resolution amends the description for the Description/Scope of Services for Chinese American Planning Council, Inc., an organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$4,000 within the Department of Youth and Community Development, to read: "Supplement staff training, including CPR/First Aid *as* required by the Department of Health and Mental Hygiene, and to cover school and art supplies for OST program at PS 20."

Moreover, this Resolution also approves new designations and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, and approves the new designations and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in such budget. This Resolution also approves new designations and changes in the designation of certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2012 Expense Budget.

Also, this Resolution changes the EIN for the First Baptist Church of Corona NY, an organization receiving funding in the Fiscal Year 2010 Expense Budget adopted on June 19, 2009 from 31-1767167 to 11-2009943.

In an effort to continue to make the budget process more transparent, the Council is also providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging, and youth discretionary funding in the Fiscal 2013 Expense Budget, *as well as* new designations and/or changes in the designation of certain organizations to receive funding pursuant to certain initiatives in the Fiscal 2012 Expense Budget.

This resolution sets forth new designations and specific changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2013 Expense Budget, *as described* in Chart 1; sets forth new designations and changes in the designation of aging discretionary funding pursuant to the Fiscal 2013 Expense Budget, *as described* in Chart 2; sets forth new designations and changes in the designation of youth discretionary funding pursuant to the Fiscal 2013 Expense Budget, *as described* in Chart 3; sets forth the new designations and changes in the designation of certain organizations that will receive funding pursuant to certain initiatives in the Fiscal 2013 Expense Budget, *as described* in Charts 4-22; sets forth the new designations and changes in the designation of aging discretionary funding pursuant to the Fiscal 2012 Expense Budget, *as described* in Chart 23; sets forth the new designations and changes in the designation of certain organizations that will receive funding pursuant to a certain initiative in the Fiscal 2012 Expense Budget, *as described* in Chart 24; sets forth the new designations and changes in the designation of youth discretionary funding pursuant to the Fiscal 2011 Expense Budget, *as described* in Chart 25.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/ Fiscal 2013 Expense Budget, dated June 28, 2012, the Adjustments Summary/Schedule C/ Fiscal 2012 Expense Budget, dated June 29, 2011, and the Adjustments Summary/Schedule C/ Fiscal 2011 Expense Budget, dated June 29, 2010.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 2 sets forth the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 3 sets forth the new designation and changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 4 sets forth the new designation of certain organizations receiving funding pursuant to the MWBE Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 5 sets forth the new designation of certain organizations receiving funding pursuant to the Community Consultants Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 6 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 7 sets forth the new designation of certain organizations receiving funding pursuant to the Anti-Eviction and SRO Legal Services Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 8 sets forth the new designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 9 sets forth the new designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 10 sets forth the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 11 sets forth the new designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 12 sets forth the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Health and Mental Hygiene in accordance with the Fiscal 2013 Expense Budget.

Chart 13 sets forth the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Youth and Community Development in accordance with the Fiscal 2013 Expense Budget.

Chart 14 sets forth the new designation of certain organizations receiving funding pursuant to the Social Adult Day Care Programs in accordance with the Fiscal 2013 Expense Budget.

Chart 15 sets forth the new designation of a certain organization receiving funding pursuant to the YMCA After-School Program Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 16 sets forth the new designation of certain organizations receiving funding pursuant to the Out of School Time Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 17 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 18 sets forth the new designation of certain organizations receiving funding pursuant to the Senior Centers and Programs Restoration Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 19 sets forth the new designation of certain organizations receiving funding pursuant to the Runaway and Homeless Youth PEG Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 20 sets forth the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 21 sets forth the new designation of certain organizations receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 22 sets forth the new designation of certain organizations receiving funding pursuant to the Early Learn/Childcare Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 23 sets forth the new designation and changes in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2012 Expense Budget.

Chart 24 sets forth the new designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2012 Expense Budget.

Chart 25 sets forth the new designation and changes in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2011 Expense Budget.

It is to be noted that organizations identified in the attached Charts with an asterisk (*) have not yet completed or began the prequalification process conducted by the Mayor's Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

It should be further noted that funding for organizations in the attached Charts with a double asterisk (***) will not take effect until the passage of a budget modification.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2013,

2012, Fiscal 2011, and Fiscal 2010 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1438:)

Res. No. 1438

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Members Recchia, Koslowitz, Palma and Wills.

Whereas, On June 28, 2012 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, On June 29, 2011 the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new designation and changes in the designation of a certain organization receiving aging discretionary funding in accordance with the 2012 Expense Budget; and

Whereas, On June 29, 2010 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2011 with various programs and initiatives (the "Fiscal 2011 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2011 Expense Budget by approving the new designation and changes in the designation of a certain organization receiving youth discretionary funding in accordance with the 2011 Expense Budget; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Brooklyn Legal Services Corporation A, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$50,000 within the Department of Housing Preservation and Development, to read: "Funds will be used to sustain and expand its widely acclaimed Group Representation Unit. The Unit's staff provides critically needed legal support for a network of 15 full-time tenant organizers operating out of 6 community housing organizations. With increased resources we will be able to effect change in the communities we serve, drastically decreasing discriminatory housing practices and preserving as many affordable units as possible to ensure the continuing availability of this housing for low income individuals and families."; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for The Maspeth Town Hall, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$9,500 within the Department of Youth and Community Development. Funding for this organization will now be provided through the Department for the Aging and this Resolution amends the Description/Scope of Services to read "MTH offers a variety of energizing and stimulating classes for the 55 years and older. Our Gentle Chair Yoga classes will give our seniors the opportunity to exercise their minds and body, increase their strength, balance and concentration skills."; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Staten Island Economic Development Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$80,000 within the Department of Small Business Services to read "\$60,000 will be used to support the continuation of the South Shore Merchant Program (SSMP). The primary purpose of the SSMP is to enhance the commercial districts of Annadale, Eltingville Great Kills. \$20,000 will be used to support the Annual Business Development Conference."; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for St. Rosalia-Regina Pacis Neighborhood Improvement Association, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$9,500 within the Department for the Aging, to read: "Funding will support NIA which offers assistance, referrals and informational services and sponsors special events/ social gatherings that include senior proms and senior picnics. Also, funding will support NIA staff visits to senior centers per schedule to support and enhance their activities assisting with social fitness activities and distribute informational materials that address relevant issues and promote healthy living."; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Research Foundation of the

City University of New York, , Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2012 Expense Budget in the amount of \$20,000 within the City University of New York, to read: “To bring a part-time attorney to the district office to assist people with immigration issues, such as adjustment of status, applying for citizenship and permanent residency, as well as other legal concerns.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new Description/Scope of Services for Dutch Kills Civic Association, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$6,000 within the Department of Youth and Community Development, to read: “Our Association provides a Children’s Summer Entertainment Series during the summer, which includes shows and concerts. Funds will also be used for general operating support for monthly meetings.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for The Department of Parks and Recreation, an agency receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$12,000, to read: “Funds will be used to hire 2 playground associates - 1 each for Brevoort and Lincoln Park Terrace playgrounds.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new Description/Scope of Services for Midwood Development Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$14,641 within the Department of Youth and Community Development, to read: “Funds will be used to support “Project Sweep” supplemental cleaning in Bensonhurst.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Horticultural Society Of New York, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$10,000 within the Department of Youth and Community Development, to read: “Funds will be used to pay for expenses and supplies used for service and maintenance of green spaces in Council District #32.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Bedford Stuyvesant Restoration Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$75,000 within the Department of Small Business Services, to read: “To fund the efforts of the Coalition for the Improvement of Bedford Stuyvesant (CIBS) including workforce development, foreclosure intervention, housing and financial education.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new Description/Scope of Services for Chinese American Planning Council, Inc., an organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$4,000 within the Department of Youth and Community Development, to read: “Supplement staff training, including CPR/First Aid as required by the Department of Health and Mental Hygiene, and to cover school and art supplies for OST program at PS 20.”;

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new EIN for the First Baptist Church of Corona NY, an organization receiving funding in the Fiscal Year 2010 Expense Budget adopted on June 19, 2009 to 11-2009943; now, therefore be it

Resolved, That the City Council approves the new Description/Scope of Services for certain organizations receiving local aging, and youth discretionary funding in the Fiscal 2013 Expense Budget; and be it further

Resolved, That the City Council approves the new EIN for the First Baptist Church of Corona NY, an organization receiving funding in the Fiscal Year 2010 Expense Budget adopted on June 19, 2009 to 11-2009943; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MWBE Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Community Consultants Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Eviction and SRO Legal Service Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Health and Mental Hygiene in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Youth and Community Development in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Youth and Community Development in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Social Adult Day Care Programs Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the YMCA After-School Program Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Out of School Time Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Senior Centers and Programs Restoration, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Runaway and Homeless Youth PEG Restoration Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Early Learn/Childcare Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2011 Expense Budget, as set forth in Chart 25.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agcy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Feminas	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	13-2738818	DYCD	\$7,500.00	260	005		
Feminas	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	13-2738818	DYCD	\$7,500.00	260	005		
Feminas	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	13-2738818	DYCD	\$7,500.00	260	005		
Feminas	Department of Sanitation **	13-4400434	DSNY	\$1,085.00	827	109		
Feminas	Neighborhood Housing Services of Northern Queens **	13-3096397	HPD	\$2,500.00	808	009		
Feminas	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	13-2738818	DYCD	\$5,815.00	260	005		
Feminas	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	11-5553172	DYCD	\$2,415.00	260	005		
Feminas	League for Better Community Life, Inc.	14-1006897	DYCD	\$5,000.00	260	005		
Feminas	First Baptist Church of Corona NY, Inc.	31-1767167	DYCD	\$5,000.00	260	005		
Feminas	First Baptist Church of Corona NY, Inc.	11-2006843	DYCD	\$5,000.00	808	009		
Feminas	Neighborhood Housing Services of East Flatbush, Inc.	13-3096397	HPD	\$15,000.00	808	009		
Feminas	Neighborhood Housing Services of Bedford-Stuyvesant Inc.	13-3096397	HPD	\$15,000.00	808	009		
GC	Comuniflife Inc. **	13-3530299	DYCD	\$50,000.00	818	121		
Vivindo	Los Plenarios De La 21, Inc.	13-3530299	DOHMH	\$50,000.00	818	121		
Vivindo	Uplifted Dance Academy	13-3891881	DCLA	\$1,000.00	128	003		
Vivindo	Amigos del Museo del Barrio	23-1957720	DCLA	\$1,000.00	128	003		
Vivindo	City Artists, Inc.	13-2786701	DCLA	\$500.00	128	003		
Vivindo	El Taller Latinoamericano	13-3174442	DCLA	\$500.00	128	003		
Vivindo	Latino International Theater Festival of New York, Inc.	13-3174442	DCLA	\$500.00	128	003		
Vivindo	Women in Need, Inc.	13-1644777	DYCD	\$5,000.00	260	312		
Vivindo	New York City AIDS Housing Network (NYCAHN)	13-4064385	DYCD	\$5,000.00	260	312		
Crowley	Maspeth Town Hall, Inc. **	23-2597702	DFTA	\$9,500.00	125	003		
Quinn	Maspeth Town Hall, Inc. **	23-2597702	DFTA	\$9,500.00	125	003		
Quinn	Friends of Vesuvio Playground	13-3581637	DPH	\$3,500.00	848	006		
Ulrich	Bobbi and the Strays, Inc. **	11-3444285	DYCD	\$5,000.00	260	005		
Ulrich	Queens Jewish Community Council, Inc. **	23-1772152	DFTA	\$5,000.00	125	003		
Rose	City Harvest, Inc. **	13-3170976	DYCD	\$3,500.00	260	005		
Rose	God's Love We Deliver, Inc. **	13-3386846	DOHMH	\$3,500.00	818	112		
Rose	City Harvest, Inc.	13-3170976	DYCD	\$3,500.00	260	005		
Rose	God's Love We Deliver, Inc.	13-3386846	DOHMH	\$3,500.00	818	112		
Rose	City Harvest, Inc.	13-3170976	DYCD	\$3,500.00	260	005		
Rose	God's Love We Deliver, Inc.	13-3386846	DOHMH	\$3,500.00	818	112		
CC	Through Neck Little League	13-2821492	DOHMH	\$300,000.00	818	113		
CC	National Institute for Reproductive Health, Inc.	13-3032257	DOHMH	\$300,000.00	818	113		

* Indicates pending completion of pre-qualification review.
 ** Requires a budget modification for the changes to take effect

CHART 1: Local Initiatives - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agcy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
CC	Bhai Erhi Hill Foundation, Inc. at Brooklyn College **	11-6032533	CUNY	\$25,000.00	042	001		
CC	Bhai Erhi Hill Foundation, Inc. at Brooklyn College **	11-6032533	DYCD	\$25,000.00	260	005		
Vinn	Bedford Stuyvesant Restoration Corporation	13-3634076	DYCD	\$1,000.00	125	003	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vinn	Bedford Stuyvesant Restoration Corporation	13-3634076	DFTA	\$1,000.00	125	003	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vinn	Cross Heights North Association **	20-0006933	DYCD	\$8,000.00	260	005		
Donna	Dono Fund, Inc. **	13-3412540	DHS	\$2,000.00	071	200		
Donna	Queens Community House, Inc.	11-2375583	DYCD	\$1,000.00	260	005		
Donna	Queens Lesbian and Gay Pride Committee, Inc.	11-3146598	DYCD	\$2,000.00	260	005		
Donna	Chrysa Community Development Corporation **	11-3586935	DYCD	\$5,000.00	260	005		
CC	Ridgewood Bushwick Senior Citizens Council, Inc. **	11-2453953	DFTA	\$300,000.00	125	003		
CC	Ridgewood Bushwick Senior Citizens Council, Inc. **	11-2453953	DYCD	\$300,000.00	260	005		
Ulrich	Corporal John Ruff Post No. 632, American Legion, Inc.	11-6104896	DYCD	\$5,000.00	260	005		
Ulrich	Corporal John Ruff Post No. 632, American Legion, Inc.	11-6104896	DYCD	\$5,000.00	260	005		
Ulrich	Info-Caribbean Alliance, Inc. **	27-2648254	DYCD	\$5,000.00	260	005	Greater Woodhaven Development Corporation	11-2509190
Vinn	Forest Park, Inc. **	31-1558845	DPH	\$5,000.00	848	006		
Vinn	First Baptist Church Community Services Inc.	26-2101910	DYCD	\$5,000.00	260	005		
Vinn	First Baptist Church Community Services Inc.	26-2101910	DYCD	\$5,000.00	260	005		
Donna	Queens Community House, Inc.	11-2375583	DFTA	\$5,000.00	125	003		
Donna	Queens Community House, Inc.	11-2375583	HPD	\$5,000.00	808	009		
Mealy	Universal Black Family Awareness Inc. **	20-0327295	DYCD	\$15,000.00	260	312		
Mealy	Nia Theatrical Production Company, Inc. **	11-3427470	DCLA	\$15,000.00	128	003		
Vinn Brammer	Sunnyside Gardens Preservation Alliance, Inc. The	54-2143785	DYCD	\$3,500.00	260	005		
Dorena	Sunnyside Gardens Preservation Alliance, Inc. The	54-2143785	DYCD	\$3,500.00	260	005		
Dorena	Song of Solomon: An Inspirational Ensemble, Inc.	13-4185989	DYCD	\$6,000.00	260	312		
Dorena	Palladia, Inc.	23-7088380	DYCD	\$6,000.00	260	005		
Dorena	Greater Zion HB Community Action Network, Inc. **	81-0638384	DYCD	\$6,500.00	801	002		
Dorena	Haitian Business Alliance, Inc. **	13-3591350	DSBS	\$6,500.00	801	002		
Eugene	Brooklyn Aquarium Society, Inc. **	11-2461838	DYCD	\$4,000.00	260	312		
Eugene	Wildlife Conservation Society **	13-7280011	DCLA	\$4,000.00	128	003		
Baron	NYC East New York Inc.	11-1959797	DYCD	\$2,500.00	260	005		
Baron	Bedford Stuyvesant Volunteer Ambulance Corps **	20-0329544	FNNY	\$2,500.00	260	312		
Baron	Men Upl, Inc. **	11-2957888	FNNY	\$2,500.00	260	312		
Halleon	Brain Tumor Foundation, The **	13-4008929	DOHMH	\$7,000.00	816	113		
Halleon	Pogorzelski Institute **	11-1635524	DCLA	\$3,500.00	128	003		
Halleon	Center for the Women of New York, Inc. The **	11-2878688	DYCD	\$3,500.00	260	005		

* Indicates pending completion of pre-qualification review.
 ** Requires a budget modification for the changes to take effect

CHART 1: Local Initiatives - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agcy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Vacca	Palham Parkway Little League	13-3206259	DYCD	\$3,000.00	260	312	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	Palham Parkway Little League	13-3206259	DYCD	\$3,000.00	260	312	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	Santa Maria Seniors Association	13-2892386	DFTA	\$1,000.00	125	003	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	Santa Maria Seniors Association	13-2892386	DFTA	\$1,000.00	125	003	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	Through Neck Little League	13-2821492	DYCD	\$2,000.00	260	005	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vinn	Through Neck Little League	13-2821492	DYCD	\$2,000.00	260	005	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vinn	Bridge Street Development Corporation **	11-3207072	DYCD	\$15,000.00	260	005		
Vinn	Bedford Stuyvesant Restoration Corporation **	11-6034076	DSBS	\$15,000.00	801	002		
Oddo	Corporal Allen F. Kwiehan Korean War Veterans Association, Inc.	13-3634076	DFTA	\$2,500.00	125	003		
Oddo	Lifesaver for the Disabled, Inc.	13-3740011	DFTA	\$4,000.00	125	003		
Oddo	Council of Jewish Organizations of Staten Island, Inc.	13-3525474	DFTA	\$4,000.00	125	003		
Oddo	Staten Island Aid for Retarded Children (SIRC) Community (SIRC)	13-6660799	DYCD	\$5,000.00	260	005		
Oddo	Staten Island Aid for Retarded Children (SIRC) Community (SIRC)	13-3525474	DFTA	\$5,000.00	125	003		
Oddo	122nd Precinct Council, Inc.	13-3271153	DYCD	\$3,500.00	260	005		
Oddo	Community Association For Jewish At-Risk Communities Inc.	66-2648778	DYCD	\$3,500.00	260	005		
Oddo	Animal Care and Control of New York City **	13-3788886	DOHMH	\$4,500.00	816	114		
Oddo	DOE District 31, Region 7 **	13-6400434	DOE	\$4,500.00	040	402		
Oddo	Anti-Gun Violence Initiative **	13-6400434	DOHMH	\$317,589.00	816	114		
Oddo	Anti-Gun Violence Initiative **	13-6400434	DOHMH	\$317,589.00	816	114		
Oddo	Professional Healthcare Institute, Inc. **	11-2777696	DSBS	\$147,589.00	801	002		
Oddo	Professional Healthcare Institute, Inc. **	13-3575492	DSBS	\$90,000.00	801	002		
Rodriguez	Working Today Inc. **	13-3858223	DOHMH	\$100,000.00	816	117		
Rodriguez	Albert Einstein College of Medicine of Yeshiva University	16-1624225	DYCD	\$2,000.00	260	005		
Rodriguez	Centro Alianza de Fe y Justicia	15-1785523	DYCD	\$2,000.00	260	005		
Rodriguez	Community League of the Heights, Inc.	25-2862441	DYCD	\$4,000.00	260	005		
Rodriguez	Community League of the Heights, Inc.	25-2862441	DYCD	\$4,000.00	260	005		
Rodriguez	Southwest African American Community Center, Inc. **	13-3271153	DYCD	\$500.00	816	125		
Rodriguez	Hispanic Federation, Inc. **	13-3184464	DOHMH	\$500.00	816	125		
Rodriguez	Marble Hill Nursery School **	13-1788130	DOHMH	\$5,000.00	816	120		
Rodriguez	Latino International Theater Festival of New York, Inc. **	51-0548894	DCLA	\$5,000.00	128	003		
Rodriguez	Washington Heights and Inwood Development Corporation **	13-2950346	DSBS	\$1,000.00	801	002		
Rodriguez	Saxrex Learning Center, Inc. **	27-1686344	DSBS	\$1,000.00	260	312		
CC	Hatrick-Martin Institute, Inc.	31-3104537	DYCD	\$225,000.00	260	005		
CC	Hatrick-Martin Institute, Inc.	31-3104537	DYCD	\$225,000.00	260	005		

* Indicates pending completion of pre-qualification review.
 ** Requires a budget modification for the changes to take effect

CHART 1: Local Initiatives - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agcy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Jackson	Palmetto Harlem, Inc.	80-0209989	HPD	\$15,000.00	806	009		
Jackson	Norham Manhattan Improvement Corporation	13-2972415	HPD	\$15,000.00	806	009		
Palma	Department of Parks and Recreation **	13-6400434	DPH	\$1,500.00	848	006		
Palma	New York City Housing Authority **	13-6400434	NYCHA	\$1,500.00	848	006		
Gentile	Department of Transportation	11-1727378	DOT	\$5,000.00	841	007		
Gentile	Congregation Shearith Israel of Bay Ridge	11-1727378	DYCD	\$5,000.00	260	005	Bay Ridge Benomunt Beautification Preservation Alliance Inc	11-3232323
Gentile	Congregation Shearith Israel of Bay Ridge	11-1727378	DYCD	\$2,000.00	260	005	Preservation Alliance Inc	11-3232323
Gentile	BrooklynONEtheater	26-2778716	DYCD	\$2,000.00	260	005		
Gentile	St. Rosalia-Regina Pious Neighborhood Improvement Association,	11-2697931	DYCD	\$2,000.00	260	312		
Gentile	Bela Voce Inc.	20-5086250	DCLA	\$1,500.00	128	003		
Gentile	Bela Voce Inc.	20-5086250	DCLA	\$1,500.00	128	003		
Gentile	Bay Ridge Benomunt Beautification Preservation Alliance Inc	20-5086250	DCLA	\$1,500.00	128	003		
Gentile	Bay Ridge Benomunt Beautification Preservation Alliance Inc	20-5086250	DCLA	\$1,500.00	128	003		
Gentile	Bay Ridge Benom							

CHART 5: Community Consultants - FY 2013 (Continued)

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Ridgewood Bushwick Senior Citizens Council, Inc.	11-2453853	HPD	\$30,000.00	806	009
Staten Island Center for Independent Living, Inc.	13-3266398	HPD	\$10,000.00	806	009
Strycker's Bay Neighborhood Council, Inc.	13-1943516	HPD	\$5,488.00	806	009
United Jewish Council of the East Side, Inc.	13-2735278	HPD	\$6,286.00	806	009
Vanguard Urban Improvement Association, Inc.	11-2442042	HPD	\$13,114.00	806	009
West Bronx Housing and Neighborhood Resource Center, Inc.	13-2941841	HPD	\$10,000.00	806	009
West Side Federation for Senior and Supportive Housing, Inc.	13-2926433	HPD	\$5,000.00	806	009
Woodside on the Move, Inc.	11-2455666	HPD	\$13,438.00	806	009

* Indicates pending completion of pre-qualification review.

CHART 5: Community Consultants - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Community Consultants	13-6400434	HPD	(\$415,000.00)	806	009
Belmont Arthur Avenue Local Development Organization	13-3020589	HPD	\$23,136.00	806	009
Brighton Neighborhood Association, Inc.	11-2435523	HPD	\$20,000.00	806	009
Brooklyn Housing and Family Services, Inc.	11-2412584	HPD	\$10,117.00	806	009
Central Astoria Local Development Coalition, Inc.	11-2662331	HPD	\$13,437.00	806	009
Housing Court Answers, Inc.	13-3317188	HPD	\$5,108.00	806	009
Clinton Housing Development Company, Inc.	13-2851988	HPD	\$5,000.00	806	009
Community League of the Heights, Inc.	13-2564241	HPD	\$9,296.00	806	009
El Barrio Operation Fight Back, Inc.	13-3248777	HPD	\$7,098.00	806	009
Eviction Intervention Services Homelessness Prevention, Inc.	13-3311582	HPD	\$5,462.00	806	009
Good Old Lower East Side, Inc.	13-2915659	HPD	\$11,510.00	806	009
Gowanus Canal Community Development Corporation	11-2498292	HPD	\$13,537.00	806	009
Greater Ridgewood Restoration Corporation	11-2362250	HPD	\$10,658.00	806	009
Harlem Congregations for Community Improvement, Inc.	13-3151626	HPD	\$10,000.00	806	009
Housing Conservation Coordinators, Inc.	51-0141468	HPD	\$7,755.00	806	009
Hudson Guild	13-5562989	HPD	\$5,000.00	806	009
Lenox Hill Neighborhood House, Inc.	13-1628180	HPD	\$5,000.00	806	009
MFY Legal Services, Inc.	13-2622748	HPD	\$7,468.00	806	009
Neighborhood Housing Services of East Flatbush, Inc.	13-3098397	HPD	\$20,000.00	806	009
Neighborhood Housing Services of Jamaica, Inc.	23-7398279	HPD	\$13,437.00	806	009
Neighborhood Housing Services of the North Bronx, Inc.	13-3098397	HPD	\$10,000.00	806	009
Neighborhood Initiatives Development Corporation (NIDC)	13-3110811	HPD	\$10,000.00	806	009
North Brooklyn Development Corporation	11-2555446	HPD	\$18,264.00	806	009
Northfield Community LDC of Staten Island, Inc.	13-2974137	HPD	\$15,860.00	806	009
Northwest Bronx Community and Clergy Coalition for Stairs and Brothas United	13-2806160	HPD	\$25,000.00	806	009
Neighborhood Association for Inter Cultural Affairs	13-2995128	HPD	\$10,000.00	806	009
Queens Community House, Inc.	11-2375583	HPD	\$13,437.00	806	009
Queensboro Council for Social Welfare, Inc.	11-1817497	HPD	\$13,114.00	806	009

* Indicates pending completion of pre-qualification review.

CHART 7: Anti Eviction and SRO Legal Services - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Anti Eviction and SRO Legal Services	13-6400434	HPD	(\$2,000,000.00)	806	011
Bedford Stuyvesant Community Legal Services Corporation	11-2149862	HPD	\$84,888.00	806	011
Brooklyn Legal Services Corporation A	13-2655599	HPD	\$83,074.00	806	011
Goddard Riverside Community Center	13-1893908	HPD	\$310,129.00	806	011
Legal Aid Society / Civil Division- Bronx	13-5562265	HPD	\$124,643.00	806	011
Legal Aid Society / Civil Division- Brooklyn	13-5562265	HPD	\$163,963.00	806	011
Legal Aid Society / Civil Division- Community Law Office	13-5562265	HPD	\$262,762.00	806	011
Legal Aid Society / Civil Division- Queens	13-5562265	HPD	\$93,750.00	806	011
Legal Aid Society / Civil Division- Staten Island	13-5562265	HPD	\$68,750.00	806	011
Legal Services NYC - Bronx	16-1759590	HPD	\$87,500.00	806	011
Legal Services NYC - Brooklyn Branch	13-2600199	HPD	\$57,716.00	806	011
Legal Services NYC - Manhattan Legal Services (Includes Harlem branch)	13-2613959	HPD	\$145,556.00	806	011
MFY Legal Services, Inc.	13-2622748	HPD	\$173,975.00	806	011
Northern Manhattan Improvement Corporation	13-2972415	HPD	\$80,409.00	806	011
Queens Legal Services Corporation	13-2605604	HPD	\$102,284.00	806	011
South Brooklyn Legal Services	13-2605605	HPD	\$160,571.00	806	011

* Indicates pending completion of pre-qualification review.

CHART 6: Housing Preservation Initiative - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Housing Preservation Initiative	13-6400434	HPD	(\$1,250,000.00)	806	009
Asian Americans for Equality	13-1817782	HPD	\$50,000.00	806	009
Belmont Arthur Avenue Local Development Organization	13-3020589	HPD	\$50,000.00	806	009
Bridge Street Development Corporation	11-3250772	HPD	\$50,000.00	806	009
Cypress Hills Local Development Corporation	11-2683663	HPD	\$50,000.00	806	009
Fifth Avenue Committee	11-2475743	HPD	\$50,000.00	806	009
Good Old Lower East Side, Inc.	13-2915659	HPD	\$50,000.00	806	009
Margaret Community Corporation	11-2534700	HPD	\$50,000.00	806	009
MHANY Management, Inc.	72-1303737	HPD	\$150,000.00	806	009
Neighborhood Housing Services of East Flatbush, Inc.	13-3098397	HPD	\$50,000.00	806	009
Neighborhood Housing Services of Jamaica, Inc.	23-7398279	HPD	\$100,000.00	806	009
Neighborhood Initiatives Development Corp.	13-3110811	HPD	\$50,000.00	806	009
Neighbors Helping Neighbors	11-3059958	HPD	\$50,000.00	806	009
New Settlement Apartments	14-1719016	HPD	\$100,000.00	806	009
Northern Manhattan Improvement Corporation	13-2972415	HPD	\$50,000.00	806	009
Pratt Area Community Council	11-2451752	HPD	\$50,000.00	806	009
Pueblo En Marcha	13-4010925	HPD	\$50,000.00	806	009
Ridgewood-Bushwick Senior Citizens Council	11-2453853	HPD	\$50,000.00	806	009
Southside United Housing Development Fund Corp.	11-2268359	HPD	\$50,000.00	806	009
Urban Justice Center	13-3442022	HPD	\$100,000.00	806	009
West Harlem Group Assistance	23-7169598	HPD	\$50,000.00	806	009

* Indicates pending completion of pre-qualification review.

CHART 9: Children under Five Initiative - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Children under Five Initiative	13-6400434	DOHMH	(\$1,250,000.00)	816	120
Albert Einstein College of Medicine of Yeshiva University	13-1624225	DOHMH	\$400,000.00	816	120
Child Center of New York, Inc., The	11-1733454	DOHMH	\$115,000.00	816	120
Jewish Board of Family and Children's Services, Inc. (aka Pride of Judaea)	13-5664937	DOHMH	\$75,000.00	816	120
OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	\$100,000.00	816	120
Safe Horizon, Inc.	13-2946870	DOHMH	\$100,000.00	816	120
Safe Space, Inc.	11-1711014	DOHMH	\$200,000.00	816	120
Staten Island Mental Health Society, Inc.	13-5623279	DOHMH	\$60,000.00	816	120
University Settlement Society of New York	13-5662374	DOHMH	\$200,000.00	816	120

* Indicates pending completion of pre-qualification review.

CHART 8: Autism Awareness - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Autism Awareness	13-6400434	DOHMH	(\$1,310,000.00)	816	121
Association for Metroarea Autistic Children	13-1974582	DOHMH	\$63,546.00	816	121
Eden II School for Autistic Children	13-2872916	DOHMH	\$42,364.00	816	121
Federation Employment and Guidance Service (FEGS), Inc.	13-1624000	DOHMH	\$63,546.00	816	121
Grace Foundation of New York	13-4131863	DOHMH	\$42,364.00	816	121
Hearthshare Human Services of New York	11-1633549	DOHMH	\$71,400.00	816	121
Imagine Foundation, Inc. (d/b/a Imagine Academy)	20-2336717	DOHMH	\$42,364.00	816	121
Jewish Board of Family and Children's Services, Inc. (aka Pride of Judaea)	13-5564937	DOHMH	\$71,400.00	816	121
Jewish Community Center of Staten Island, Inc., The	13-3407445	DOHMH	\$42,364.00	816	121
Job Path, Inc.	13-5622256	DOHMH	\$42,364.00	816	121
Labor and Industry for Education, Inc.	13-4038495	DOHMH	\$22,250.00	816	121
Lifespite, Inc.	11-4088055	DOHMH	\$42,364.00	816	121
Moshav-Montefiore Community Center, Inc.	13-2526022	DOHMH	\$78,053.00	816	121
My Time, Inc.	13-3622107	DOHMH	\$84,728.00	816	121
New York Families for Autistic Children, Inc.	68-0646329	DOHMH	\$42,364.00	816	121
NYSARC, Inc., NYC Chapter Association for Help of Retarded Children	11-3442879	DOHMH	\$49,800.00	816	121
OHEL Children's Home and Family Services, Inc.	13-5568746	DOHMH	\$42,364.00	816	121
Quality Services for the Autism Community (QSAC), Inc.	11-6078704	DOHMH	\$36,150.00	816	121
Rainigo for Children	11-2462974	DOHMH	\$49,800.00	816	121
Resources for Children with Special Needs, Inc.	13-5600422	DOHMH	\$44,962.00	816	121
Samuel Field YM & YWHA, Inc.	11-2947190	DOHMH	\$53,550.00	816	121
Shema Kolainu - Hear Our Voices	11-3071518	DOHMH	\$42,364.00	816	121
Shield of David, The (d/b/a Shield Institute, The)	11-3503085	DOHMH	\$35,700.00	816	121
Shorefront YM YWHA	13-1740041	DOHMH	\$65,775.00	816	121
Shergla	11-3070228	DOHMH	\$42,364.00	816	121
YAI/National Institute for People with Disabilities Network	13-1633444	DOHMH	\$35,700.00	816	121
YAI/National Institute for People with Disabilities Network	11-2030172	DOHMH	\$60,000.00	816	121

* Indicates pending completion of pre-qualification review.

CHART 11: Coalition of Theaters of Color - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Coalition of Theaters of Color	13-6400434	DCLA	(\$615,000.00)	126	003
Black Spectrum Theatre Company, Inc.	51-0135262	DCLA	\$85,000.00	126	003
Harlem Artist Development League Especially for You - H.A.D.L.E.Y. Players	13-3611138	DCLA	\$55,000.00	126	003
International Arts Relations, Inc.	23-7272492	DCLA	\$75,000.00	126	003
National Black Theatre Workshop, Inc.	13-2632596	DCLA	\$85,000.00	126	003
Negro Ensemble Company	13-6216904	DCLA	\$31,000.00	126	003
New Federal Theatre, Inc.	13-2814763	DCLA	\$75,000.00	126	003
New Heritage Theatre Group, Inc.	13-2683678	DCLA	\$75,000.00	126	003
Society of the Educational Arts, Inc.	11-3210593	DCLA	\$57,000.00	126	003
Thalia Spanish Theatre, Inc.	23-7448811	DCLA	\$77,000.00	126	003

* Indicates pending completion of pre-qualification review.

CHART 10: Geriatric Mental Health Initiative - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Geriatric Mental Health Initiative	13-6400434	DOHMH	(\$2,000,000.00)	816	120
Bridge, Inc., The	13-1919789	DOHMH	\$79,000.00	816	120
Bronx Jewish Community Council, Inc.	13-2744533	DOHMH	\$79,000.00	816	120
BronxWorks, Inc.	13-3244484	DOHMH	\$84,000.00	816	120
Catholic Charities Neighborhood Services, Inc.	11-2047151	DOHMH	\$84,000.00	816	120
Chinese American Planning Council, Inc.	13-6202692	DOHMH	\$84,000.00	816	120
East Side House, Inc.	13-1623889	DOHMH	\$79,000.00	816	120
Grand Street Settlement, Inc.	13-5562230	DOHMH	\$84,000.00	816	120
Hudson Guild	13-5629899	DOHMH	\$84,000.00	816	120
Institute for the Puerto Rican/Hispanic Elderly, Inc.	13-2987263	DOHMH	\$79,000.00	816	120
Jewish Association for Services for the Aged (JASA)	13-2620896	DOHMH	\$79,000.00	816	120
Jewish Board of Family and Children's Services, Inc. (aka Pride of Judaea)	13-5564937	DOHMH	\$84,000.00	816	120
Lenox Hill Neighborhood House, Inc.	13-1628180	DOHMH	\$84,000.00	816	120
OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	\$84,000.00	816	120
Project Hospitality, Inc.	13-3234441	DOHMH	\$79,000.00	816	120
Relief Resources, Inc.	52-2323151	DOHMH	\$40,000.00	816	120
Riverdale Mental Health Association, Inc.	13-1930700	DOHMH	\$118,000.00	816	120
Samuel Field YM & YWHA, Inc.	11-3071518	DOHMH	\$81,000.00	816	120
SBH Community Service Network, Inc. (Sephardic Bikur Cholim)	23-7406410	DOHMH	\$40,000.00	816	120
Service Program for Older People, Inc. (SPOP)	13-2947616	DOHMH	\$79,000.00	816	120
Services and Advocacy for GLBT Elders, Inc. (SAGE)	13-2947616	DOHMH	\$84,000.00	816	120
Spanish Speaking Elderly Council-RAICES	11-2730462	DOHMH	\$81,000.00	816	120
St. Barnabas Hospital	13-1740122	DOHMH	\$79,000.00	816	120
Sunnyside Community Services Center, Inc.	51-0188327	DOHMH	\$84,000.00	816	120
Upper Manhattan Health Center	13-3389470	DOHMH	\$79,000.00	816	120
Visiting Nurse Service of New York Home Care, Inc.	13-1624211	DOHMH	\$79,000.00	816	120

* Indicates pending completion of pre-qualification review.

CHART 14: Social Adult Day Care Programs - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Department for the Aging	13-6400434	DFTA	(\$400,000.00)	125	003
Riverdale Senior Services, Inc. - Riverdale Social Adult Day	23-7357987	DFTA	\$50,000.00	125	003
Lutheran Family Health Center's Family Support Center - Lutheran Social Adult Day	11-1839567	DFTA	\$50,000.00	125	003
Ridgewood Bushwick Senior Citizens Council, Inc. - Ridgewood Bushwick Social Adult Day	11-2453653	DFTA	\$50,000.00	125	003
Lenox Hill Neighborhood House, Inc. - Health Enhancements Social Adult Day	13-1628180	DFTA	\$50,000.00	125	003
Center Burden Center for the Aging, Inc., The - CV Starr Social Adult Day	23-7129499	DFTA	\$50,000.00	125	003
Selfhelp Community Services, Inc. - Selfhelp Social Adult Day	13-1624178	DFTA	\$50,000.00	125	003
Sunnyside Community Services Center, Inc. - Sunnyside Social Adult Day	51-0188327	DFTA	\$50,000.00	125	003
Jewish Community Center of Staten Island, Inc. - Jewish Community Center Social Adult Day	13-5562256	DFTA	\$50,000.00	125	003

* Indicates pending completion of pre-qualification review.

CHART 12: Anti-Gun Violence Initiative - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Anti-Gun Violence Initiative	13-6400434	DOHMH	(\$1,115,000.00)	816	114
Life Camp, Inc.	20-0814989	DOHMH	\$500,000.00	816	114
Life Camp, Inc.	20-0814989	DOHMH	\$15,000.00	816	120
Fund for the City of New York, Inc. - Center for Court Innovation	13-2612524	DOHMH	\$500,000.00	816	114
Richmond Medical Center d/b/a Richmond University Medical Center	74-3177454	DOHMH	\$100,000.00	816	114

* Indicates pending completion of pre-qualification review.

CHART 16: OST - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A *
BELL - PS 150 Christopher (K150)	04-3182053	DYCD	(\$50,000.00)	260	312
BELL - P.S. 284 Lew Wallace	04-3182053	DYCD	(\$50,000.00)	260	312
Brooklyn Children's Museum - Brooklyn Children's Museum	11-2455664	DYCD	(\$10,000.00)	260	312
Central Queens YM & YWHA, Inc. - Arrow Community Center	11-1633509	DYCD	(\$120,000.00)	260	312
Community Association of Progressive Dominicans - Middle School 254	13-3286145	DYCD	(\$6,500.00)	260	312
Community Counseling & Mediation - Ms 584 (K584)	11-2675243	DYCD	(\$6,500.00)	260	312
Community Counseling & Mediation - The School For Human Rights (K631)	11-2675243	DYCD	(\$97,500.00)	260	312
Good Shepherd Services - Elementary School For Math, Science, And Technology	13-5598710	DYCD	(\$200,000.00)	260	312
Mercy First - PS 124 Osmond A Church (Q124)	11-1635089	DYCD	(\$156,000.00)	260	312
Morningside Center for Teaching Social Responsibility, Inc. - PS 214 (X214)	13-3165340	DYCD	(\$68,000.00)	260	312
Police Athletic League, Inc. - Wynn Pal	13-5598811	DYCD	(\$20,000.00)	260	312
SCO Family of Services - PS 005 Dr. Ronald McNair (K005)	11-2777066	DYCD	(\$10,000.00)	260	312
SCO Family of Services - PS 081 Thaddeus Stevens (K081)	11-2777066	DYCD	(\$120,000.00)	260	312
The Children's Aid Society - Junior High School 098 - Herman Rider	13-5562191	DYCD	(\$169,000.00)	260	312
The Salvation Army of Greater New York - Bedford Community Center	01-3556235	DYCD	(\$20,000.00)	260	312
University Settlement Society of New York, Inc. - PS 219 Kennedy-King (K219)	13-5562374	DYCD	(\$20,000.00)	260	312
Woodcrest Center For Human Development - PS 073 Bronx (X073)	13-3184179	DYCD	(\$262,000.00)	260	312
Community Counseling & Mediation - School For Democracy and Leadership	11-2675243	DYCD	\$97,500.00	260	312
Madison Square Boys & Girls Club, Inc. - Columbus Club House Elementary	13-5596792	DYCD	\$68,000.00	260	312
Madison Square Boys & Girls Club, Inc. - Columbus Club House M.S.	13-5596792	DYCD	\$27,300.00	260	312
New Settlement Apartments - New Settlement Apartments	14-1719016	DYCD	\$200,000.00	260	312
Philps Community Development Corporation - The Edward A. Fogal School	13-2707665	DYCD	\$180,000.00	260	312
Ridgewood Bushwick Youth Center - Ridgewood Bushwick Youth Center	11-2518141	DYCD	\$96,000.00	260	312
Sports and Arts In Schools Foundation, Inc. - Mott Hall IV	11-3112635	DYCD	\$130,000.00	260	312
The Children's Aid Society - PS 211	13-5562191	DYCD	\$148,200.00	260	312
Woodycrest Center For Human Development - PS 126 - Dr. Marjorie H. Hunbar (X126)	13-3184179	DYCD	\$262,000.00	260	312
Young Women's Christian Association of the City of New York - Bedford Stuyvesant - PS 54	13-1624230	DYCD	\$176,500.00	260	312

* Indicates pending completion of pre-qualification review.

CHART 15: YMCA After-School Program - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A *
YMCA After-School Program	11-2030172	DYCD	(\$350,000.00)	260	312
Young Mens Christian Association of Greater New York	13-1624228	DYCD	\$350,000.00	260	312

* Indicates pending completion of pre-qualification review.

CHART 17: Dropout Prevention & Intervention - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UIA *
EI Puente	11-2614265	DOE	(\$7,400.00)	040	454
ENACT	13-3422660	DOE	(\$66,000.00)	040	454
Turnaround for Children	06-1495529	DOE	(\$44,800.00)	040	454
Good Shepherd Services	13-5598710	DOE	(\$37,400.00)	040	454
Institute for Student Achievement	11-2995109	DOE	(\$37,400.00)	040	454
Catholic Charities Community Services, Archdiocese of New York	13-5562185	DOE	\$30,000.00	040	454
Counseling In Schools, Inc.	13-3637647	DOE	\$30,000.00	040	454
East Side House Settlement, Inc.	13-1623989	DOE	\$30,000.00	040	454
Just.US, Inc.	13-2954007	DOE	\$30,000.00	040	454
Washington Heights-Inwood Coalition	13-29989768	DOE	\$30,000.00	040	454
St. Nick's Alliance Corporation	51-0192170	DOE	\$30,000.00	040	454

* Indicates pending completion of pre-qualification review.

CHART 16: OST - FY 2013 (Continued)

Organization	EIN Number	Agency	Amount	Agy #	UIA *
YMCA of Greater New York/Corporate - PS 154 Jonathan D Hyatt (X154)	13-1624228	DYCD	(\$262,000.00)	260	312
YMCA of Greater New York/Bronx - PS 154 Jonathan D Hyatt (X154)	13-1624228	DYCD	\$262,000.00	260	312
YMCA of Greater New York/Prospect Park - P.S. 57 Hubert Humphrey School	13-1624228	DYCD	(\$150,000.00)	260	312
YMCA of Greater New York/Staten Island - P.S. 57 Hubert Humphrey School	13-1624228	DYCD	\$150,000.00	260	312
YMCA of Greater New York/Prospect Park - PS 019 The Curtis School (R019)	13-1624228	DYCD	(\$218,000.00)	260	312
YMCA of Greater New York/Staten Island - PS 019 The Curtis School (R019)	13-1624228	DYCD	\$218,000.00	260	312
YMCA of Greater New York/Prospect Park - PS 044 Thomas C Brown (R044)	13-1624228	DYCD	(\$300,000.00)	260	312
YMCA of Greater New York/Staten Island - Public School 22 - Graniteville Elementary School	13-1624228	DYCD	\$300,000.00	260	312
YMCA of Greater New York/Staten Island - Public School 22 - Graniteville Elementary School	13-1624228	DYCD	\$300,000.00	260	312
Sports and Arts in Schools Foundation, Inc. - Young Women's Leadership School Of Brooklyn	11-3112635	DYCD	(\$39,000.00)	260	312
YMCA of Greater New York - North Brooklyn - Ymca Of Greater New York/Eastern District	13-1624228	DYCD	(\$63,000.00)	260	312
School Settlement Association - School Settlement Association	11-1646304	DYCD	\$102,000.00	260	312

* Indicates pending completion of pre-qualification review.

CHART 19: Runaway and Homeless Youth PEG Restoration - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UIA *
Runaway and Homeless Youth PEG Restoration	13-6400434	DYCD	(\$7,170,000.00)	260	312
All Forney Center - Crisis Shelter Beds	30-0104507	DYCD	\$206,262.00	260	312
All Forney Center - Crisis Shelter Beds	30-0104507	DYCD	\$620,620.00	260	312
All Forney Center - Brooklyn Drop-In Center and Auxiliary Services	30-0104507	DYCD	\$287,376.00	260	312
All Forney Center - Drop-In Center Services	30-0104507	DYCD	\$85,031.00	260	312
Covenant House New York/Under 21, Inc. - Crisis Shelter Beds	13-3076376	DYCD	\$974,176.00	260	312
Covenant House New York/LGBTQ - Crisis Shelter Beds	13-3076376	DYCD	\$173,960.00	260	312
Girls Educational and Mentoring Services (GEMS), Inc. - Transitional Independent Living Beds	13-4155972	DYCD	\$81,332.00	260	312
Good Shepherd Services - Transitional Independent Living Beds	13-5598710	DYCD	\$84,000.00	260	312
All Forney Center - Transitional Independent Living Beds	30-0104507	DYCD	\$504,000.00	260	312
Imelhu, Inc. - Rachel's Place-Transitional Living Beds	26-0774611	DYCD	\$83,000.00	260	312
Inwood House - Pregnant-Transitional Independent Living Beds	13-5562254	DYCD	\$501,084.00	260	312
Project Hospitality, Inc. - Transitional Independent Living Beds	13-3234441	DYCD	\$294,000.00	260	312
Project Hospitality, Inc. - Drop-In Center Services	13-3234441	DYCD	\$20,000.00	260	312
Safe Horizon, Inc. - Crisis Shelter Beds	13-2946970	DYCD	\$630,000.00	260	312
Safe Horizon, Inc. - Case Management Services	13-2946971	DYCD	\$6,633.00	260	312
Safe Horizon, Inc. - Uptown Manhattan Drop-In Center Services	13-2946970	DYCD	\$75,000.00	260	312
Safe Horizon, Inc. - 58th Street, Bronx, and Queens, Street outreach Services	13-2946971	DYCD	\$200,000.00	260	312
Safe Horizon, Inc. - 58th Street, Staten Island, and Brooklyn - Street Outreach Services	13-2946972	DYCD	\$200,000.00	260	312
Safe Space, Inc. - Transitional Independent Living Beds	11-1711014	DYCD	\$168,000.00	260	312
Safe Space, Inc. - Drop-In Center Services	11-1711015	DYCD	\$70,000.00	260	312
SCO Family of Services - Males	11-2777066	DYCD	\$280,000.00	260	312
SCO Family of Services - Mother and Child	11-2777066	DYCD	\$751,626.00	260	312
SCO Family of Services - Females, Mother, and Child	11-2777066	DYCD	\$369,900.00	260	312
SCO Family of Services - Females, Mother, and Child	11-2777066	DYCD	\$294,000.00	260	312
The Door - Drop-In Center Services	13-6127348	DYCD	\$70,000.00	260	312
Cardinal McCloskey Services - Drop-In Center Services	11-5234032	DYCD	\$70,000.00	260	312

* Indicates pending completion of pre-qualification review.

CHART 18: Senior Centers and Programs Restoration - FY 2013

Organization	EIN Number	Agency	Amount	Agy #	UIA *
Aging in America Community Services, Inc. - Gleebe Senior Center	13-4099045	DFTA	(\$1,194,665.00)	125	003
Jewish Community Council of Greater Coney Island, Inc. - Homecare Program	11-2665181	DFTA	\$86,891.00	125	003
Shorefront Jewish Community Council, Inc.	11-2666161	DFTA	\$47,396.00	125	003
Seniors Helping Seniors, Inc.	13-3111915	DFTA	\$62,630.00	125	003
Mapleton Midwood Community Mental Health Board	11-2524611	DFTA	\$39,225.00	125	003
Central Harlem Senior Citizens Coalition, Inc. - Abyssinian Senior Center	13-2754783	DFTA	\$8,333.00	125	003
Jewish Association for Services for the Aged (JASA) - Hollowood Senior Center	13-2620896	DFTA	\$51,667.00	125	003
Mid-Bronx Senior Citizens Council, Inc. - Concourse Plaza Wellness Center	23-754073	DFTA	\$60,000.00	125	003
Lutheran Family Health Center's Family Support Center - Shore Hill Senior Center	13-2620896	DFTA	\$60,000.00	125	003
Lutheran Family Health Center's Family Support Center - Shore Hill Senior Center	11-1839567	DFTA	\$23,333.00	125	003
Citizens Care Committee - Harlem Teams Senior Center	13-6179568	DFTA	\$40,000.00	125	003
COTHOA - Wilson M. Morris Senior Center	13-3608860	DFTA	\$20,000.00	125	003
East Side House, Inc. - Patterson Houses Senior Center	13-1623989	DFTA	\$60,000.00	125	003
Young Mens Christian Association of Greater New York - Gleebe Senior Center	13-1624228	DFTA	\$60,000.00	125	003
Presbyterian Senior Services - Ernle Franks Senior Center	13-1981482	DFTA	\$60,000.00	125	003
Regional Aid for Interim Needs, Inc. - Bailey Senior Center	13-6213586	DFTA	\$185,000.00	125	003
Regional Aid for Interim Needs, Inc. - Tolentine Zaiser Senior Center	13-6213586	DFTA	\$145,000.00	125	003
Spanish Speaking Elderly Council-RAICES - Gowanus Senior Center	11-2730462	DFTA	\$40,000.00	125	003
Union Settlement Association, Inc. - Washington Lexington Senior Center	13-1632530	DFTA	\$70,000.00	125	003
United Jewish Council of the East Side, Inc. - Lillian Wald	13-2735378	DFTA	\$75,000.00	125	003

* Indicates pending completion of pre-qualification review.

CHART 20: Immigrant Opportunities Initiative - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Manhattan	MinKwon Center for Community Action, Inc.	11-2710506	DYCD	\$30,000.00	260	005 *
Manhattan	Neighborhood Defender Service, Inc.	06-126692	DYCD	\$35,000.00	260	005 *
Manhattan	New York Legal Assistance Group	13-3505428	DYCD	\$30,000.00	260	005 *
Brooklyn	Northern Manhattan Improvement Corporation	13-2972415	DYCD	\$35,000.00	260	005 *
Brooklyn	Polish and Slave Center, Inc.	11-2265970	DYCD	\$20,000.00	260	005 *
Brooklyn	Safe Horizon, Inc.	13-2946970	DYCD	\$20,000.00	260	005 *
Brooklyn	Secretary for Families, Inc.	13-3193119	DYCD	\$165,000.00	260	005 *
Brooklyn	SBI Community Service Network, Inc. (Sephardic Bkay Chontim)	28-7406410	DYCD	\$25,000.00	260	005 *
Brooklyn	South Brooklyn Legal Services	13-2605605	DYCD	\$31,000.00	260	005 *
Queens	South Queens Boys and Girls Club, Inc.	11-1986097	DYCD	\$45,000.00	260	005 *
Brooklyn	Southeast Community Mission, Inc.	11-2306447	DYCD	\$60,000.00	260	005 *
Brooklyn	United Jewish Organizations (UJO) of Williamsburg	11-2726253	DYCD	\$20,000.00	260	005 *
Brooklyn	Urban Justice Center	13-3442022	DYCD	\$60,000.00	260	005 *
Brooklyn	West Bronx Housing and Neighborhood Resource Center, Inc.	13-2941641	DYCD	\$25,000.00	260	005 *
Brooklyn	Youth Ministries For Peace and Justice	13-4006535	DYCD	\$60,000.00	260	005 *

* Indicates pending completion of pre-qualification review.

CHART 20: Immigrant Opportunities Initiative - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Manhattan	Immigrant Opportunities Initiative	13-6404334	DYCD	(\$3,000,000.00)	260	005 *
Manhattan	African Services Committee	13-3749744	DYCD	\$20,000.00	260	005 *
Manhattan	Asian Americans for Equality	13-3187792	DYCD	\$20,000.00	260	005 *
Queens	Association of the Bar of the City of New York Fund, Inc. - City Bar Justice Center	13-6003018	DYCD	\$45,000.00	260	005 *
Brooklyn	Bedford Stuyvesant Community Legal Services Corporation	11-2146962	DYCD	\$20,000.00	260	005 *
Brooklyn	Boro Park Jewish Community Council	11-3475993	DYCD	\$25,000.00	260	005 *
Brooklyn	BronxWorks, Inc.	13-3254484	DYCD	\$50,000.00	260	005 *
Brooklyn	Brooklyn Chinese-American Association, Inc.	11-3058568	DYCD	\$20,000.00	260	005 *
Brooklyn	Brooklyn Defender Services	13-3094508	DYCD	\$20,000.00	260	005 *
Brooklyn	Caribbean Women's Health Association, Inc.	13-3232168	DYCD	\$20,000.00	260	005 *
Brooklyn	Catholic Migration Services, Inc.	11-3049411	DYCD	\$25,000.00	260	005 *
Queens	Central American Legal Assistance	11-2859151	DYCD	\$50,000.00	260	005 *
Brooklyn	Church Avenue Merchants Block Association (CAMBA)	11-2460339	DYCD	\$20,000.00	260	005 *
Brooklyn	Committee for Hispanic Children and Families, Inc., The	11-2622003	DYCD	\$40,000.00	260	005 *
Manhattan	Comprehensive Development, Inc.	13-3861648	DYCD	\$20,000.00	260	005 *
Queens	Council of Jewish Organizations of Flatbush, Inc.	11-2684728	DYCD	\$45,000.00	260	005 *
Queens	Ecuadorian International Center, Inc.	01-0627174	DYCD	\$20,000.00	260	005 *
Queens	Emerald Isle Immigration Center	11-2933928	DYCD	\$160,000.00	260	005 *
Queens	Haitian Americans United for Progress, Inc.	11-2423857	DYCD	\$40,000.00	260	005 *
Queens	Haitian American Neighborhood Action Committee, Inc. (HANAC)	11-2296302	DYCD	\$100,000.00	260	005 *
Manhattan	HIV Law Project, Inc., The	13-3730564	DYCD	\$35,000.00	260	005 *
Manhattan	Housing Conservation Coordinators, Inc.	51-0741469	DYCD	\$35,000.00	260	005 *
Citywide	Legal Aid Society	13-5862265	DYCD	\$95,000.00	260	005 *
Brooklyn	Legal Information for Families Today (LIFT)	13-3910567	DYCD	\$20,000.00	260	005 *
Brooklyn	Legal Services NYC - Bronx	13-2600199	DYCD	\$100,000.00	260	005 *
Manhattan	Legal Services NYC - Manhattan	13-2600199	DYCD	\$100,000.00	260	005 *
Queens	Legal Services NYC - Queens Legal Services Corporation	13-2605604	DYCD	\$48,000.00	260	005 *
Queens	Legal Services NYC - Staten Island Legal Services	13-2600199	DYCD	\$61,000.00	260	005 *
Manhattan, Queens	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2798818	DYCD	\$100,000.00	260	005 *
Manhattan	MFY Legal Services, Inc.	13-2622748	DYCD	\$75,000.00	260	005 *

* Indicates pending completion of pre-qualification review.

CHART 21: DYCD Food Pantries - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Manhattan	Evangelical Lutheran Church of the Advent	13-1635264	DYCD	\$5,000.00	260	005 *
Queens	First Baptist Church of Corona NY, Inc.	31-1757167	DYCD	\$5,000.00	260	005 *
Queens	Flushing Jewish Community Council	11-2698569	DYCD	\$5,000.00	260	005 *
Brooklyn	Food First	13-3635059	DYCD	\$5,000.00	260	005 *
Brooklyn	God's Battalion Prayer Church	11-2112215	DYCD	\$5,000.00	260	005 *
Brooklyn	Greenpoint Reformed Church	11-2103358	DYCD	\$5,000.00	260	005 *
Queens	Heavenly Vision Christian Center	13-3706003	DYCD	\$5,000.00	260	005 *
Queens	Jackson Heights-Elimut Kohlihan, Inc.	11-2645410	DYCD	\$5,000.00	260	005 *
Brooklyn	Jewish Community Council of Pelham Parkway, Inc.	13-3099520	DYCD	\$10,000.00	260	005 *
Brooklyn	Love Gospel Assembly - Promise Land Community, Inc.	13-3062521	DYCD	\$5,000.00	260	005 *
Manhattan	NYC Mission	13-5596794	DYCD	\$6,888.00	260	005 *
Queens	Maabie - Rego Park	20-1923521	DYCD	\$33,000.00	260	005 *
Brooklyn	Momentum Project, Inc., The	13-3506768	DYCD	\$5,000.00	260	005 *
Brooklyn	Muslim Women's Institute for Research and Development (MWIRD)	80-0010627	DYCD	\$5,000.00	260	005 *
Brooklyn	New Era Veterans, Inc.	13-3685481	DYCD	\$5,000.00	260	005 *
Queens	Our Lady of Grace	11-1639827	DYCD	\$5,000.00	260	005 *
Manhattan	Our Lady of Sorrows	13-3743218	DYCD	\$6,888.00	260	005 *
Queens	Philippine Forum, Inc.	11-3469311	DYCD	\$5,000.00	260	005 *
Brooklyn	Metropolitan Council on Jewish Poverty (MET Council)	13-278818	DYCD	\$6,000.00	260	005 *
Brooklyn	Most Holy Trinity Church	13-3171439	DYCD	\$11,000.00	260	005 *
Brooklyn	City Harvest, Inc. - National Committee for the Furtherance of Jewish Education	13-3170676	DYCD	\$5,335.00	260	005 *
Brooklyn	Reaching-Out Community Services, Inc.	11-3615625	DYCD	\$7,000.00	260	005 *
Queens	Ridgewood Older Adult Center and Services, Inc.	05-0607283	DYCD	\$5,000.00	260	005 *
Brooklyn	Rugby Family Services	11-3223904	DYCD	\$6,000.00	260	005 *
Brooklyn	Salt and Sea Mission	11-3012147	DYCD	\$5,000.00	260	005 *
Brooklyn	Southeast Community Mission	11-2306447	DYCD	\$2,500.00	260	005 *
Brooklyn	St. Marks Church, Sheepshead Bay Food Pantry	11-2022247	DYCD	\$6,000.00	260	005 *
Brooklyn	St. Patrick's Vincent de Paul Society	11-1631818	DYCD	\$5,000.00	260	005 *
Queens	Solid Rock Baptist Church	11-2988373	DYCD	\$5,000.00	260	005 *
Brooklyn	St. Edmunds Episcopal Church	13-4138007	DYCD	\$5,000.00	260	005 *
Brooklyn	St. Luke's Senior Community Program	13-2747442	DYCD	\$5,000.00	260	005 *
Queens	St. Margaret Mary Roman Catholic Church - Food Pantry	11-1960941	DYCD	\$5,000.00	260	005 *
Brooklyn	St. Margaret's Episcopal Church	13-1775642	DYCD	\$5,000.00	260	005 *

* Indicates pending completion of pre-qualification review.

CHART 21: DYCD Food Pantries - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Brooklyn	DYCD Food Pantries	13-6404334	DYCD	(\$570,000.00)	260	005 *
Brooklyn	River Watch 1600 Schwick Avenue Tenant Association)	13-5965178	DYCD	\$5,000.00	260	005 *
Brooklyn	Ark of Safety Fellowship Church, Inc.	13-089427	DYCD	\$5,000.00	260	005 *
Queens	Batlimon Pentecost Assembly, Inc.	11-3548121	DYCD	\$5,000.00	260	005 *
Manhattan	Bethan Baptist Church Church (k.k.a. Jan Hus Presbyterian Church	13-1632555	DYCD	\$13,335.00	260	005 *
Brooklyn	SCO Family of Service Center for Life	11-2777698	DYCD	\$6,000.00	260	005 *
Brooklyn	Brownsville Community Baptist Church	11-2617637	DYCD	\$5,000.00	260	005 *
Manhattan	Catholic Charities Community Services, Archdiocese of New York - Washington Heights Ecumenical Pd	13-5662165	DYCD	\$6,888.00	260	005 *
Brooklyn	City Harvest, Inc. - Part of the Solution	13-3170676	DYCD	\$4,550.00	260	005 *
Brooklyn	City Harvest, Inc. - World of Life International, Inc.	13-3170676	DYCD	\$4,850.00	260	005 *
Brooklyn	City Harvest, Inc. - Brooklyn Rescue Mission	13-3170676	DYCD	\$4,850.00	260	005 *
Brooklyn	City Harvest, Inc. - Hanson Place Seventh Day Adventist Church	13-3170676	DYCD	\$5,335.00	260	005 *
Brooklyn	City Harvest, Inc. - Holy Cross Church Food Pantry	13-3170676	DYCD	\$5,335.00	260	005 *
Brooklyn	City Harvest, Inc. - Holy Innocents Church	13-3170676	DYCD	\$10,670.00	260	005 *
Brooklyn	City Harvest, Inc. - Miller Avenue Block Association, Inc.	13-3170676	DYCD	\$5,820.00	260	005 *
Brooklyn	City Harvest, Inc. - Newman Memorial United Methodist Church Community Development Corporation	13-3170676	DYCD	\$4,850.00	260	005 *
Manhattan	City Harvest, Inc. - St. Stephen Outreach, Inc.	13-3170676	DYCD	\$5,820.00	260	005 *
Manhattan	City Harvest, Inc. - Broadway Community, Inc.	13-3170676	DYCD	\$5,820.00	260	005 *
Manhattan	City Harvest, Inc. - Children's Aid Society, The	13-3170676	DYCD	\$4,850.00	260	005 *
Manhattan	City Harvest, Inc. - Our Lady of Lourdes	13-3170676	DYCD	\$5,820.00	260	005 *
Manhattan	City Harvest, Inc. - Yorkville Common Pantry, Inc.	13-3170676	DYCD	\$8,083.00	260	005 *
Queens	City Harvest, Inc. - Brooks Memorial United Methodist Church	13-3170676	DYCD	\$4,850.00	260	005 *
Queens	City Harvest, Inc. - Community Bible Evangelical Free Church	13-3170676	DYCD	\$5,000.00	260	005 *
Queens	Samanian Outreach Ministries, Inc.	11-3283659	DYCD	\$5,000.00	260	005 *
Queens	City Harvest, Inc. - Macdonalds Child Development Center	13-3170676	DYCD	\$4,850.00	260	005 *
Queens	City Harvest, Inc. - Mount Horeb Baptist Church	13-3170676	DYCD	\$4,850.00	260	005 *
Queens	City Harvest, Inc. - Queens Jewish Community Council, Inc.	13-3170676	DYCD	\$4,850.00	260	005 *
Queens	Council of Jewish Organizations of Staten Island, Inc.	13-525474	DYCD	\$5,000.00	260	005 *
Staten Island	City Harvest, Inc. - Our Lady of Good Counsel Parish	13-3170676	DYCD	\$4,850.00	260	005 *
Citywide	City Harvest, Inc. - Administration Fee	13-3170676	DYCD	\$3,860.00	260	005 *
Brooklyn	Coalition for the Homeless - Mobile Bronx Food Program	13-2760116	DYCD	\$100,000.00	260	005 *
Manhattan	Convent Avenue Baptist Church	13-2760116	DYCD	\$5,775.00	260	005 *
Brooklyn	End Times Pentecostal Church	11-3523558	DYCD	\$11,000.00	260	005 *

* Indicates pending completion of pre-qualification review.

CHART 21: DYCD Food Pantries - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Queens	St. Paul the Apostle Church	11-3519422	DYCD	\$5,000.00	260	005 *
Queens	St. Thereseas		DYCD	\$5,000.00	260	005 *
Manhattan	Starford Arms Meal Program	90-0140023	DYCD	\$3,800.00	260	005 *
Brooklyn	Tombs Shabbos of Boro Park and Flatbush, Inc.	11-3516348	DYCD	\$9,000.00	260	005 *
Staten Island	Tombs Shabbos of Staten Island, Inc.	22-3801876	DYCD	\$5,000.00	260	005 *
Brooklyn	United Jewish Organization of Williamsburg	11-2728233	DYCD	\$2,500.00	260	005 *
Queens	Voices of Hager (St. Marks AME)	11-2438038	DYCD	\$5,000.00	260	005 *
Queens	Metropolitan Community Church of New York	51-0152361	DYCD	\$5,000.00	260	005 *
Queens	The River Fund NY	11-3452963	DYCD	\$5,000.00	260	005 *
Queens	The Church of God in Christ Jesus of the Apostles	11-3071628	DYCD	\$5,000.00	260	005 *

* Indicates pending completion of pre-qualification review.

CHART 22: EarlyLearn / Childcare - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Arroyo	United Bronx Parents, Inc. - United Bronx Parents DCC 1	13-6203312	ACS	\$440,421.00	068	004 *
Baron	Colony, South Brooklyn Houses, Inc. - Pine Street DCC	11-2179894	ACS	\$222,704.00	068	004 *
Baron	Boulevard Nursery School, Inc. - Boulevard Nursery School Inc	11-1710362	ACS	\$526,500.00	068	004 *
Baron	Colony, South Brooklyn Houses, Inc. - Sylvia Klein COC	11-2179894	ACS	\$405,000.00	068	004 *
Baron	Colony, South Brooklyn Houses, Inc. - Mele Durkin COC	11-2179894	ACS	\$445,500.00	068	004 *
Brewer	West Side Montessori School - West Side Montessori School	13-1992185	ACS	\$266,220.00	068	004 *
Chin	Chinese-American Planning Council, Inc. - Garment Industry DC Chinatown	13-6202692	ACS	\$431,311.00	068	004 *
Chin	Chinese-American Planning Council, Inc. - CPC Chung Pak Pre-School	13-6202692	ACS	\$530,550.00	068	004 *
Chin	Chinese-American Planning Council, Inc. - CPC Little Star of Broome Street	13-3233970	ACS	\$718,020.00	068	004 *
Comrie	Afro-American Parents Day Care Center, Inc. - Afro American Parents 3	13-2777466	ACS	\$350,000.00	068	004 *
Comrie	Montessori Progressive Learning Center, Inc. - Montessori Progressive Learning Center	22-3001223	ACS	\$296,080.00	068	004 *
Comrie	Quick Start Head Start DCC - Quick Start Head Start DCC	11-2219525	ACS	\$1,170,900.00	068	004 *
Comrie	Committee for Early Childhood Development DCC Inc - Committee for Early Childhood Development Head Start 1	11-2343437	ACS	\$1,241,329.00	068	004 *
Comrie	Queens County Educators for Tomorrow - Charles R. Drew ELC 1	11-2475654	ACS	\$152,448.00	068	004 *
Dickens	Bathory Day Nursery, Inc. - Mary Wilson Children's Center	13-2729818	ACS	\$405,000.00	068	004 *
Dickens	Prince Hall Synagogue, Inc. - Prince Hall Colonial Park Day Care Center	13-2685643	ACS	\$26,800.00	068	004 *
Dickens	East Harlem Block Nursery, Inc. - East Harlem Block Nursery 2	13-2617274	ACS	\$445,500.00	068	004 *
Dolan	Catholic Charities - Catholic Charities	11-2047151	ACS	\$50,800.00	068	004 *
Fernandez	Bushwick United Housing Fund Corp. - Bushwick United Housing Fund Corp.	11-2043988	ACS	\$26,200.00	068	004 *
Foster	Catholic Charities Neighborhood Services, Inc. - Therese Cleverly Annex ECDC	11-2047151	ACS	\$59,200.00	068	004 *
Foster	South Bronx Head Start Inc. - South Bronx Head Start III	13-2661988	ACS	\$95,800.00	068	004 *
Foster	1332 Fulton Avenue - 1332 Fulton Ave DCC	13-2660308	ACS	\$74,764.00	068	004 *
Gemario	Catholic Charities Neighborhood Services - Colin-Newell ECDC	11-2047151	ACS	\$74,800.00	068	004 *
Gonzalez	Colony, South Brooklyn Houses, Inc. - Georgia L. McMurray BAT Kids Center	11-2179894	ACS	\$491,252.00	068	004 *
Gonzalez	Colony, South Brooklyn Houses, Inc. - Bay Ridge COC	11-2179894	ACS	\$568,000.00	068	004 *
Gonzalez	Center for Elimination of Violence - Children's Growing Place	11-2415637	ACS	\$342,492.00	068	004 *
Gonzalez	The United Methodist City Society - Christ United Methodist Church Head Start	13-2681892	ACS	\$631,800.00	068	004 *
Greenfield	Gain Day Care - Gain Day Care Center	11-2302049	ACS	\$1,300,000.00	068	004 *
Jackson	Nassy Michelen Day Care Center, Inc. - Nassy Michelen Day Care Center	20-3108162	ACS	\$647,012.00	068	004 *
James	Fort Greene Senior Citizens Council, Inc. - Young Minds Day Care Center	11-2300840	ACS	\$395,998.00	068	004 *

* Indicates pending completion of pre-qualification review.

CHART 22: EarlyLearn / Childcare - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Queens	Jewish Child Care Association	13-1624060	ACS	\$3,000,000.00	068	004 *
Brooklyn	Colony South Brooklyn Houses Inc.	11-2179894	ACS	\$750,000.00	068	004 *
Bronx	Trumont Catons Day Care	13-2724097	ACS	\$1,500,000.00	068	004 *
Staten Island	Saemon's Society for Children and Families Administration for Children Services	13-5563010	ACS	\$1,300,000.00	068	004 *
		13-5400434	ACS	\$4,156,116.00	068	004 *

* Indicates pending completion of pre-qualification review.

CHART 22: EarlyLearn / Childcare - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
James	Brooklyn Bureau of Community Service - BCS Duffield Children's Center	11-1630780	ACS	\$250,000.00	068	004 *
Levin	Yield V. Yelda Early Childhood Center, Inc. - Yield V.Yelda 12F	11-3959340	ACS	\$1,138,915.00	068	004 *
Levin	Yield V. Yelda Early Childhood Center, Inc. - Yield V. Yelda 20A	11-3959340	ACS	\$477,184.00	068	004 *
Levin	Bethel Baptist Day Care Center, Inc. - Bethel Baptist Day Care Center	11-2241690	ACS	\$422,000.00	068	004 *
Mark-Vivento	Dawning Village, Inc. - Dawning Village	13-3214064	ACS	\$445,500.00	068	004 *
Mark-Vivento	Bloomington Family Program, Inc. - Bloomington Family Program 2	13-6536566	ACS	\$380,462.00	068	004 *
Mark-Vivento	Palmas C. Torres Day Care Center, Inc. - Palmas C. Torres Day Care Center	13-1740271	ACS	\$445,500.00	068	004 *
Meridaz	Chinese-American Planning Council, Inc. - CPC Jacob Ritz Child Care Center	13-6202692	ACS	\$542,677.00	068	004 *
Palma	Leake & Watts Services, Inc. - Soundview Child Care Center	13-1862451	ACS	\$1,256,075.00	068	004 *
Quinn	Hudson Guild Inc. - Hudson Guild	13-5662969	ACS	\$257,837.00	068	004 *
Recchia	Coney Island Community Day Care Center, Inc. - Coney Island Community DCC	11-2622963	ACS	\$98,000.00	068	004 *
Recchia	Police Athletic League, Inc. - La Puerta Abierta	13-5998811	ACS	\$11,749.00	068	004 *
Reyna	Conselyea Street Block Association, Inc. - Small World Day Care	11-2247190	ACS	\$924,922.00	068	004 *
Sanders	Bethel Mission Station Church - Sheldon R. Weaver DCC	06-0983254	ACS	\$910,000.00	068	004 *
Sanders	Bethel Mission Station Church - Rockaway Child Care Center	06-0983254	ACS	\$445,500.00	068	004 *
Sanders	Rockaway Community Corporation Inc. - Rockaway Community Corporation 1	11-6077336	ACS	\$291,600.00	068	004 *
Sanders	ATLED, Inc. - Lucille Rose DCC	13-3550709	ACS	\$98,000.00	068	004 *
Sanders	Bethel Mission Station Church - Bethel Mission Loving Day Care	06-0983254	ACS	\$437,400.00	068	004 *
Sanders	Laureton Springfield Community Day Care, Inc. - Laureton Springfield Community DCC, Inc.	11-2331742	ACS	\$431,250.00	068	004 *
Seabrook	Williamsbridge NAACP - Williamsbridge	13-2686894	ACS	\$473,379.00	068	004 *
Van Bramer	Police Athletic League, Inc. - PAL Western Queens	13-5998811	ACS	\$470,996.00	068	004 *
Vann	Tabernacle Church of God, Inc. - Tabernacle DCC	11-2224258	ACS	\$1,477,036.00	068	004 *
Vann	Bedford Stuyvesant Early Childhood Development Center, Inc.	11-2429431	ACS	\$1,308,886.00	068	004 *
Vann	Billy Martin Child Development Day Care Center, Inc. - Billy Martin Child Development Center	11-2233228	ACS	\$460,389.00	068	004 *
Wills	Afro-American Parents Day Care Center, Inc. - Afro American Parents Ed. Center #4	13-2727406	ACS	\$389,339.00	068	004 *
Wills	Afro-American Parents Day Care Center, Inc. - Afro American Parents 2	13-2727406	ACS	\$210,636.00	068	004 *
Wills	Committee for Early Childhood Development DCC, Inc. - Committee for Early Childhood Development Head Start	11-2343437	ACS	\$437,400.00	068	004 *

* Indicates pending completion of pre-qualification review.

CHART 23: Aging Discretionary - Fiscal 2012

Member	Organization	EIN Number	Agency	Amount	Agcy #	UJA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Yann	Senior Ambassador USA - Caribbean	26-389415	DFA	\$20,750.00	126	003	For General Council Inc	11-2500940

* Indicates pending completion of pre-qualification review.

CHART 24: Coalition of Theaters of Color - FY 2012

Organization	EIN Number	Agency	Amount	Agcy #	UJA *
Billie Holiday Theatre, Inc.	11-2336154	DCA	(\$80,000.00)	126	003
Bedford Stuyvesant Restoration Corporation	11-6083182	DCA	\$25,000.00	126	003
Brooklyn Steppers, Inc., The	27-1223035	DCA	\$10,000.00	126	003
Noel Pointer Foundation, Inc., The	11-3271472	DCA	\$15,000.00	126	003
Society for the Preservation of Weeksville and Bedford-Stuyvesant History	23-7330454	DCA	\$15,000.00	126	003
Museum of Contemporary African Diasporan Arts, Inc.	11-3526774	DCA	\$15,000.00	126	003

* Indicates pending completion of pre-qualification review.

CHART 25: Youth Discretionary - Fiscal 2011

Member	Organization	EIN Number	Agency	Amount	Agcy #	UJA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Ferreras	First Baptist Church of Corona NY, Inc.	31-787787	DYCD	(\$10,000.00)	260	312		
Ferreras	First Baptist Church of Corona NY, Inc.	11-2089943	DYCD	\$10,000.00	260	312		

* Indicates pending completion of pre-qualification review.

DOMENIC M. RECCHIA, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, GALE A. BREWER, LEROY G.COMRIE, Jr., LEWIS A. FIDLER, HELEN D. FOSTER, ROBERT JACKSON, G. OLIVER KOPPELL, JULISSA FERRERAS, KAREN KOSLOWITZ, JAMES G. VAN BRAMER, VINCENT M. IGNIZIO, JAMES S. ODDO; Committee on Finance, July 25, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report of the Committee on Housing and Buildings

Report for Int. No. 807-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the New York city plumbing code, in relation to bringing it up to date with the 2009 edition of the international plumbing code, with differences that reflect the unique character of the city.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on March 14, 2012 (Minutes, page 676), respectfully

REPORTS:

INTRODUCTION:

On July 25, 2012, the Committee on Housing and Buildings, chaired by Council Member Erik Martin Dilan, will conduct a hearing on Proposed Int. No. 807-A, A Local Law to amend the New York city plumbing code, in relation to bringing it up to date with the 2009 edition of the international plumbing code, with differences that reflect the unique character of the city.

On May 21, the Committee considered an earlier version of this legislation and received testimony from representatives of the Department of Buildings (DOB or Department), the Plumbing Foundation of New York, the International Code Council,¹ and other industry stakeholders. Amendments to the bill before the Committee today were made following this initial hearing.

for the Lower Ma_____

¹ The International Code Council (ICC) is an umbrella organization that was established as a nonprofit organization in 1994 by model code organizations and is dedicated to developing a single set of comprehensive and coordinated national model construction codes. "The mission of the International Code Council is to provide the highest quality codes, standards, products, and services

BACKGROUND:

The provisions of Proposed Int. No. 807-A would amend the City's Plumbing Code. Pursuant to Section 28-601.1 of the Plumbing Code, the City must conduct a triennial review of the Code in order to consider the most recent version of the International Plumbing Code (IPC).

Local Law 99 of 2005 was the first adoption of a new Plumbing Code for New York City since 1968. This new Code was based on the 2003 edition of the IPC. Local Law 99 also set in motion a process for the review of recent editions of the International Building Code, Plumbing Code, Fuel Gas Code, and Mechanical Code for the purpose of assessing whether the City's codes should also be amended to reflect changes in updated International Codes.² Collectively known as the New York City Construction Codes, the New York City Plumbing, Building, Fuel Gas and Mechanical Codes are based on the model codes published by the ICC but all contain exceptions specific to the unique nature of the City.³

The City updates its Construction Codes through the Model Code Program. The Model Code Program is organized and managed by DOB and is comprised of over 250 volunteers who serve on various Code committees. The Model Code Program has nine Technical Committees which review, assess and provide expertise in the drafting of the updates to the Construction Codes. An Advisory Committee offers policy advice in areas impacted by such Codes. There is also an Administrative and Enforcement Advisory Committee.⁴

Members of the Plumbing Code Technical Committee analyzed the 2009 edition of the IPC and determined which updates should be implemented and if New York City specific amendments would be necessary to improve the Code. Upon completion of their review, the Plumbing Code Technical Committee submitted its recommendations to a Managing Committee and key staff at the Department of Buildings. DOB staff and the Managing Committee then made recommendations, which resulted in the final document, Int. No. 807, being introduced at the City Council. Proposed Int. No. 807-A makes a number of revisions to the original bill. Some of the provisions of Proposed Int. No. 807-A are described below.

- Improves Coordination between DOB and the Department of Environmental Protection

In the past, owners and the industry have had some confusion over which agency they should approach for permits to conduct certain plumbing work and what standards they have to comply with in order to obtain such permits. This bill will require that DOB's standards for certain plumbing work or fixture installations are consistent with the Department of Environmental Protection's (DEP) standards. Examples of such revisions include: permits for groundwater discharge;⁵ documentation requirements for sewage and storm water disposal;⁶ the procedure for the submittal of certified DEP house/site proposal applications and guidance on the requirements for on-site disposal of sewage or storm water.⁷ The bill will also require DOB to make determinations related to the feasibility of connecting to an available sanitary or combined public sewer in accordance with DEP standards;⁸ requires storm water connections to public sewers to meet applicable DEP requirements;⁹ incorporates DEP storm water management requirements for detention systems used to prevent the overflow of sewers;¹⁰ and allows the use of private on-site storm water disposal systems where DEP determines a connection to a public combined or separate storm sewer is not available or feasible. The use of such private on-site storm water disposal systems would be subject to approval by DOB, DEP and other agencies.¹¹

- Minimum Number of Required Plumbing Fixtures

Reduces the number of mandated plumbing fixtures by allowing small food establishments with space for 75 people or less to use the calculation for Assembly occupancy instead of Business occupancy.¹² Allows small establishments of less than 30 occupants to have one unisex toilet instead of two and exempts small food establishments from having a separate public toilet if the establishment has an allowable occupancy of less than 20 persons so long as such establishment is less than 10,000 square feet.¹³

- Covers for Building Water Supply Tanks

Requires water supply tanks to have a lockable, tamper-proof cover to prevent access by unauthorized persons or vermin. Such cover must also be equipped with a local alarm.¹⁴

- Identification Requirements for Non-Potable Water

Requires non-potable water outlets such as hose connections, open-ended pipes, and faucets to be identified with a tag reading, "Caution. Nonpotable Water. Do Not Drink."¹⁵

- Exemption for Double-Wall Construction

Provides that heat exchanges supplied directly from the Consolidated Edison steam system and low-pressure steam systems and boilers would be exempt from requirements that such steam system and boilers be separated from potable water by

double-wall construction.¹⁶

- Horizontal Fixture Branches and Stacks

Removes a column from the table concerning horizontal fixture branches and stacks. The removed column had contained limitations on the number of total allowable discharges in each branch interval of a stack, which is a vertical pipe.¹⁷

- Grease Interceptors and Automatic Grease Removal Devices

Requires grease interceptors and automatic grease removal devices in certain areas used for preparing food to meet applicable DEP requirements.¹⁸

- Reference Standards

Updates the reference standards found in Chapter 13 of the Plumbing Code.¹⁹

- Standards for Water Recycling Systems

Establishes reference standards for the materials, design, construction and installation of water recycling systems.²⁰

Amendments to Int. 807:

- Technical changes were made throughout the bill for the purposes of clarity, to correct references and to revise the organization of text.
- Part C, Chapter 3, bill section 14, sub-section 312.10.1 which relates to inspection and testing of backflow prevention assemblies, was amended to provide certain annual inspections shall be "on forms provided by the department. Such forms shall be retained by the owner and shall be made available upon request to the department for a period of five years."
- Part C, bill section 15, section 314 which relates to Condensate Disposal was amended in several respects. Subsection 314.2.2 was amended to add cross-linked polyethylene, polybutylene, polyethylene, CPVC and tubing materials to the list of allowable components of a condensate disposal system. Sub-section 314.2.3 was amended to provide consistency with the IPC and now adds that: "where damage to any building components could occur as a result of overflow from the equipment primary condensate removal system, one of the following auxiliary protection methods shall be provided for each cooling coil or fuel-fired appliance that produces condensate." An exception was also added to sub-section 314.2.3(4) to provide that fuel-fired appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system do not need to be equipped with a water-level detection device. Such change was also made for consistency with the IPC.
- Part D, Chapter 4, bill section 11, which repealed sub-section 413.4 of the Code was removed from the bill. Such sub-section relates to the water supply requirements for food waste grinders.
- Part F, Chapter 6 was amended in several respects:
 - Bill section 1, which amended Section 602.3 was removed from the bill to allow for the continued use of individual water supplies where a potable public water supply is not available. Section 608.17 of bill section 18 was also removed from the bill in order to allow for the continued use of individual water supplies.
 - Bill section 2, which amended section 603.2, which relates to the separation of the water service pipe and building sewer, was removed from the bill as such change is not recommended at this time and requires further review by the Plumbing Code, Technical Committee and DOB.
 - Bill section 11 adds new section 606.8 to the section related to the installation of the building sewer distribution system and sets forth the design, location and separation requirements for pressure tanks.
- Part G, Chapter 7 was amended in several respects:
 - Bill sections 7, 9, and 10 amends Tables 702.1, 702.2, 702.3 and 702.4 to add a clarifying footnote which provides that plastic piping can only be used in residential buildings five stories or less in height. There has been some confusion about what materials can be used for sewer piping pursuant to the 1968 and 2008 Building Codes and how this bill will affect the use of such materials. Consequently, to address such questions, DOB created tables identifying the allowed materials. Such tables have been included in this report as Appendix A.
 - Table 702.2 was also amended to remove high density polyethylene pipe (HDPE) from the list of allowed materials which can be used for underground building drainage and vent pipe as such material is not appropriate for sewer pipes..
 - Bill section 12 which amended section 703.1 which relates to the materials that can be used when the building sewer pipe is near the water service pipe was removed from the bill.
- Part K, Chapter 11, bill section 2, amends Tables 1102.4, 1102.5 and 1102.7 to add a clarifying footnote which provides that plastic piping can only be used in residential buildings five stories or less in height.
- Part N, Appendix C, bill section 1 amends section C 101 to add "watering plants using a hose" to the uses of rainwater collected from piping on the exterior, which is exempt from water recycling requirements. C101.11 is no longer reserved and instead states the following: "Filtration. Effluent entering the collection reservoir shall pass through an acceptable filtration system suitable for the reuse application." Section C102.1 was amended to include "watering plants with a hose" to the allowable uses of treated effluent. Section C102.2 is no longer reserved and instead states the following: "Disinfection. Filtered

¹⁶Part F, bill Section 18 amends Section 608.16.3.

¹⁷Part G, bill Section 22 amends Table 710.1(2).

¹⁸Part J, bill Section 1 amends Sections 1003.3.1 and 1003.3.4.

¹⁹Part M, bill Section 1 replaces Chapter 13.

²⁰Part N, bill Section 1 replaces Appendix C.

for all concerned with the safety and performance of the built environment." The ICC produces the International Building Code, first released as the 2000 edition and then updated by the 2009 edition.

² See bill section 2 of Local Law number 99 for the year 2005.

³ Local Law 33 of 2007 enacted the New York City Construction Codes.

⁴ *Id.*

⁵ Part A, bill Section 2 amends item 4 of §105.6.

⁶ Part A, bill Section 5 amends Sections 106.6.1 and 106.6.2.

⁷ Part A, bill Section 5 amends Section 106.6.1 and 106.6.2.

⁸ Part G, bill Section 1 amends Section 701.2.3.

⁹ Part K, bill Section 1 amends Section 1101.2 and 1101.2.1 through 1101.2.4.

¹⁰ Part K, bill Section 1 amends Section 1101.5.1.

¹¹ Part K, bill Section 12 adds new Section 1114.1.

¹² Part D, bill Section 1 adds new Table 403.1.

¹³ Part D, bill Section 1 repeals old Section 403 and adds new Section 403.

¹⁴ Part F, bill Section 10 amends Section 606.5.3.

¹⁵ Part F, bill Section 16 amends Section 608.8.

effluent shall be disinfected prior to reuse by an acceptable method, which shall achieve the minimum water quality standards as stated in Table C102.1.”

**APPENDIX A
COMPARISON OF ALLOWED MATERIALS
FOR SEWER PIPING**

SANITARY-Table 1			
Above-Ground Drainage And Vent Pipe (within building)			
Material	1968 Code RS-16 P102.2(b), RS-16 P102.4(b)(1) and RS-16 P102.4(b)(5)	2008 Code PC 702.1	Proposed 2012 Code PC 702.1
Brass pipe	✓	✓	✓
Cast-iron pipe	✓	✓	✓
Copper or copper-alloy* pipe	✓	✓	✓
Copper or copper-alloy* tubing (Type K, L)	✓	✓	✓
Ductile iron		✓	✓
Galvanized steel pipe	✓	✓	✓
Glass pipe ¹	✓	✓	✓
High silicon cast iron ¹	✓	✓	✓
Lead	✓		
Stainless steel drainage systems, Types 304 and 316L	✓	✓	✓
Plastic pipe, ABS	Res. up to 3 stories	Res. up to 5 stories	Res. up to 5 stories
Plastic pipe, PVC	Res. up to 3 stories	Res. up to 5 stories	Res. up to 5 stories
Plastic pipe, Polyolefin pipe		Res. up to 5 stories	Res. up to 5 stories
Plastic pipe, PVDF			Res. up to 5 stories

1. Only for special chemicals
*Note that brass is a copper-alloy.

SANITARY-Table 2			
Underground Building Drainage and Vent Pipe (within building footprint)			
Material	1968 Code RS-16 P102.2(b) and RS-16 P102.4(b)(2)	2008 Code PC 702.2	Proposed 2012 Code PC 702.2
Cast-iron pipe	✓	✓	✓
Cement pipe, nonasbestos		✓	✓
Copper or copper-alloy*	✓	✓	✓

tubing (Type K, L)			
Ductile Iron	✓	✓	✓
Stainless steel drainage systems, Types 304 and 316 L		✓	✓
Plastic pipe, ABS	Res. up to 3 stories		
Plastic pipe, Polyethylene (corrugated 12 inches and larger)		✓	Not appropriate for sanitary, only for storm. See Chapter 11.
Plastic pipe, PVC	Res. up to 3 stories		Res. up to 5 stories

*Note that brass is a copper-alloy.

SANITARY-Table 3			
Sewer Pipe (underground from building to street)			
Material	1968 Code RS-16 P102.2(b) and RS-16 P102.4(b)(3)	2008 Code PC 702.3	
Cast-iron pipe	✓	✓	✓
Cement pipe, asbestos	1 & 2 family homes		
Cement/concrete pipe, nonasbestos		✓	✓
Copper or copper-alloy* tubing (Type K, L)		✓	✓
Ductile Iron	✓	✓	✓
Stainless steel drainage systems, Types 304 and 316 L		✓	✓
Vitrified clay pipe (aka vitreous pipe, tile pipe, clay pipe)	1 & 2 family homes	✓	✓
Plastic pipe, ABS	Res. up to 3 stories		
Plastic pipe, PVC	Res. up to 3 stories		Res. up to 5 stories

*Note that brass is a copper-alloy.

STORM-Table 1			
Building Storm Sewer Pipe			
Material	1968 Code RS-16 P102.2(b), RS-16 P102.4(b)(3) and RS-16 P102.4(b)(4)	2008 Code PC 1101.10 PC 1102.4	Proposed 2012 Code PC 1101.10 PC 1102.4
Cast-Iron pipe	✓	✓	✓
Cement pipe, asbestos	✓		
Cement pipe, nonasbestos		✓	✓
Concrete pipe	✓	✓	✓
Ductile-iron pipe	✓	✓	✓
Stainless steel drainage		✓	✓

systems, Type 316L			
Vitrified clay pipe	✓	✓	✓
Plastic pipe, ABS	✓ Res. up to 3 stories		
Plastic pipe, CPVC			✓
Plastic pipe, corrugated PE (polyethylene) piping 12" diameter and larger	✓	✓ HIPE	✓ HDPE
Plastic pipe, (PVC)	✓ Res. up to 3 stories	✓ Res. up to 5 stories	✓ Res. up to 5 stories

STORM-Table 2			
Subsoil Drain Pipe (collects subsurface water)			
Material	1968 Code RS-16 P102.2(b) and RS-16 P102.4(e)(3)	2008 Code PC 1102.5	Proposed 2012 Code PC 1102.5
Cast-iron pipe	✓	✓	✓
Cement pipe, asbestos	✓		
Concrete pipe, porous	✓	✓	✓
Stainless steel drainage systems Type 316L		✓	✓
Plastic pipe, ABS	✓ Res. up to 3 stories		
Plastic pipe, corrugated PE (polyethylene) piping 12" diameter and larger	✓	✓	✓
Plastic pipe, PVC	✓ Res. up to 3 stories	✓ Res. up to 5 stories	✓ Res. up to 5 stories
Vitrified clay pipe(aka vitreous pipe, tile pipe, clay pipe)	✓	✓	✓

(The following is the text of the Fiscal Impact Statement for Int. No. 807-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 807-A
COMMITTEE:
Committee on Housing and Buildings

TITLE: To amend the New York city plumbing code, in relation to bringing it up to date with the 2009 edition of the international plumbing code, with differences that reflect the unique character of the city.

SPONSOR: Council Members Dilan, Eugene, Gonzalez, Koo, Seabrook, Williams, Jackson, Rodriguez, Dromm and Lappin (by request of the Mayor)

SUMMARY OF LEGISLATION: This bill amends the City’s Plumbing Code. Pursuant to current law, section 28-601.1 of the Plumbing Code, the City must conduct a triennial review of the Code in order to consider if updates are necessary in comparison to the most recent version of the International Plumbing Code. To accomplish this review, the Department of Buildings (DOB) formed a Plumbing Code Technical Committee to determine necessary amendments to the Code. This bill would update the City’s plumbing code to, among other things, address the following:

- **Interagency Coordination for Groundwater Discharge Permits:** when needed, permits for groundwater discharge must be obtained from the Department of Environmental Protection (DEP). It establishes a list of instances where applicants will be required to provide DOB with DEP sewage and storm water disposal documentation. Minor enlargements of one-and-two-family homes and enlargements up to 1,000 square feet for other buildings would be exempted from such requirement. The bill sets forth the procedure for the submittal of certified DEP house/site proposal applications and provides guidance on the requirements for on-site disposal of sewage or storm water.
- **Minimum Number of Required Plumbing Fixtures:** the bill reduces the number of mandated plumbing fixtures by allowing small food establishments with space for 75 people or less to use the calculation for Assembly occupancy instead of Business occupancy. It allows small establishments of less than 30 occupants to have one unisex toilet instead of two and exempts small food establishments from having a separate public toilet if the establishment has an allowable occupancy of less than 20 persons so long as such establishment is less than 10,000 square feet.
- **Covers for Building Water Supply Tanks:** the bill requires water supply tanks to have a lockable, tamper-proof cover to prevent access by unauthorized persons or vermin. Such cover must also be equipped with a local alarm.

EFFECTIVE DATE: This bill would take effect when updates to the other Construction Codes (the Building, Fuel Gas, and Mechanical Codes) are enacted.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2013

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: According to DOB, there would be no impact on City revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: According to DOB, there would be no impact on City expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Buildings

ESTIMATE PREPARED BY: Ralph P. Hernandez, Principal Legislative Financial Analyst

Nathan Toth, Deputy Director

HISTORY: Intro. 807 was introduced by Council and referred to the Housing and Buildings Committee on March 14, 2012. The Committee held a hearing on May 21, 2012, and the bill was amended and laid over. The Committee will vote on the amended version, Proposed Intro. 807-A, on July 25, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 807-A:)

Int. No. 807-A

By Council Members Dilan, Eugene, Gonzalez, Koo, Seabrook, Williams, Jackson, Rodriguez, Dromm, Lappin and Gennaro (by request of the Mayor).

A Local Law to amend the New York city plumbing code, in relation to bringing it up to date with the 2009 edition of the international plumbing code, with differences that reflect the unique character of the city.

Be it enacted by the Council as follows:

Section 1. Legislative intent. This local law implements section 28-601.1 of the administrative code, which requires triennial updates of the New York city plumbing code to reflect changes in the International Plumbing Code. These amendments will bring the New York city plumbing code up to date with the 2009 International Plumbing Code published by the International Code Council, with differences to accommodate the unique nature of construction in the City. The local law is divided into parts from A through O with each part comprising amendments to a separate chapter or appendix of the code in separately numbered sections within the part.

PART A
CHAPTER 1

§1. Sections 102.1, 102.2, 102.3 and 102.4 of the New York city plumbing code, as amended by local law number 8 for the year 2008, are amended to read as follows:

102.1 General. [The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section PC 101.] *Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.* Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.2 Existing installations. [Plumbing] *Except as otherwise specifically provided, plumbing systems lawfully in existence at the time of the adoption or a subsequent amendment of this code shall be permitted to have their use and maintenance continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created by such plumbing system.*

102.2.1 Existing buildings. Additions, alterations, renovations or repairs related to building or structural issues shall be governed by Chapter 1 of Title 28 of the Administrative Code, the New York City Building Code and the 1968 Building Code, as applicable.

102.2.2 References to the New York City Building Code. *For existing buildings, a reference to a section of the New York City Building Code in this code shall also be deemed to refer to the equivalent provision of the 1968 Building Code, as applicable in accordance with Chapter 1 of Title 28 of the Administrative Code.*

102.3 Maintenance. Installations, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards that are required by this code shall be maintained in compliance with the applicable provisions under which they were installed.

102.3.1 Owner responsibility. *The owner or the owner's designated agent shall be responsible for maintenance of plumbing systems. To determine compliance with this provision, the commissioner shall have the authority to require any plumbing system to be inspected.*

102.4 Additions, alterations or repairs. Additions, alterations, renovations or repairs to installations shall conform to that required for new installations without requiring the existing installation to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause an existing installation to become unsafe, hazardous or overloaded.

102.4.1 Minor additions, alterations, renovations and repairs. *Minor additions, alterations, renovations and repairs to existing installations shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved.*

§2. The New York city plumbing code is amended by adding a new section 102.10, to read as follows:

102.10 Application of references. *Reference to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.*

§3. Section 104.1 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

104.1 General. The commissioner shall have the authority to render interpretations of *this code* and to adopt rules, policies, and procedures in order to clarify and implement *its* provisions. Such interpretations, *policies, procedures,* and rules shall be in compliance with the intent and purpose of this code. See the New York City Charter and Chapter 1 of Title 28 of the Administrative Code for additional provisions relating to the authority of the Commissioner of Buildings.

§4. Section 105.6 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

105.6 Other permits. In addition to any permits required by the provisions of this code, the following permits shall also be required:

1. Permits for all water supplies and backflow devices for all buildings shall be obtained from the Department of Environmental Protection, and the installation of the water service system from the street main up to and including the meter *outlet control valve* shall be subject to inspection and approval by such department. *All backflow devices shall be acceptable to the New York State Department of Health.*

2. Permits for the installation of the building house sewer or drain from the street line to, and including, the spur connection at the street sewer shall be obtained from the Department of Environmental Protection, except that, in conjunction with the issuance of a permit for the construction or alteration of a structure within the curb line, the commissioner may issue a permit for connection with a sewer or drain.

3. Permits for sidewalk and street openings shall be obtained from the Department of Transportation.

4. *Where groundwater discharge permits are required by the rules of the Department of Environmental Protection for the discharge of groundwater, such permits shall be obtained from the Department of Environmental Protection in accordance with such rules.*

§5. Section 106.6 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

106.6 [Sewer adequacy verification. Applications for construction document approval shall include a house/site connection application approved or accepted by the Department of Environmental Protection as to the availability of a public sewer system, and when not available, alternate provisions for disposal of storm water and sanitary sewage.

106.6.1 Increases in existing impervious surfaces. Whenever an alteration increases impervious surfaces on the lot to greater than 20 percent of the impervious surfaces existing when the structure was constructed, the applicant shall submit a house/site connection application approved or accepted by the Department of Environmental Protection as to the availability of a public sewer system, as well as an evaluation of the adequacy of any existing system for the disposal of storm water by any means other than storm or combined sewers.

Exception: Where the total area of impervious surfaces proposed to be increased by an alteration after the effective date of this code is less than or equal to 1,000 square feet (93 m²).] **Discharge of sewage and discharge and/or management of stormwater runoff.** *Applications for construction document approval shall comply with Sections 106.6.1 and 106.6.2.*

106.6.1 Sewage. *Applications for construction document approval shall include submittal documents relating to the availability and feasibility of a public sanitary or public combined sewer and/or other approved discharge for sewage in accordance with Sections 106.6.1.1 and 106.6.1.2 for the following types of applications:*

1. *New buildings that include any fixtures that produce sewage;*

2. *Alterations that require an increase in size to an existing sanitary or combined sewer connection; and/or*

3. *Alterations requiring a new connection to a sanitary or combined sewer.*

106.6.1.1 Connection feasible and available. *Where a public sanitary or combined sewer is certified by the Department of Environmental Protection or certified by an applicant in accordance with rules of such department to be available and connection thereto feasible, the applicant shall submit:*

1. **Department of Environmental Protection certification of availability and feasibility.** *A sewer certification issued by the Department of Environmental Protection that a public sanitary or combined sewer is available and connection thereto is feasible. Applications for such certification shall be made to the Department of Environmental Protection on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department) and shall be reviewed and approved by such department in accordance with the rules of such department. Such certification may be conditioned by such department on part or all of the sewage to be disposed of with an on-site disposal system or with the use of an alternative disposal system; or*

2. **Applicant certification of availability and feasibility.** *A certification submitted by the applicant to the Department of Environmental Protection in accordance with the rules of such department that a public sanitary or combined sewer is available and connection thereto is feasible, in such cases where the*

availability and feasibility of connection to a public sanitary or combined sewer are allowed to be certified by the applicant pursuant to such rules. Such certification shall be on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department).

106.6.1.2 Connection not feasible or not available. Where a public sanitary or combined sewer is not available, or where connection thereto is not feasible, the applicant shall submit:

1. Department of Environmental Protection or applicant certification of unavailability or non-feasibility. (i) A certification issued by the Department of Environmental Protection that a public sanitary or combined sewer is not available or that connection to an available sewer is not feasible. Such certification shall be on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department) or (ii) A certification submitted by the applicant to the Department of Environmental Protection that a public sanitary or combined sewer is not available or that connection thereto is not feasible, in such cases where the availability and feasibility of connection to a public sanitary or combined sewer are allowed to be certified by the applicant pursuant to the rules of such department. Such certification shall be on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department); and

2. On-site disposal. A proposal for the design and construction of a system for the on-site disposal of sewage conforming to the provisions of this code and other applicable laws and rules including but not limited to minimum required distances from lot lines or structures and subsoil conditions. Construction documents for such system shall be subject to the approval of the department.

106.6.2 Stormwater. Applications for construction document approval shall include submittal documents relating to the availability and feasibility of a public combined or storm sewer or other approved method for stormwater discharge in accordance with Sections 106.6.2.1 and 106.6.2.2 for the following types of applications:

1. New buildings;
2. Alterations of buildings proposing horizontal building enlargement; and/or
3. Alterations that increase impervious surfaces on the tax lot.

Exceptions:

1. Applications for construction document approval for the alteration of an existing one- or two-family dwelling need not include such submittal documents, where the area of a proposed horizontal building enlargement and any proposed increase in impervious surfaces combined is less than or equal to 200 square feet (19 m²).

1.1. This exception shall not apply if the horizontal building enlargement and increase in impervious surface related to the current application for construction document approval and any other enlargement or increase in impervious surface made on the same tax lot after July 1, 2008 together exceed 200 square feet (19 m²).

2. Applications for construction document approval for the alteration of a building need not include such submittal documents, where the area of a proposed horizontal building enlargement and any proposed increase in impervious surfaces on a lot combined is less than or equal to 1,000 square feet (93 m²), and on-site disposal of stormwater conforming to the provisions of the applicable laws and rules as determined by the department is proposed for such enlargement and/or increase in impervious surface.

2.1. This exception shall not apply where on-site disposal cannot be designed to conform to the provisions of the applicable laws and rules including but not limited to minimum required distances from lot lines or structures or subsoil conditions as determined by the department.

2.2. This exception shall not apply if the horizontal building enlargement and increase in impervious surface related to the current application for construction document approval and all other enlargements or increases in impervious surface made on the same tax lot after July 1, 2008 together exceed 1000 square feet (93 m²).

106.6.2.1 Connection feasible and available. Where a public combined or storm sewer is certified by the Department of Environmental Protection or certified by an applicant in accordance with rules of such department to be available and connection thereto is feasible, applicants shall submit:

1. Department of Environmental Protection certification of availability and

feasibility. A sewer certification issued by the Department of Environmental Protection that a public storm or combined sewer is available and connection thereto is feasible. Applications for such certification shall be made to the Department of Environmental Protection on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department) and shall be reviewed and approved by such department in accordance with the rules of such department. Such certification may be conditioned by such department on part or all of the stormwater runoff to be disposed of through an on-site detention or retention system, or by use of alternative disposal methods including but not limited to ditches, swales or watercourses; or

2. Applicant certification of availability and feasibility. A certification submitted by the applicant to the Department of Environmental Protection in accordance with the rules of such department that a public storm or combined sewer is available and connection thereto is feasible, in such cases where the availability and feasibility of connection to a public storm or combined sewer are allowed to be certified by the applicant pursuant to such rules. Such certification shall be on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department).

106.6.2.2 Connection not feasible or not available. Where a public combined or storm sewer is not available, or where connection thereto is not feasible, applicants shall submit:

1. Department of Environmental Protection or applicant certification of unavailability or non-feasibility. (i) Certification issued by the Department of Environmental Protection that a public storm or combined sewer is not available or that connection thereto is not feasible. Such certification shall be on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department); or (ii) Certification submitted by the applicant to the Department of Environmental Protection that a public storm or combined sewer is not available or that connection thereto is not feasible, in such cases where the availability and feasibility of connection to a public storm or combined sewer are allowed to be certified by the applicant pursuant to rules of such department. Certification shall be on forms specified by such department (Department of Environmental Protection "house/site connection proposal application" or other form as specified in the rules of such department); and

2. On-site disposal. A proposal for the design and construction of a system for the on-site disposal of stormwater conforming to the provisions of this code and other applicable laws and rules including but not limited to minimum required distances from lot lines or structures and subsoil conditions. Construction documents for such system shall be subject to the approval of the department.

§6. Section 106.9 of the New York city plumbing code, as amended by local law number 8 for the year 2008, are amended to read as follows:

106.9 Private stormwater or sewage disposal system. If a private stormwater or sewage disposal system is to be installed, a site and subsoil evaluation indicating that the site and subsoil conditions comply with the applicable laws and rules shall be submitted in accordance with the provisions of Section 1704.20.1 of the New York City Building Code.

§7. Section PC 107 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

**SECTION PC 107
INSPECTIONS AND TESTING**

107.1 General. Except as otherwise [specifically provided] specified, inspections required by this code or by the department during the progress of work, may be performed on behalf of the owner by approved agencies or, if applicable, by special inspectors. However, in the interest of public safety, the commissioner may direct that any of such inspections be performed by the department. All inspections shall be performed at the sole cost and expense of the owner. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code for additional provisions relating to inspections.

107.2 Required inspections and testing. In addition to any inspections otherwise required by this code or applicable rules, the holder of the permit shall be responsible for the scheduling of the following required inspections:

1. Progress inspections:

1.1. Underground inspection and/or testing shall be made after trenches or ditches are excavated and bedded, piping installed, and before backfill is put in place.

1.2. Rough-in inspection and/or testing shall be made after the roof, framing, fireblocking, firestopping, draftstopping and bracing is in place and all sanitary, storm and water distribution piping is roughed-in, and prior to the installation of wall or ceiling membranes.

1.3. *Inspections required by the New York City Energy Conservation Code shall be made in accordance with rules of the department, as applicable.*

2. Special inspections. Special inspections shall be performed in accordance with this code and Chapter 17 of the New York City Building Code, and, where applicable, Section 107.[2]3.
3. Final inspection shall be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code for additional requirements.

107.[1]2.1 Approved agencies. Refer to Articles 114 and 115 of Chapter 1 of Title 28 of the Administrative Code.

107.[1]2.2 Exposure of work. It shall be the duty of the permit holder to cause the work to remain accessible and exposed for inspection purposes. Neither the commissioner nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

107.[2]3 Special inspections of alternative engineered design systems. Special inspections of alternative engineered design plumbing systems shall be conducted in accordance with Sections 107.[2]3.1 and 107.[2]3.2.

107.[2]3.1 Periodic inspection. The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the approved construction documents. All discrepancies shall be brought to the immediate attention of the plumbing contractor for correction. Records shall be kept of all inspections.

107.[2]3.2 Written report. The registered design professional shall submit a final report in writing to the commissioner upon completion of the installation, certifying that the alternative engineered design conforms to the approved construction documents.

107.[3]4 Testing. Plumbing work and systems shall be tested as required in Section 312 and in accordance with Sections 107.[3] 4.1 through 107.[3] 4.3. Tests shall be made by the permit holder and observed by the commissioner.

107.[3]4.1 New, altered, extended or repaired systems. New plumbing systems and parts of existing systems that have been altered, extended or repaired shall be tested as prescribed herein to disclose leaks and defects, except that testing is not required in the following cases:

1. In any case that does not include addition to, replacement, alteration or relocation of any water supply, drainage or vent piping.
2. In any case where plumbing equipment is set up temporarily for exhibition purposes.
3. For ordinary plumbing work, the department may accept written certification from a licensed master plumber that the job was performed in compliance with the requirements of this code and rules of the department.
4. Minor alterations and ordinary repairs.

107.[3]4.2 Equipment, material and labor for tests. All equipment, material and labor required for testing a plumbing system or part thereof shall be furnished by the permit holder.

107.[3]4.3 Reinspection and testing. Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the commissioner for inspection and testing.

107.[4]5 Sign-off of completed work. Refer to Article 116 of Chapter 28 of the Administrative Code.

107.[5]6 Temporary connection. The commissioner shall have the authority to authorize the temporary connection of the building or system to the utility source for the purpose of testing plumbing systems or for use under a temporary Certificate of Occupancy.

107.7 Connection of service utilities. Refer to Title 28 of the Administrative Code.

PART B
CHAPTER 2

§1. Section 201.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the New York City Building Code, New York City Fire Code, New York City Electrical Code, New York City Fuel Gas Code [or the], New York City Mechanical Code, or the New York City Energy Conservation Code, such terms shall have the meanings ascribed to them as in those codes.

§2. The definition of “BACKFLOW” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

BACKFLOW. The undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources *or the undesirable reversal of flow from the intended direction of flow in the drainage system due to a system stoppage, system overload or a higher pressure on the drainage pipe side of the house trap.*

Backpressure, low head. A pressure less than or equal to 4.33 psi (29.88 kPa) or the pressure exerted by a 10-foot (3048 mm) column of water.

Backsiphonage. The backflow of potentially contaminated water into the potable water system as a result of the pressure in the potable water system falling below atmospheric pressure of the plumbing fixtures, pools, tanks or vats connected to the potable water distribution piping.

[Backwater valve. A device or valve installed in the building drain or sewer pipe where a sewer is subject to backflow, and which prevents drainage or waste from backing up into a low level or fixtures and causing a flooding condition.]

Drainage. A reversal of flow in the drainage system.

Water supply system. The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source except the intended source.

§3. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “BACKWATER VALVE” to follow in alphabetical order the definition of “BACKFLOW PREVENTER,” to read as follows:

BACKWATER VALVE. *A device or valve installed in the building drain, sewer or any branch line where such drain or branch is subject to backflow, and which prevents drainage or waste from backing up into a lower level or fixtures and causing a flooding condition.*

§4. The definition of “BRANCH INTERVAL” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

BRANCH INTERVAL. [A distance along a soil or waste stack corresponding in general to a story height, but not less than 8 feet (2438mm), within which the horizontal branches from one floor or story of a structure are connected to the stack.] *A vertical measurement of distance, 8 feet (2438 mm) or more in developed length, between the connections of horizontal branches to a drainage stack. Measurements are taken down the stack from the highest horizontal branch connection.*

§5. The definition of “BUILDING SEWER” in section PC 202 of the New York city plumbing code as added by local law number 99 for the year 2005, is amended to read as follows:

BUILDING SEWER. [That part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.] *See Sewer, Building sewer.*

[Combined. A building sewer that conveys both sewage and storm water or other drainage.

Sanitary. A building sewer that conveys sewage only.

Storm. A building sewer that conveys storm water or other drainage, but not sewage.]

§6. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “CLEAR WATER WASTE” to follow in alphabetical order the definition of “CLEANOUT,” to read as follows:

CLEAR WATER WASTE. *Drips from pumps and equipment, coil condensate, steam condensate, single pass refrigeration discharge, RPZ discharge, and similar matter.*

§7. The definition of “COMBINED BUILDING SEWER” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

COMBINED [BUILDING] SEWER. See “[Building sewer] Sewer, combined sewer.”

§8. The definition of “DEPTH OF WATER SEAL” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is REPEALED.

§9. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “DETENTION SYSTEM” to follow in alphabetical order the definition of “DESIGN FLOOD ELEVATION,” to read as follows:

DETENTION SYSTEM. *A system that slows and temporarily holds storm water runoff so that it can be released into the public sewer system at a controlled rate.*

§10. The definition of “DRAINAGE FIXTURE UNIT” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

DRAINAGE FIXTURE UNIT [Drainage] (dfu). A measure of the probable discharge into the drainage system by various types of plumbing fixtures. The drainage fixture-unit value for a particular fixture depends on its volume rate of drainage discharge, on the time duration of a single drainage operation and on the average time between successive operations.

§11. The definition of “DRAINAGE SYSTEM” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

DRAINAGE SYSTEM. Piping within a public or private premise that conveys sewage, rainwater or other liquid wastes to a point of disposal. A drainage system does not include the mains of a public sewer system or a private or public sewage treatment or disposal plant.

[Building gravity] Gravity. A drainage system that drains by gravity into the building sewer.

Sanitary. A drainage system that carries [sewage and excludes storm, surface and ground water] *sewage or similar matter.*

Storm. A drainage system that carries [rainwater, surface water, subsurface water and similar liquid wastes] *only stormwater, potable clear water waste, and groundwater.*

§12. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “DRYWELL” to follow in alphabetical order the definition of “DRAINAGE SYSTEM,” to read as follows:

DRYWELL. *A covered pit constructed so as to permit liquid contents to seep into the ground.*

§13. Section PC 202 of the New York city plumbing code is amended by moving the definition of “FLOOD LEVEL RIM” in section PC 202 of the New York city plumbing code to follow, in alphabetical order, the definition of “FLOOD HAZARD AREA.”

§14. Section PC 202 of the New York city plumbing code is amended to add a definition of “FLOOR DRAIN” to follow, in alphabetical order, the definition of “FLOOD LEVEL RIM,” to read as follows:

FLOOR DRAIN. *A fixture set into a floor, used to drain water into a plumbing drainage system.*

§15. The definition of “GREASE INTERCEPTOR” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

GREASE INTERCEPTOR. [A passive interceptor whose rated flow exceeds 50 gpm (189 L/m)] *A plumbing appurtenance that is installed in a sanitary drainage system to intercept grease-laden wastes from a wastewater discharge. Such device has the ability to intercept free-floating fats and oils.*

Flow control. *A device installed upstream from the interceptor, having an orifice that controls the rate of flow through the interceptor and an air intake (vent) downstream from the orifice that allows air to be drawn into the flow stream.*

§16. The definition of “GREASE TRAP” in section PC 202 of the New York city plumbing code is REPEALED.

§17. Section PC 202 of the New York city plumbing code is

amended by adding new definitions of “GREASE REMOVAL DEVICE, AUTOMATIC (GRD)” and “GROUNDWATER” to follow, in alphabetical order, the definition of “GREASE INTERCEPTOR,” to read as follows:

GREASE REMOVAL DEVICE, AUTOMATIC (GRD). *A plumbing appurtenance that is installed in the sanitary drainage system to intercept grease-laden waste from wastewater discharge. Such device operates on a time- or event-controlled basis and has the ability to remove free-floating fats, oils and grease automatically without intervention from the user, except for maintenance.*

GROUNDWATER OR GROUND WATER. *Water located beneath the ground surface in soil pore spaces and in the fractures of rock formations.*

§18. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “HAND SINK” to follow the definition of “GREASE TRAP” to read as follows:

HAND SINK. *A plumbing fixture especially designed and placed for the washing of hands.*

§19. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “LOW-PRESSURE STEAM-HEATING BOILER” to follow in alphabetical order the definition of “LOCAL VENT STACK,” to read as follows:

LOW-PRESSURE STEAM-HEATING BOILER. *A boiler furnishing steam at pressures not exceeding 15 psig (103 kPa).*

§20. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “PERMEABILITY” to follow in alphabetical order the definition of “OPEN AIR,” to read as follows:

PERMEABILITY. *A measure of the rate of movement of liquid through soil.*

§21. Add a new definition of “PNEUMATIC SEWAGE EJECTOR VENT” to follow in alphabetical order the definition of “PLUMBING SYSTEM,” to read as follows:

PNEUMATIC SEWAGE EJECTOR VENT. *A vent from pneumatic sewage ejectors that terminates separately to the open air.*

§22. The definition of “POTABLE WATER” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

POTABLE WATER. *Water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming to the bacteriological and chemical quality requirements of the [Public Health Service Drinking Water Standards the regulations of the public health authority having jurisdiction] New York State Sanitary Code.*

§23. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “PRIVATE SEWER” to follow in alphabetical order the definition of “PRIVATE,” to read as follows:

PRIVATE SEWER. *See “Sewer, private sewer.”*

§24. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “PUBLIC SEWER” to follow in alphabetical order the definition of “PUBLIC OR PUBLIC UTILIZATION,” to read as follows:

PUBLIC SEWER. *See “Sewer, public sewer.”*

§25. The definition of “REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER (RPZ). *A backflow prevention device consisting of two independently acting check valves, internally force-loaded to a normally closed position and separated by an intermediate chamber (or zone) in which there is an automatic relief means of venting to the atmosphere, internally loaded to a normally open position between two tightly closing shutoff valves and with a means for testing for tightness of the checks and opening of the relief means.*

§26. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “RETENTION SYSTEM” to follow in alphabetical order the definition of “RELIEF VENT,” to read as follows:

RETENTION SYSTEM. *A system that captures storm water runoff on site with no release.*

§27. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “SANITARY SEWER” after the definition of “ROUGH-IN,” to read as follows:

SANITARY SEWER. See “Sewer, sanitary sewer.”

§28. The definition of “SEWAGE” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

SEWAGE. Any liquid waste containing animal or vegetable matter in suspension or solution[, including liquids containing] or chemicals in solution including but not limited to wastewater, human or animal wastes, non-potable clear water waste, and industrial waste.

§29. The definition of “SEWER” in section PC 202 of the New York city plumbing code as added by local law number 99 for the year 2005, is amended to read as follows:

SEWER.

Building sewer. [See “Building sewer.”] *That part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.*

Combined sewer. *A sewer receiving a combination of sewage, storm water, groundwater and non-potable clear water waste.*

Private sewer. *A private sanitary, storm, or combined sewer that is designed and constructed in accordance with the requirements of the City drainage plan to serve a specific development and is located in a finally mapped street, a record street, or a sewer easement, and discharges into an approved outlet.*

Public sewer. [A common sewer directly controlled by public authority.] *A sewer that is owned by the city of New York.*

Sanitary sewer. [A sewer that carries sewage and excludes storm, surface and ground water.] *A sewer that conveys only sewage.*

Storm sewer. [A sewer that conveys rainwater, surface water, subsurface water and similar liquid wastes.] *A sewer that conveys only storm water, groundwater and potable clear water waste.*

§30. Section PC 202 of the New York city plumbing code is amended by adding new definitions of “STORM SEWER” and “STORM WATER” after the definition of “STORM DRAIN,” to read as follows:

STORM SEWER. See “Sewer, storm sewer.”

STORM WATER OR STORMWATER. *The excess water running off from the surface of a drainage area during and immediately following a period of precipitation.*

§31. The definition of “SUMP VENT” in section PC 202 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

SUMP VENT. A vent from sewage ejectors, or similar equipment, that terminates to the sanitary vent system or separately to the open air.

PART C
CHAPTER 3

§1. Section 301.3 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

301.3 Connections to the sanitary drainage system. All plumbing fixtures, drains, appurtenances and appliances used to receive or discharge liquid wastes or sewage shall be directly connected to the sanitary drainage system of the building or premises, in accordance with the requirements of this code. This section shall not be construed to prevent the indirect waste systems required by Chapter 8.

Exception: [Lavatories] *Fixtures discharging wastewater* shall not be required to discharge to the sanitary drainage system where such fixtures discharge to a water recycling system in accordance with Appendix C [and that is approved by the commissioner].

§2. Section 301.6 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

301.6 Prohibited locations. Plumbing systems shall not be located in an elevator shaft [or] *and plumbing systems not related to elevator machinery shall not be located in [an] elevator equipment rooms.*

Exception: [Sump pumps and floor drains indirectly connected to the plumbing system shall be permitted at the base of the shaft.] Floor drains, sumps and sump pumps shall be permitted at the base of the shaft, provided they are indirectly connected to the plumbing system.

§3. Section 301.7 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

301.7 Conflicts. [Where conflicts between this code and the conditions of the listing or the manufacturer's installation instructions occur, the provisions of this code apply] *In instances where conflicts occur between this code and the manufacturer's installation instructions, the more restrictive provisions shall apply.*

[Exception: Where a code provision is less restrictive than the conditions of the listing of the equipment or appliance or the manufacturer's installation instructions, the conditions of the listing and manufacturer's installation instructions shall apply.]

§4. Section 302.1 and 302.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

302.1 Detrimental or dangerous materials. Ashes, cinders or rags; flammable, combustible, poisonous or explosive liquids or gases; oil, grease or any other insoluble material capable of obstructing, damaging or overloading the building drainage or sewer system, or capable of interfering with the normal operation of the sewage treatment processes; *or any other substance or material prohibited from being discharged into the public sewers in accordance with the rules of the Department of Environmental Protection,* shall not be deposited, by any means, into such systems.

302.2 Industrial wastes. Waste products from manufacturing or industrial operations shall not be introduced into the public sewer [until it has been determined by the city department of environmental protection that the introduction thereof will not damage the public sewer system or interfere with the functioning of the sewage treatment plant] *except in accordance with the rules of the Department of Environmental Protection.*

§5. Section 305.1 of the New York city plumbing code as added by local law number 99 for the year 2005, is amended to read as follows:

305.1 Corrosion. Pipes passing through concrete or cinder walls and floors or other corrosive material shall be protected against external corrosion by a protective sheathing or wrapping or other means that will withstand any reaction from the lime and acid of concrete, cinder or other corrosive material. Sheathing or wrapping shall allow for *movement, including* expansion and contraction of piping to prevent any rubbing action. Minimum thickness of sheathing or wrapping material shall be 0.025 inch (0.64 mm).

§6. Section 305.8 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

305.8 Protection against physical damage. In concealed locations where piping, other than cast-iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1.5 inches (38mm) from the nearest edge of the member, the pipe shall be protected by *steel* shield plates. [Protective shield plates shall be a minimum of 0.062-inch-thick (1.6 mm) steel.] *Such shield plates shall have a thickness of not less than 0.0575-inches (1.436 mm) (No. 16 gage). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches (51 mm) above sole plates and below top plates.*

§7. Section 307.6 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

307.6 Piping materials exposed within plenums. All piping materials exposed within plenums shall comply with the provisions of the New York City [Mechanical] *Construction Codes.*

§8. Section 308.9 of the New York city plumbing code is REPEALED.

§9. Section 308.10 of the New York city plumbing code, as added by local law number 99 for the year 2005, is renumbered to be 308.9.

§10. Table 308.5 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

TABLE 308.5
HANGER SPACING

PIPING MATERIAL	MAXIMUM HORIZONTAL SPACING (feet)	MAXIMUM VERTICAL SPACING (feet)
ABS pipe	4	10 ^b
Brass pipe	10	10

Cast-iron pipe	5 ^a	At base and at each story height no greater than 20
Copper or copper-alloy pipe	12	At each story height no greater than 12
Copper or copper-[allow] alloy tubing, 1 ¹ / ₄ -inch diameter and smaller	6	At each story height no greater than 10
Copper or copper-alloy tubing, 1 ¹ / ₂ -inch diameter and larger	10	At each story height no greater than 10
Steel pipe	12	At every story height
PVC pipe	4	10 ^b
Stainless steel drainage systems	10	10 ^b

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. The maximum horizontal spacing of cast-iron pipe hangers shall be increased to 10 feet where 10-foot lengths of pipe are installed.

b. Midstory guide for sizes 2 inches and smaller.

§11. Section 309.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

309.1 General. Plumbing systems and equipment in structures erected in flood hazard areas shall be constructed in accordance with the requirements of this section and Appendix G of the New York [city building code] *City Building Code*.

§12. Section 310.4 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

310.4 Water closet compartment. Each water closet utilized by the public or employees shall occupy a separate compartment with walls or partitions and a door enclosing the fixtures to ensure privacy.

Exceptions:

1. Water closet compartments shall not be required in a single-occupant toilet room with a lockable door.

2. Toilet rooms located in day care and child-care facilities and containing two or more water closets shall be permitted to have one water closet without an enclosing compartment.

3. Toilet areas located within Group I-3 housing areas.

§13. The New York city plumbing code is amended to add a new section 310.5, to read as follows:

310.5 Urinal partitions. Each urinal utilized by the public or employees shall occupy a separate area with walls or partitions to provide privacy. The walls or partitions shall begin at a height not more than 12 inches (305 mm) from and extend not less than 60 inches (1524 mm) above the finished floor surface. The walls or partitions shall extend from the wall surface at each side of the urinal a minimum of 18 inches (457 mm) or to a point not less than 6 inches (152 mm) beyond the outermost front lip of the urinal measured from the finished back wall surface, whichever is greater.

Exceptions:

1. Urinal partitions shall not be required in a single occupant or family/assisted-use toilet room with a lockable door.

2. Toilet rooms located in day-care and child-care facilities and containing two or more urinals shall be permitted to have one urinal without partitions.

§14. Section PC 312 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

**SECTION PC 312
TESTS AND INSPECTIONS**

312.1 Required tests. The licensed master plumber shall make the applicable tests prescribed in Sections 312.2 through 312.[9] 10 to determine compliance with the provisions of this code. The licensed master plumber shall give two days[,] notice to the commissioner when the plumbing work is ready for tests. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the licensed master plumber and the licensed master plumber shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or, for piping systems other than plastic, by air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The commissioner shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.

Exception: The repair, replacement or alteration to existing water waste, vent or storm water piping or the addition of no more than three (3) plumbing fixtures or roof drains to an existing floor of an existing building shall require only a visual inspection of waste, vent and storm water pipe roughing and finish in addition to a pressure test of water piping at available building water pressure.

312.1.1 Test gauges. Gauges used for testing shall be as follows:

1. Tests requiring a pressure of 10 [psi] *pounds per square inch (psi) (69 kPa)* or less shall utilize a testing gauge having increments of 0.10 psi (*0.69 kPa*) or less.
2. Tests requiring a pressure of greater than 10 psi (*69 kPa*) but less than or equal to 100 psi (*689 kPa*) shall utilize a testing gauge having increments of 1 psi (*69 kPa*) or less.
3. Tests requiring a pressure of greater than 100 psi (*689 kPa*) shall utilize a testing gauge having increments of 2 psi (*14 kPa*) or less.

312.1.2 Witnessing tests. Tests in accordance with this code shall be witnessed by department plumbing inspectors or approved agencies. The department shall prescribe qualifications for individuals who are authorized to witness such tests on behalf of approved agencies, including but not limited to the requirement that such individuals shall be licensed master plumbers or registered design professionals with not less than 5 years experience in the inspection and testing of piping systems. Such tests may be conducted without any [verifying] inspection or tests *witnessed* by the department, provided that verified statements and supporting inspectorial and test reports are filed with the department within [one] *two* working days of such tests.

312.2 Drainage and vent water test. A water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10 foot (3048 mm) head of water. In testing successive sections, at least the upper 10 feet (3048 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet (3048 mm) of the system, shall have been submitted to a test of less than a 10 foot (3048 mm) head of water. This pressure shall be held for at least 15 minutes. The system shall then be tight at all points.

312.3 Drainage and vent air test. An air test shall be made by forcing air into the system until there is a uniform gauge pressure of 5 [pounds per square inch (psi)] *psi (34.5 kPa)*. This pressure shall be held for a test period of at least 15 minutes. Any adjustments to the test pressure required because of changes in ambient temperature or the seating of gaskets shall be made prior to the beginning of the test period.

312.4 Drainage and vent final test. The final test of the completed drainage and vent system shall be visual and in sufficient detail to determine compliance with the provisions of this code [except that the plumbing shall be subjected to a smoke test where necessary for cause]. Where [the] a smoke test is utilized, it shall be made by filling all traps with water and then introducing into the entire system a pungent, thick smoke produced by one or more smoke machines. When the smoke appears at stack openings on the roof, the stack openings shall be closed and a pressure equivalent to a 1-inch water column (248.8 Pa) shall be held for a test period of not less than 15 minutes.

312.5 Water supply system test. Upon completion of a section of or the entire water supply system, the system, or portion completed, shall be tested and proved tight under a water pressure of 50 psi (*344 kPa*) above its normal working pressure but not less than 150 psi (*1033 kPa*). The water utilized for tests shall be obtained from a potable source of supply. The required tests shall be performed in accordance with this section and Section PC 107.

312.5.1 Water service pipe. In addition to any requirements of Section 312.5, tests for water service pipes shall comply with the following:

1. In the presence of the tapper or inspector of the Department of Environmental Protection, each new service pipe or repaired service pipe shall be subjected to a water test made under the street main pressure.

2. All such pipes and appurtenances shall remain uncovered for the duration of the test and shall show no sign of leakage.

3. When any question arises as to the installation conforming with these regulations, an internal hydrostatic test as specified for materials may be applied, subject to the approval of the Department of Environmental Protection.

312.6 Gravity sewer test. Gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer, filling the

building sewer with water, testing with not less than a 10-foot (3048 mm) head of water and maintaining such pressure for 15 minutes.

312.7 Forced sewer test. Forced sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer and applying a pressure of 5 psi (34.5 kPa) greater than the shut off pump rating, and maintaining such pressure for 15 minutes.

312.8 Storm drainage system test. Storm drain systems within a building shall be tested by water or air in accordance with Section 312.2 or 312.3. *Where storm drainage piping is designed to run full, the system shall be tested to withstand the head of 10 feet (3048 mm) of water above the anticipated high water level.*

Exception: *Corrugated HDPE pipe installed outside of a building shall be tested to withstand the head of water equal to grade.*

312.9 Shower liner test. *Where shower floors and receptors are made water-tight by the application of materials required by Section 417.5.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged water-tight for the test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of at least 2 inches (51 mm) high does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches (51 mm) deep measured at the threshold. The water shall be retained for a test period of not less than 15 minutes, and there shall not be evidence of leakage.*

312.[9]10 Inspection and testing of backflow prevention assemblies. Inspection and testing of secondary backflow prevention assemblies shall comply with Sections 3 12.[9] 10.1 and 3 12.[9] 10.2.

312.[9]10.1 Inspections. Annual inspections shall be made of all backflow prevention assemblies, [and] air gaps, *spill-proof vacuum breakers, pressure vacuum breaker assemblies, and hose connection backflow preventers* to determine whether they are operable *on forms provided by the department. Such forms shall be retained by the owner and shall be made available upon request to the department for a period of five years.*

312.[9]10.2 Testing. Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, [pressure vacuum breaker assemblies,] reduced pressure detector fire protection backflow prevention assemblies, *and double check detector fire protection backflow prevention assemblies [, hose connection backflow preventers, and spill-proof vacuum breakers]* shall be tested at the time of installation, immediately after repairs or relocation, *and annually thereafter.* Refer to Section 608.13 and the [city department of environmental protection] *Department of Environmental Protection* for additional testing requirements. The testing procedure shall be performed in accordance with one of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, [CAN/CSA, B64.10] *CSA B64.10 or CSA B64.10.1.*

§15. Section PC 314 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**SECTION PC 314
CONDENSATE DISPOSAL**

314.1 Fuel-burning appliances. Liquid combustion by-products of condensing appliances shall be collected and discharged to an approved plumbing fixture or disposal area in accordance with the manufacturer's installation instructions. Condensate piping shall be of approved corrosion-resistant material and shall not be smaller than the drain connection on the appliance. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope).

314.1.1 Condensate disposal. *Condensate from all fuel-burning appliances and associated flues shall be neutralized to a pH of at least 6 and no more than 8 prior to disposal to a sanitary system.*

314.2 Evaporators and cooling coils. Condensate drain systems shall be provided for equipment and appliances containing evaporators or cooling coils. Condensate drain systems shall be designed, constructed and installed in accordance with Sections 314.2.1 through 314.2.[3]4.

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. *Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 1/8 unit vertical in 12 units horizontal (1-percent slope).* Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance.

314.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, *cross-linked polyethylene,*

polybutylene, polyethylene, ABS, CPVC, or PVC pipe or tubing. All components shall be selected for the pressure and temperature rating of the installation. *Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 relative to the material type.* Condensate waste and drain line size shall not be less than 3/4 inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with [an approved method. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope] *Table 314.2.2.*

314.2.3 Auxiliary and secondary drain systems. In addition to the requirements of Section 314.2.1, [a secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil where damage to any building components will occur as a result of overflow from the equipment drain pan or stoppage in the condensate drain piping. One of the following methods shall be used:] *where damage to any building components could occur as a result of overflow from the equipment primary condensate removal system, one of the following auxiliary protection methods shall be provided for each cooling coil or fuel-fired appliance that produces condensate:*

1. An auxiliary drain pan with a separate drain shall be provided under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of [1.5] *1 1/2 inches (38 mm), shall not be less than 3 inches (76 mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. [Metallic] Galvanized sheet metal pans shall have a minimum thickness of not less than [0.0276-inch (0.7 mm)] 0.0236-inch (0.6010 mm) (No. 24 gage) galvanized sheet metal. Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).*

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.

3. An auxiliary drain pan without a separate drain line shall be provided under the coils on which condensate will occur. Such pan shall be equipped with a water level detection device that will shut off the equipment served prior to overflow of the pan. The auxiliary drain pan shall be constructed in accordance with Item 1 of [314.2.3] *this section.*

4. *A water-level detection device shall be provided that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line, or in the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.*

Exception: Fuel-fired appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system.

314.2.3.1 Water-level monitoring devices. *On down-flow units and all other coils that do not have a secondary drain or provisions to install a secondary or auxiliary drain pan, a water-level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Devices installed in the drain line shall not be permitted.*

314.2.3.2 Appliance, equipment and insulation in pans. *Where appliances, equipment or insulation are subject to water damage when auxiliary drain pans fill, such portions of the appliances, equipment and insulation shall be installed above the flood level rim of the pan. Supports located inside of the pan to support the appliance or equipment shall be water resistant and approved.*

314.2.4 Traps. Condensate drains shall be trapped as required by the equipment or appliance manufacturer.

**TABLE 314.2.2
CONDENSATE DRAIN SIZING**

EQUIPMENT CAPACITY	MINIMUM CONDENSATE PIPE DIAMETER
<i>Up to 20 tons of refrigeration</i>	<i>3/4 inch</i>
<i>Over 20 tons to 40 tons of refrigeration</i>	<i>1 inch</i>
<i>Over 40 tons to 90 tons of refrigeration</i>	<i>1 1/4 inch</i>
<i>Over 90 tons to 125 tons of refrigeration</i>	<i>1 1/2 inch</i>
<i>Over 125 tons to 250 tons of</i>	<i>2 inch</i>

refrigeration

For SI: 1 inch = 25.4 mm, 1 ton of capacity = 3.517 kW.

PART D
CHAPTER 4

§1. Section PC 403 of the New York city plumbing code is REPEALED and a new section PC 403 is added to read as follows:

**SECTION PC 403
MINIMUM PLUMBING FACILITIES**

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the commissioner. The number of occupants shall be determined by the New York City Building Code. Occupancy classification shall be determined in accordance with the New York City Building Code.

403.1.1 Fixture calculations. Where separate fixture ratios are provided to male and female individually in Table 403.1, the total occupant load shall first be divided in half before the corresponding fixture ratio is applied individually to each sex. Where a single fixture ratio is provided to the total occupant load in Table 403.1, such ratio shall be applied to the total occupant load including both male and female before dividing the resulting number of fixtures equally between male and female. Fractional numbers resulting from applying the fixture ratios of Table 403.1 shall be rounded up to the next whole number. For calculations involving multiple occupancies, such fractional numbers for each occupancy shall first be summed and then rounded up to the next whole number. Fixture calculations in Group B office occupancies shall utilize the total occupant load on a given floor to determine the number of fixtures required for that floor.

Exception: The total occupant load shall not be required to be divided in half where approved statistical data indicates a distribution of the sexes of other than 50 percent of each sex.

403.1.2 Family or assisted-use toilet and bath fixtures. Fixtures located within family or assisted-use toilet and bathing rooms required by Section 1109.2.1 of the New York City Building Code are permitted to be included in the number of required fixtures for either the male or female occupants in assembly and mercantile occupancies.

403.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. In structures or tenant spaces where combined employee and public toilet facilities are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of employees, customers, patrons and visitors is 30 or fewer.
3. In structures or tenant spaces where required toilet facilities for only employee use are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of employees is 30 or fewer.
4. In structures or tenant spaces where required toilet facilities for only public use are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of customers, patrons and visitors is 30 or fewer.

403.3 Required employee and public toilet facilities. Employees shall be provided with toilet facilities in all occupancies. The number of plumbing fixtures located within the required employee toilet facilities shall be provided in accordance with Section PC 403 for all employees. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization. The number of plumbing fixtures located within the required public toilet facilities shall be provided in accordance with Section PC 403 for all customers, patrons and visitors. Employee and public toilet facilities may be separate or combined. Where combined facilities are provided, the number of plumbing fixtures shall be in accordance with Section PC 403 for all users.

Exception: Public utilization of toilet facilities shall not be required for:

1. Food service establishments, as defined in Section 81.03 of the New York City Health Code, with a seating capacity of less than 20, provided such establishments are less than 10,000 square feet (929 m²).
2. Establishments less than 10,000 square feet (929 m²) classified as

Occupancy Group B or M pursuant to Sections 304.1 and 309.1 of the New York City Building Code, respectively, provided however that this exception shall not apply to a building or nonaccessory tenant space used for assembly purposes by fewer than 75 persons and classified as Group B occupancy in accordance with Section 303.1, Exception 2 of the New York City Building Code.

403.3.1 Access. The route to the public toilet facilities required by Section 403.3 shall not pass through kitchens, storage rooms or closets. Access to the required facilities shall be from within the building or from the exterior of the building. All routes shall comply with the accessibility requirements of the New York City Building Code. Employees, customers, patrons and visitors shall have access to the required toilet facilities at all times that the building is occupied.

403.3.2 Location of toilet facilities in occupancies other than covered malls. In occupancies other than covered mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

Exception: The location and maximum travel distances to required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum travel distance are approved by the department.

403.3.3 Location of toilet facilities in covered malls. In covered mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 300 feet (91 440 mm). In covered mall buildings, the required facilities shall be based on total square footage, and facilities shall be installed in each individual store or in a central toilet area located in accordance with this section. The maximum travel distance to central toilet facilities in covered mall buildings shall be measured from the main entrance of any store or tenant space. In covered mall buildings, where employees' toilet facilities are not provided in the individual store, the maximum travel distance shall be measured from the employees' work area of the store or tenant space.

403.3.4 Pay facilities. Where pay facilities are installed, such facilities shall be in excess of the required minimum facilities. Required facilities shall be free of charge.

403.4 Signage. Required public facilities shall be designated by a legible sign for each sex. Signs shall be readily visible and located near the entrance to each toilet facility.

403.4.1 Directional signage. Directional signage indicating the route to the public facilities shall be posted in accordance with Section BC 1110 of the New York City Building Code. Such signage shall be located in a corridor or aisle, at the entrance to the facilities for customers, patrons, and visitors.

**TABLE 403.1
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
(See Sections 403.2 and 403.3)**

NO.	CLASSIFICATION	OCCUPANCY ^b	DESCRIPTION	WATER CLOSETS/LAVATORIES		BATH/TOILETS/SHOWER S	DRINKING FOUNTAIN (SEE SECTION 410.1) ^d	OTHER	
				URINALS (SEE SECTION 419.2)	(SEE SECTION 419.2)				
				MALE	FEMALE	MALE	FEMALE		
1	Assembly	A-1 ^d	Theaters and other buildings for the performing arts and motion pictures	1 per 70 for the first 210 and 1 per 125 for the remainder exceeding 210	1 per 35 for the first 210 and 1 per 65 for the remainder exceeding 210	1 per 200	-	1 per 500	1 service sink
		A-2 ^d	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1 per 75 ^j	1 per 40 ^j	1 per 75	-	1 per 500	1 service sink
			Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200	-	1 per 500	1 service sink
		A-3 ^d	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums	1 per 70 for the first 210 and 1 per 125 for the remainder exceeding 210	1 per 35 for the first 210 and 1 per 65 for the remainder exceeding 210	1 per 200	-	1 per 500	1 service sink
			Passenger terminals and transportation facilities	1 per 500	1 per 500	1 per 750	-	1,000	per 1,000 service sink
			Places of worship and other religious services.	1 per 150	1 per 75	1 per 200	-	1,000	per 1,000 service sink
		A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,500 and 1 per 60 for the remainder exceeding 1,500	1 per 200	1 per 150	1,000	per 1,000 service sink
		A-5	Stadiums, amusement parks, bleachers and	1 per 75 for the first 1,500 and	1 per 40 for the first 1,520 and 1	1 per 200	1 per 150	1 per 100	1 service sink

			grandstands for outdoor sporting events and activities	per 120 for the remainder exceeding 1,500	per 60 for the remainder exceeding 1,520					
2	Business	B ²	Buildings for the transaction of business, professional services, other services including merchandise, office buildings, banks, light industrial and similar uses	No. of persons of each sex 1-25 1 2 1-45 3 7 1-100 6 1 fixture for additional 50 persons	No. of fixtures 1-20 2 46-70 5 141-190 each 50 persons	No. of persons of each sex fixtures 1-25 1 26-50 2 51-75 3 76-115 4 116-160 5 1 fixture for additional 60 persons			1 per 100	1 service sink
3	Educational	E	Educational facilities	1 per 50	1 per 50				1 per 100	1 service sink
4	Factory and industrial	F-1 and F-2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	1 per 100	1 per 100		(see Section 411)		1 per 400	1 service sink

(continued)

TABLE 403.1-continued
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
(See Sections 403.2 and 403.3)

N O.	CLASSIFICATION	OCCUPANCY ^a	DESCRIPTION	WATER CLOSETS URINALS (SEE SECTION 419.2)	LAVATORIES	BATH TUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1) ^{c,d}	OTHER
				MALE FEMALE	MALE FEMALE			
5	Institutional	I-1	Residential care	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
		I-2	Hospital ambulatory nursing home patients	1 per room ^c	1 per room ^c	1 per 15	1 per 100	1 service sink per floor
			Employees, other than residential care ^b	1 per 25	1 per 35	-	1 per 100	-
			Visitors, other than residential care	1 per 75	1 per 100	-	1 per 500	-
		I-3	Prisons ^b	1 per cell	1 per cell	1 per 15	1 per 100	1 service sink
			Reformatories, detention centers and correctional centers	1 per 15	1 per 15	1 per 15	1 per 100	1 service sink
			Employees ^b	1 per 25	1 per 35	-	1 per 100	-
		I-4	Adult day care and Childcare	1 per 15	1 per 15	1 per 15	1 per 100	1 service sink
6	Mercantile	M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	1 per 500	1 per 750	-	1 per 1,000	1 service sink
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per guestroom	1 per guestroom	1 per guestroom		1 service sink
		R-1	Dormitories, fraternities, sororities and boarding houses (not transient)	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
		R-2	Apartment house	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit		1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units ^e
		R-3	One- and two-family dwellings	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit		1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per dwelling unit ^e
		R-3	Congregate living facilities with 16 or fewer persons	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
8	Storage	S-1 and S-2	Structures for the storage of goods, warehouses, storehouse and freight depots. Low and moderate hazard	1 per 100	1 per 100	See Section 411	1 per 1,000	1 service sink

a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated. Any fraction of the number of persons requires an additional fixture. The number of occupants shall be determined by the New York City Building Code.

b. Toilet facilities for employees shall be separate from facilities for inmates or patients.

c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units shall be permitted where such room is provided with direct access from each patient sleeping unit and with provisions for privacy.

d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.

e. The minimum number of required drinking fountains shall comply with Table 403.1 and Chapter 11 of the New York City Building Code.

f. Drinking fountains are not required for an occupant load of 15 or fewer.

g. For the purposes of this table only, "Bar" shall mean a business establishment or a portion of a nonprofit entity devoted primarily to the selling and serving of alcoholic beverages for consumption by the public, guests, patrons, or members on the premises and in which the serving of food is only incidental.

h. The total number of occupants for a single establishment comprising of a restaurant with an accessory bar shall be considered as a restaurant for the purposes of determining the minimum number of plumbing fixtures.

i. As per the New York City Building Code.

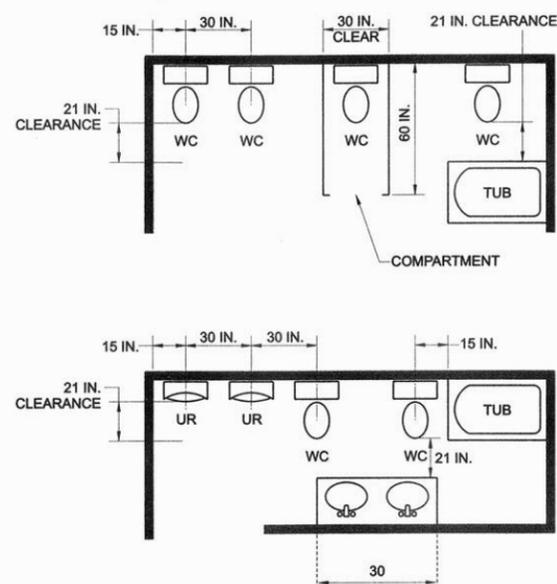
j. The requirements for the number of water closets for a total occupancy of 150 persons or fewer shall not apply to bars except that there shall be at least one water closet for men and at least one water closet for women or at least two unisex toilet rooms.

k. The number of fixtures for building or nonaccessory tenant space used for assembly purposes by fewer than 75 persons and classified as Group B occupancy in accordance with 303.1, Exception 2 of the New York City Building Code shall be permitted to be calculated in accordance with the requirements for Assembly occupancies.

§2. Section 405.3.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

405.3.1 Water closets, urinals, lavatories and bidets. A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition, vanity or other obstruction, or closer than 30 inches (762 mm) center-to-center between [water closets, urinals or] adjacent fixtures. There shall be at least a 21 inch (533 mm) clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches (762 mm) wide [or] and 60 inches (1524 mm) deep. [There shall be at least a 21 inch (533 mm) clearance in front of a lavatory to any wall, fixture or door] (see Figure 405.3.1).

FIGURE 405.3.1
FIXTURE CLEARANCE



[FIGURE 405.3.1
FIXTURE CLEARANCE]
For SI: 1 inch = 25.4 mm

§3. Section 405.4 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

405.4 Floor and wall drainage connections. Connections between the drain

and floor outlet plumbing fixtures shall be made with a floor flange. The flange shall be attached to the drain and anchored to the structure. Connections between the drain and wall-hung water closets shall be made with an approved [extension nipple or horn adapter] *closet carrier fitting*. The water closet shall be bolted to the [hanger] *carrier* with corrosion-resistant bolts or screws. Joints shall be sealed with an approved elastomeric gasket, *wax ring seal*, flange-to-fixture connection complying with ASME A112.4.3 or *an approved setting compound* [conforming to FS TT-P-1536A].

§4. Section 405.4.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

405.4.3 Securing wall-hung water closet bowls. Wall-hung water closet bowls shall be supported by a concealed metal carrier that is attached to the building [structural members] *structure* so that strain is not transmitted to the closet connector or any other part of the plumbing system. The carrier shall conform to ASME A112.6.1M or ASME A112.6.2.

§5. Section 406.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

406.3 Waste connection. The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with Section 802.4 or into a laundry sink. The trap and fixture drain for an automatic clothes washer standpipe shall be a minimum of 2 inches (51 mm) in diameter. The automatic clothes washer fixture drain shall connect to a branch drain or drainage stack a minimum of 3 inches (76 mm) in diameter. *Automatic clothes washers that discharge by gravity shall be permitted to drain to a waste receptor or an approved trench drain.*

§6. Section 407.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

407.2 Bathtub waste outlets. Bathtubs shall have waste outlets a minimum of 1[5] 1/2 inches (38 mm) in diameter. The waste outlet shall be equipped with an approved stopper, *and a built-in overflow shall be provided.*

§7. Section 408.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

408.2 Water connection. The water supply to a bidet shall be protected against backflow by an air gap or backflow preventer in accordance with [Sections]Section 608.13.1, 608.13.2, 608.13.3, 608.13.5, 608. 13.6 or 608.13.8.

§8. The New York city plumbing code is amended by adding a new section 408.3 to read as follows:

408.3 Bidet water temperature. *The discharge water temperature from a bidet fitting shall be limited to a maximum temperature of 110°F (43°C) by a water temperature limiting device conforming to ASSE 1070.*

§9. Sections 412.1 and 412.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

412.1 Approval. Floor drains shall conform to [ASME A112.6.3, ASME A1 123.1] ASME A112.3.1, ASME A112.6.3 or CSA B79. Trench drains shall comply with ASME A112.6.3.

412.2 Floor [drain trap and strainer]drains. Floor [drain traps] *drains* shall have removable strainers. The strainer shall have a waterway area of not less than the area of the tailpiece. The floor drain shall be constructed so that the drain is capable of being cleaned. Access shall be provided to the drain inlet. *Ready access shall be provided to floor drains.*

Exception: *Floor drains serving refrigerated display cases shall be provided with access.*

§10. Section 413.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

413.1 Approval. Domestic food waste grinders shall conform to ASSE 1008. Food waste grinders shall not increase the drainage fixture unit load on the sanitary drainage system. *Food waste grinders shall be permitted only within dwelling units.*

§11. Section 416.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

416.3 Lavatory waste outlets. Lavatories shall have waste outlets not less than [1.25] 1 1/4 inches (32 mm) in diameter. A strainer, pop-up stopper, crossbar or other device shall be provided to restrict the clear opening of the waste outlet. *Where a stopper is utilized, a built-in overflow shall be provided.*

§12. The New York city plumbing code is amended by adding a new section

416.5 to read as follows:

416.5 Tempered water for public hand-washing facilities. *Tempered water shall be delivered from public hand-washing facilities. Tempered water shall be delivered through an approved water-temperature limiting device that conforms to ASSE 1016 or ASSE 1070 or CSA B 125.3.*

Exception: *Where point of use heaters are installed, outlet water temperature shall be regulated to provide tempered water.*

§13. Sections 417.2 and 417.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

417.2 Water supply riser. [Every water] *Water supply [riser] risers* from the shower valve to the shower head outlet, whether exposed or [not] *concealed*, shall be attached to the structure [in an approved manner]. *The attachment to the structure shall be made by the use of support devices designed for use with the specific piping material or by fittings anchored with screws.*

417.3 Shower waste outlet. Waste outlets serving showers shall be at least 2 inches (51 mm) in diameter and, for other than waste outlets in bathtubs, shall have removable strainers not less than 3 inches (76 mm) in diameter with strainer openings not less than [0.25] 1/4 inch (6.4 mm) in minimum dimension. Where each shower space is not provided with an individual waste outlet, the waste outlet shall be located and the floor pitched so that waste from one shower does not flow over the floor area serving another shower. Waste outlets shall be fastened to the waste pipe in an approved manner.

§14. The New York city plumbing code is amended by adding a new section 417.4.2 to read as follows:

417.4.2 Access. *The shower compartment access and egress opening shall have a minimum clear and unobstructed finished width of 22 inches (559 mm). Shower compartments required to be designed in conformance to accessibility provisions shall comply with Section 404.1.*

§15. The New York city plumbing code is amended by adding new sections 417.5.1 and 417.5.2 to read as follows:

417.5.1 Support. *Floors or receptors under shower compartments shall be laid on, and supported by, a smooth and structurally sound base.*

417.5.2 Shower lining. *Floors under shower compartments, except where prefabricated receptors have been provided, shall be lined and made water tight utilizing material complying with Sections 417.5.2.1 through 417.5.2.5. Such liners shall turn up on all sides at least 2 inches (51 mm) above the finished threshold level. Liners shall be recessed and fastened to an approved backing so as not to occupy the space required for wall covering, and shall not be nailed or perforated at any point less than 1 inch (25 mm) above the finished threshold. Liners shall be pitched one-fourth unit vertical in 12 units horizontal (2-percent slope) and shall be sloped toward the fixture drains and be securely fastened to the waste outlet at the seepage entrance, making a water-tight joint between the liner and the outlet. The completed liner shall be tested in accordance with Section 312.9.*

Exceptions:

1. *Floor surfaces under shower heads provided for rinsing laid directly on the ground are not required to comply with this section.*

2. *Where a sheet-applied, load-bearing, bonded, waterproof membrane is installed as the shower lining, the membrane shall not be required to be recessed*

417.5.2.1 PVC sheets. *Plasticized polyvinyl chloride (PVC) sheets shall be a minimum of 0.040 inch (1.02 mm) thick, and shall meet the requirements of ASTM D 4551. Sheets shall be joined by solvent welding in accordance with the manufacturer's installation instructions.*

417.5.2.2 Chlorinated polyethylene (CPE) sheets. *Nonplasticized chlorinated polyethylene sheet shall be a minimum 0.040 inch (1.02 mm) thick, and shall meet the requirements of ASTM D 4068. The liner shall be joined in accordance with the manufacturer's installation instructions.*

417.5.2.3 Sheet lead. *Sheet lead shall not weigh less than 4 pounds per square foot (19.5 kg/m²) coated with an asphalt paint or other approved coating. The lead sheet shall be insulated from conducting substances other than the connecting drain by 15-pound (6.80 kg) asphalt felt or its equivalent. Sheet lead shall be joined by burning.*

417.5.2.4 Sheet copper. *Sheet copper shall conform to ASTM B 152 and shall not weigh less than 12 ounces per square foot (3.7 kg/m²). The copper sheet shall be insulated from conducting substances other than the connecting drain by 15-pound (6.80 kg) asphalt felt or its equivalent. Sheet copper shall be*

joined by brazing or soldering.

417.5.2.5 Sheet-applied, load-bearing, bonded, waterproof membranes. Sheet-applied, load-bearing, bonded, waterproof membranes shall meet requirements of ANSI A118.10 and shall be applied in accordance with the manufacturer's installation instructions

§16. Section 419.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

419.1 Approval. Urinals shall conform to ANSI Z124.9, ASME A112.19.2M, CSA B45.1 or CSA B45.5. Urinals shall conform to the water consumption requirements of Section 604.4. [Urinals]Water-supplied urinals shall conform to the hydraulic performance requirements of ASME A112.19.6, CSA B45. 1 or CSA B45.5.

§17. The New York city plumbing code is amended by adding a new section 419.4 to read as follows:

419.4 Waterless urinals. Approved waterless urinals may be utilized only as part of an approved building water conservation plan.

§18. Section 421.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

421.2 Installation. Whirlpool bathtubs shall be installed and tested in accordance with the manufacturer's installation instructions. The pump shall be located above the weir of the fixture trap.[Access shall be provided to the pump.]

§19. Section 421.5 of the New York city plumbing code, as added by local law number 99 for the year 2005, is renumbered to be 421.6 and a new section 421.5 is added to read as follows:

421.5 Access to pump. Access shall be provided to circulation pumps in accordance with the fixture or pump manufacturer's installation instructions. Where the manufacturer's instructions do not specify the location and minimum size of field-fabricated access openings, a 12-inch by 12-inch (305 mm by 305 mm) minimum sized opening shall be installed to provide access to the circulation pump. Where pumps are located more than 2 feet (609 mm) from the access opening, an 18-inch by 18-inch (457 mm by 457 mm) minimum sized opening shall be installed. A door or panel shall be permitted to close the opening. In all cases, the access opening shall be unobstructed and of the size necessary to permit the removal and replacement of the circulation pump.

§20. Section PC 424 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

SECTION PC 424 FAUCETS AND OTHER FIXTURE FITTINGS

424.1 Approval. Faucets and fixture fittings shall conform to ASME A112.18.1 or CSA B125. Faucets and fixture fittings that supply drinking water for human ingestion shall conform to the requirements of NSF 61, section 9. Flexible water connectors exposed to continuous pressure shall conform to the requirements of Section 605.6.

424.1.1 Faucets and supply fittings. Faucets and supply fittings shall conform to the water consumption requirements of Section 604.4.

424.1.2 Waste fittings. Waste fittings shall conform to ASME A112.18.2/CSA B 125.2, ASTM F 409 or to one of the standards listed in Tables 702.1 and 702.4 for above-ground drainage and vent pipe and fittings[, or the waste fittings shall be constructed of tubular stainless steel with a minimum wall thickness of 0.012 inch (0.30 mm), tubular copper alloy having a minimum wall thickness of 0.027 inch (0.69 mm) or tubular plastic complying with ASTM F 409].

424.2 Hand showers. Hand-held showers shall conform to [ASSE 1014 or CSA B125] ASME A112.18.1 or CSA B125.1. Hand-held showers shall provide backflow protection in accordance with ASME A112.18.1 or CSA B125.1 or shall be protected against backflow by a device complying with ASME A112.18.3.

424.3 [Shower] Individual shower and tub valves. [Shower] Individual shower, tub and shower-tub combination valves shall be balanced pressure, thermostatic or combination balanced-pressure/thermostatic valves that conform to the requirements of ASSE 1016 or ASME A112.18.1/CSA B 125.1 and shall be installed at the point of use. [Multiple (gang) showers supplied with a single tempered water supply pipe shall have the water supply for such showers controlled by a master thermostatic mixing valve complying with ASSE 1017]Shower, tub and shower-tub combination valves [and master thermostatic mixing valves]required by this section shall be equipped with a means to limit the maximum setting of the valve to 120°F (49°C), which shall be field adjusted in accordance with the manufacturer's instructions.

424.4 Multiple (gang) showers. Multiple (gang) showers supplied with a single-tempered water supply pipe shall have the water supply for such showers controlled by an approved automatic temperature control mixing valve that conforms to ASSE 1069 or CSA B125, or each shower head shall be individually controlled by a balanced-pressure, thermostatic or combination balanced-pressure/thermostatic valve that conforms to ASSE 1016 or CSA B125 and is installed at the point of use. Such valves shall be equipped with a means to limit the maximum setting of the valve to 120°F (49°C), which shall be field adjusted in accordance with the manufacturer's instructions.

424.5 Bathtub and whirlpool bathtub valves. The hot water supplied to bathtubs and whirlpool bathtubs shall be limited to a maximum temperature of 120°F (49°C) by a water-temperature limiting device that conforms to ASSE 1016 or ASSE 1070 or CSA B 125.3, except where such protection is otherwise provided by a combination tub/shower valve in accordance with Section 424.3.

424.[4]6 Hose-connected outlets. Faucets and fixture fittings with hose-connected outlets shall conform to ASME[A1 12. 18.3M] A112.18.3M or CSA B125.

424.[5]7 Temperature-actuated, flow reduction valves for individual fixture fittings. Temperature-actuated, flow reduction devices, where installed for individual fixture fittings, shall conform to ASSE 1062. Such valves shall not be used alone as a substitute for the balanced pressure, thermostatic or combination shower valves required in Section 424.3.

424.[6]8 Transfer valves. Deck-mounted bath/shower transfer valves containing an integral atmospheric vacuum breaker shall conform to the requirements of ASME A112.18.7.

PART E CHAPTER 5

§1. Section PC 502 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

SECTION PC 502 INSTALLATION

502.1 General. Water heaters shall be installed in accordance with the manufacturer's installation instructions. Oil-fired water heaters shall conform to the requirements of this code and the New York City Mechanical Code. Electric water heaters shall conform to the requirements of this code and provisions of the New York City Electrical Code. Gas-fired water heaters shall conform to the requirements of the New York City Fuel Gas Code. All water heaters shall conform to the New York City Energy Conservation Code.

502.1.1 Elevation and protection. Elevation of water heater ignition sources and mechanical damage protection requirements for water heaters shall be in accordance with the New York City Mechanical Code and the New York City Fuel Gas Code.

502.2 Rooms used as a plenum. Water heaters using solid, liquid or gas fuel shall not be installed in a room containing air-handling machinery when such room is used as a plenum.

502.3 Water heaters installed in attics. Electric water heaters only shall be installed in attics. An attic containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passage way shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater.

502.4 Seismic supports. Where earthquake loads are applicable in accordance with the New York City Building Code, water heater supports shall be designed and installed for the seismic forces in accordance with the New York City Building Code.

502.5 Clearances for maintenance and replacement. Appliances shall be provided with access for inspection, service, repair and replacement without disabling the function of a fire-resistance-rated assembly or removing permanent construction, other appliances or any other piping or ducts not connected to the appliance being inspected, serviced, repaired or replaced. A level working space at least 30 inches deep and 30 inches wide (762mm by 762mm) shall be provided in front of the control side to service an appliance.

§2. Section 504.6 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

504.6 [Relief outlet waste. The outlet of a pressure, temperature or other relief

valve shall not be directly connected to the drainage system.] **Requirements for discharge piping.** *The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:*

1. *Not be directly connected to the drainage system.*
2. *Discharge through an air gap located in the same room as the water heater.*
3. *Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.*
4. *Serve a single relief device and shall not connect to piping serving any other relief device or equipment.*
5. *Discharge in a manner that does not cause personal injury or structural damage.*
6. *Discharge to a termination point that is readily observable by the building occupants.*
7. *Not be trapped.*
8. *Be installed so as to flow by gravity.*
9. *Not terminate more than 6 inches (152 mm) above the floor or waste receptor.*
10. *Not have a threaded connection at the end of such piping.*
11. *Not have valves or tee fittings.*
12. *Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.*

[504.6.1 Discharge. The relief valve shall discharge full size to a safe place of disposal such as the floor, outside the building, or an indirect waste receptor. The discharge pipe shall not have any trapped sections and shall have a visible air gap or air gap fitting located in the same room as the water heater. The outlet end of the discharge pipe shall not be threaded and such discharge pipe shall not have a valve or tee installed. Relief valve piping shall be piped independent of other equipment drains or relief valve discharge piping to the disposal point. Such pipe shall be installed in a manner that does not cause personal injury to occupants in the immediate area or structural damage to the building.]

[504.6.2 Materials. Relief valve discharge piping shall be of those materials listed in Section 605.4 or shall be tested, rated and approved for such use in accordance with ASME A1 12.4.1. Piping from safety pan drains shall be of those materials listed in Table 605.4.]

§3. Section 504.7 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

504.7 Required pan. Where water heaters or hot water storage tanks are installed in locations where leakage of the tanks or connections will cause damage, the tank or water heater shall be installed in a galvanized steel pan having a [minimum thickness of 24 gage] *material thickness of not less than 0.0236 inch (0.6010mm) (No.24 gage)*, or other pans approved for such use.

504.7.1 Pan size and drain. The pan shall be not less than 1.5 inches (38 mm) deep and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a minimum diameter of 3/4 inch (19 mm). *Piping for safety pan drains shall be of those materials listed in Table 605.4.*

504.7.2 Pan drain termination. The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain or extend to the exterior of the building and terminate not less than 6 inches (152 mm) and not more than 24 inches (610 mm) above the adjacent ground surface *at a point that is readily observable by the building occupants.*

§4. Section 505.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

505.1 Unfired vessel insulation. Unfired hot water storage tanks shall be insulated [so that heat loss is limited to a maximum of 15 British thermal units per hour (Btu/h) per square foot (47 W/m²) of external tank surface area. For purposes of determining this heat loss, the design ambient temperature shall not be higher than 65°F (18°C)] *to a minimum of R-12.5 (h·ft²·°F)/Btu (R-2.2 m²·K/W).*

§1. Section 603.2.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

603.2.1 Water service near sources of pollution. Potable water service pipes shall not be located in, under or above cesspools, septic tanks, septic tank drainage fields or seepage pits (see Section 605.1 for soil and groundwater conditions) and shall be separated by a minimum of 10 feet (3048mm) and shall meet all [New York city department of environmental protection] *Department of Environmental Protection* requirements.

§2. Section 604.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

604.1 General. The design of the water distribution system shall conform to accepted engineering practice. [Methods utilized to determine pipe sizes shall be approved.]

§3. Table 604.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**TABLE 604.3
WATER DISTRIBUTION SYSTEM DESIGN CRITERIA
REQUIRED CAPACITY AT FIXTURE SUPPLY PIPE OUTLETS**

FIXTURE OUTLET SERVING	SUPPLY FLOW RATE ^a (gpm)	FLOW PRESSURE ^b (psi)
Bathtub, no shower	4	[8] 20
Bathtub with anti-scald protection	4	20
Bidet	[2] 1.5	[4] 20
Combination fixture	4	8
Dishwasher, residential	2.75	8
Drinking fountain	0.75	8
Laundry tray	4	8
Lavatory	2	8
Lavatory (self closing)	2	20
Lavatory (sensor)	2	20
Shower	3	8
Shower, [temperature controlled] <i>balanced-pressure, thermostatic or combination balanced-pressure/thermostatic mixing valve</i>	3	20
Sillcock, hose bibb	5	8
Sink, residential	2.5	8
Sink, service	3	8
Urinal, valve	[15] 18	[15] 20
Water closet, blow out, flushometer valve	[35] 25	[15] 25
Water closet, flushometer tank	[1.6] 3	[15] 20
Water closet, siphonic, flushometer valve	25	[15] 25
Water closet, tank, close [C]coupled	3	[8] 15
Water closet, tank, one piece	[6] 3	20

For SI: 1 pound per square inch = 6.895 kPa,
1 gallon per minute = 3.785 L/m.

- a. For additional requirements for flow rates and quantities, see Section 604.4.
- b. Minimum pressures as per manufacturer's recommendations.

§4. Table 604.4 of the New York city plumbing code, as amended by local law number 57 for the year 2010, is amended to read as follows:

**TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS**

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY ^b
Lavatory, private	1.5 gpm at 60 psi
Lavatory, public, ([metering] self-closing)	0.25 gallon per metering cycle
[Lavatory, public (other than metering)]	[0.5 gpm at 60 psi]
Shower head ^a	2.0 gpm at 80 psi
Sink faucet	2.2 gpm at 60 psi
Urinal	0.5 gallon per flushing cycle
Water closet	1.28 gallons per flushing cycle

or equivalent dual flush^c

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa.

- a. A hand-held shower spray is a shower head.
- b. Consumption tolerances shall be determined from referenced standards.
- c. A dual flush water closet where one third of the sum of the high flush volume plus twice the low flush volume is less than or equal to 1.28 gallons per flush.

§5. Table 604.5 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**TABLE 604.5
MINIMUM SIZES OF FIXTURE WATER SUPPLY PIPES**

FIXTURE	MINIMUM PIPE SIZE (inch)
Bathtubs ^a :(60□□32□and smaller)]	1/2
[Bathtubs ^a :(larger than 60□□32□)]	1/2]
Bidet	3/8
Combination sink and tray	1/2
Dishwasher, domestic ^a]	1/2
Drinking fountain	3/8
Hose bibs	1/2
Kitchen sink ^a]	1/2
Laundry, 1, 2 or 3 compartment ^a]	1/2
Lavatory	3/8
Shower, single head ^a]	1/2
Sinks, flushing rim	3/4
Sinks, service	1/2
Urinal, flush tank	1/2
Urinal, flush valve	3/4
Wall hydrant	1/2
Water closet, flush tank	3/8
Water closet, flush valve	1
Water closet, flushometer tank	3/8
[Water closet, one piece ^a]	1/2]

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm,
1 pound per square inch = 6.895 kPa.

§6. Sections 604.9 and 604.10 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

604.9 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor shall be installed where quick-closing valves are utilized. Water-hammer arrestors shall be installed in accordance with the manufacturer's specifications. Water-hammer arrestors shall conform to ASSE 1010 [and PDI WH 201].

604.10 [Parallel water distribution system manifolds. Hot water and cold water manifolds installed with parallel connected individual distribution lines to each fixture or fixture fitting shall be designed in accordance with Sections 604. 10.1 through 604.10.3.

604.10.1 Manifold sizing. Hot water and cold water manifolds shall be sized in accordance with Table 604.10.1. The total gallons per minute is the demand of all outlets supplied.

604.10.2 Valves. Individual fixture shutoff valves installed at the manifold shall be identified as to the fixture being supplied.

604.10.3 Access. Access shall be provided to manifolds.] *Reserved.*

§7. Sections 605.3 through 605.9 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

605.3 Water service pipe. [Water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in Table 605.3. All ductile iron water service piping shall be cement mortar lined in accordance with AWWA C 104.] *The sub-surface portion of water service pipe shall conform to one of the standards listed in the rules of the Department of Environmental Protection.. The above-ground portion of water service pipe shall be metal and conform to one of the standards listed in Table 605.4.*

605.3.1 [Dual check-valve-type backflow preventer. Where a dual check-valve backflow preventer is installed on the water supply system, it shall comply

with ASSE 1024.] *Underground water distribution pipe. Underground water distribution pipe shall conform to NSF 61 and shall conform to one of the standards listed in Table 605.3.*

**TABLE 605.3
WATER SERVICE PIPE**

MATERIAL	STANDARD
Brass pipe	ASTM B 43
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Ductile iron water pipe	AWWA C151; AWWA C115
Stainless steel pipe (Type 304/304L)	ASTM A 312; ASTM A 778
Stainless steel pipe (Type 316/316L)	ASTM A 312; ASTM A 778

605.4 Water distribution pipe. Water distribution pipe shall conform to NSF 61 and shall conform to one of the standards listed in Table 605.4.

**TABLE 605.4
WATER DISTRIBUTION PIPE**

MATERIAL	STANDARD
Brass pipe	ASTM B 43
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, L)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Stainless steel pipe (Type 304/304L)	ASTM A 312; ASTM A 778
Stainless steel pipe (Type 316/316L)	ASTM A 312; ASTM A 778

605.5 Fittings. Pipe fittings shall be approved for installation with the piping material installed and shall [conform to] *comply with* the [respective pipe standards or one of the] *applicable* standards listed in Table 605.5. All pipe fittings utilized in water supply systems shall also [conform to] *comply with* NSF 61. [The fittings shall not have ledges, shoulders or reductions capable of retarding or obstructing flow in the piping.] Ductile and gray iron pipe fittings shall be cement mortar lined in accordance with AWWA C 104.

605.5.1 Mechanically formed tee fittings. Mechanically extracted outlets shall have a height not less than three times the thickness of the branch tube wall.

605.5.1.1 Full flow assurance. Branch tubes shall not restrict the flow in the run tube. A dimple/depth stop shall be formed in the branch tube to ensure that penetration into the collar is of the correct depth. For inspection purposes, a second dimple shall be placed [0.25] 1/4 inch (6.4 mm) above the first dimple. Dimples shall be aligned with the tube run.

605.5.1.2 Brazed joints. Mechanically formed tee fittings shall be brazed in accordance with Section 605.14.1.

**TABLE 605.5
PIPE FITTINGS**

MATERIAL	STANDARD
Brass	ASTM B62
Cast-iron	ASME B 16.4; ASME B 16.12
Copper or copper alloy	ASSE 1061; ASME B16.15; ASME B16.18; ASME B16.22; ASME B16.23; ASME B 16.26; ASME B 16.29
Gray iron and ductile iron	AWWA C110; AWWA C153
Stainless steel (Type 304/304L)	ASTM A 312; ASTM A 778
Stainless steel (Type 316/316L)	ASTM A 312; ASTM A 778; A403/A403M
[Steel]	[ASME B 16.9; ASME B16. 11; ASME B 16.28]

605.6 Flexible water connectors. Flexible water connectors exposed to continuous pressure shall conform to IAPMO PS 74[95] and PS 48[92], shall not exceed 24 inches (610mm), shall be used in exposed locations only and shall be used singularly; that is, two connectors cannot be joined.

605.7 Valves. All valves shall be of [the] *an* approved type and compatible with the type of piping material installed in the system.

605.8 Manufactured pipe nipples. Manufactured pipe nipples shall conform to the standard listed in Table 605.8.

**TABLE 605.8
MANUFACTURED PIPE NIPPLES**

MATERIAL	STANDARD
Brass-, copper-, chromium-plated	ASTM B 687
Stainless steel	ASTM A403/[A405M] A403M

605.9 Prohibited joints and connections. The following types of joints and connections shall be prohibited:

1. Cement or concrete joints.
2. Joints made with fittings not approved for the specific installation.
3. [Solvent-cement joints between different types of plastic pipe.]

[4.] Saddle-type fittings.

§8. Section 605.15.3 of the New York city plumbing code, as amended by local law number 71 for the year 2009, is amended to read as follows:

605.15.3 Mechanical joints. Mechanical joints shall be installed in accordance with the manufacturer's instructions and [in conformance with acceptance criteria established by the commissioner] *shall be tested, designed and evaluated in accordance with IAPMO PS 117, ICC-ES PMG LC 1002 AND ASSE 1061.*

§9. Sections 605.22 through 606.5.8 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

605.22 Reserved.

605.[22] 23 Stainless steel. Joints between stainless steel pipe and fittings shall comply with Sections 605.2[2]3.1 and 605.2[2]3.2.

605.[22] 23.1 Mechanical joints. Mechanical joints shall be installed in accordance with the manufacturer's instructions.

605.[22] 23.2 Welded joints. All joint surfaces shall be cleaned. The joint shall be welded autogenously or with an approved filler metal as referenced in ASTM A 312.

605.[23] 24 Joints between different materials. Joints between different piping materials shall be made with a mechanical joint of the compression or mechanical-sealing type, or as permitted in Sections 605.2[3]4.1 and 605.2[3]4.3. Connectors or adapters shall have an elastomeric seal conforming to ASTM D 1869 or ASTM F 477. Joints shall be installed in accordance with the manufacturer's instructions.

605.[23] 24.1 Copper or copper-alloy tubing to galvanized steel pipe. Joints between copper or copper-alloy tubing and galvanized steel pipe shall be made with a brass fitting or dielectric fitting *or a dielectric union conforming to ASSE 1079.* The copper tubing shall be soldered to the fitting in an approved manner, and the fitting shall be screwed to the threaded pipe.

605.[23] 24.2 Reserved.

605.[23] 24.3 Stainless steel. Joints between stainless steel and different piping materials shall be made with a mechanical joint of the compression or mechanical sealing type or a dielectric fitting *or a dielectric union conforming to ASSE 1079.*

SECTION PC 606 INSTALLATION OF THE BUILDING WATER DISTRIBUTION SYSTEM

606.1 Location of [full-open] shutoff valves. [Full-open] *Shutoff* valves shall be installed in the following locations:

[1. On the building water service pipe from the public water supply near the curb.]

[2.] *1.* On the water distribution supply pipe at the entrance into the structure.

[3.] *2.* On the *supply and* discharge side of every water *sub*-meter.

[4.] *3.* On the base of every water riser pipe in occupancies other than multiple-family residential occupancies that are two stories or less in height and in one- and two-family residential occupancies.

[5.] *4.* On the top of every water down-feed pipe *and on the base of every up-feed pipe* in occupancies other than one- and two-family residential occupancies.

[6.] *5.* On the entrance to every water supply pipe to a dwelling unit, except where supplying [a single] fixtures equipped with individual stops.

[7.] *6.* On the water supply pipe to and from a gravity or pressurized water tank.

[8.] *7.* On the water supply pipe to every water heater.

8. *On the water supply pipe to each sillcock.*

9. On the water supply pipe to each appliance or mechanical equipment.

606.2 [Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture other than bathtubs and showers in one- and two-family residential occupancies, and other than in individual guestrooms that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.

2. On the water supply pipe to each sillcock.

3. On the water supply pipe to each appliance or mechanical equipment.] **Reserved.**

606.3 Access to valves. [Access] *Ready access* shall be provided to all [required full-open valves and] shutoff valves.

606.4 Valve identification. Service and hose bibb valves shall be identified. All other valves installed in locations that are not adjacent to the fixture or appliance shall be identified, indicating the fixture or appliance served.

606.5 Water pressure booster systems. Water pressure booster systems shall be provided as required by Sections 606.5.1 through 606.5.10.

606.5.1 Water pressure booster systems required. Where the water pressure in the public water main or individual water supply system is insufficient to supply the minimum pressures and quantities specified in this code, the supply shall be supplemented by an elevated water tank, a hydropneumatic pressure booster system or a water pressure booster pump installed in accordance with 606.5.5.

606.5.2 Support. All water supply tanks shall be supported in accordance with the New York City Building Code.

606.5.3 Covers. All water supply tanks shall be covered to keep out unauthorized persons, dirt and vermin. The covers of gravity tanks shall be vented with a return bend vent pipe with an area not less than the area of the down-feed riser pipe, and the vent shall be screened with a corrosion-resistant screen of not less than 16 by 20 mesh per inch (6 by 8 mesh per cm). *All water supply tanks shall be equipped with a lockable cover to prevent access by unauthorized persons or vermin. Such cover shall be tamper-proof and equipped with a local alarm.*

606.5.4 Overflows. Each gravity or suction water supply tank shall be provided with an overflow not smaller than shown in Table 606.5.4(1) and/or Table 606.5.4(2). The gallons per minute listed in the tables shall be the total automatic pump capacity connected to the tank. The overflow outlet shall discharge within 6 inches (152 mm) of a roof or roof drain, or over an open water supplied fixture. The overflow discharge shall be provided with durable screening with openings of not more than ¹/₈ inch (3.18 mm).

606.5.4.1 Water piping control and location. Water inlets to gravity house tanks shall be controlled by a ball cock or other automatic supply valve or emergency electrical cut-off so installed as to prevent the overflow of the tank in the event that the pumps filling the tanks do not shut off at the predetermined level or the street pressure rises to a point where it can fill the tank. The water inlet to a suction tank shall be controlled by a ball cock or other automatic supply valve. The inlet shall be terminated so as to provide an accepted air gap but in no case shall it be less than 4 inches (102 mm) above the top of the overflow. The outlet from a gravity tank to the distribution system shall be equipped with a strainer located at least 2 inches (51 mm) above the tank bottom to prevent solids from entering the piping system. All down-feed supplies from a tank cross connected in any manner with distribution supply piping in a building supplied by direct street or pump pressure shall be equipped with a check valve on the main cold water down supply to prevent backflow of water into the roof tank. All roof tanks shall be equipped with a high water level alarm, at or slightly below the

overflow, designed to activate when the ball cock, automatic supply valve, or emergency electrical cut-off fails.

TABLE 606.5.4(1)
SIZE OF OVERFLOWS FOR GRAVITY AND SUCTION TANKS
[See Figure 606.5.4 (Single Orifice/Multiple Orifice)]

OVERFLOW PIPE SIZE (inches)	MAXIMUM ALLOWABLE GPM FOR EACH ORIFICE OPENING INTO TANK	MAXIMUM ALLOWABLE GPM FOR VERTICAL OVERFLOW (PIPING CONNECTING ORIFICES)
2	19	25
3	43	75
4	90	163
5	159	296
6	257	472
8	505	1,020
10	890	1,870
12	1,400	2,967

For SI: 1 inch = 25.4 mm.

TABLE 606.5.4(2)
SIZE OF WEIRS FOR GRAVITY AND SUCTION TANKS
[See Figure 606.5.4 (Overflow Weir)]

SLOTTED WEIR INTO TANK OVERFLOW CHAMBER AND WATER COMPARTMENT a	OPENING BETWEEN WEIRS	MAXIMUM GPM ALLOWABLE FOR WEIR
3 inches × 24 inches		381
3 1/2 inches × 24 inches		475
4 1/2 inches × 24 inches		685
4 1/2 inches × 36 inches		1,037
6 inches × 36 inches		1,569
6 inches × 48 inches		2,100

For SI: 1 inch = 25.4 mm.

a. Bottom of the overflow chamber must be at least 6 inches below weir.

[b. Bottom outlet shall be provided in the chamber of sizes based on capacities as indicated in Table 606.5.4(1).]

606.5.4.2 Drain pipes for emptying tanks. Each tank or tank compartment shall be provided, at its lowest point, with a valved pipe to permit emptying the tank. The drain pipe shall discharge as required for the overflow pipe, and shall be at least 4 inches (102 mm) in diameter.

606.5.4.3 Prohibited location. [Potable water gravity tanks or manholes] *Manholes* of potable water [pressure] tanks shall not be located directly under any soil or waste piping or any source of contamination.

606.5.4.4 Design. The gravity house supply tank shall be built of wood, steel, or equivalent materials. Subject to the approval of the commissioner, additional linings may be installed in the tank, provided the lining material does not have a toxic or otherwise objectionable effect on the potable water. Steel tanks shall be painted both inside and outside. If a tank with a dividing partition is installed, the total capacity of the combined compartments shall be considered as the capacity of a single tank for the purpose of determining storage capacities of the tank.

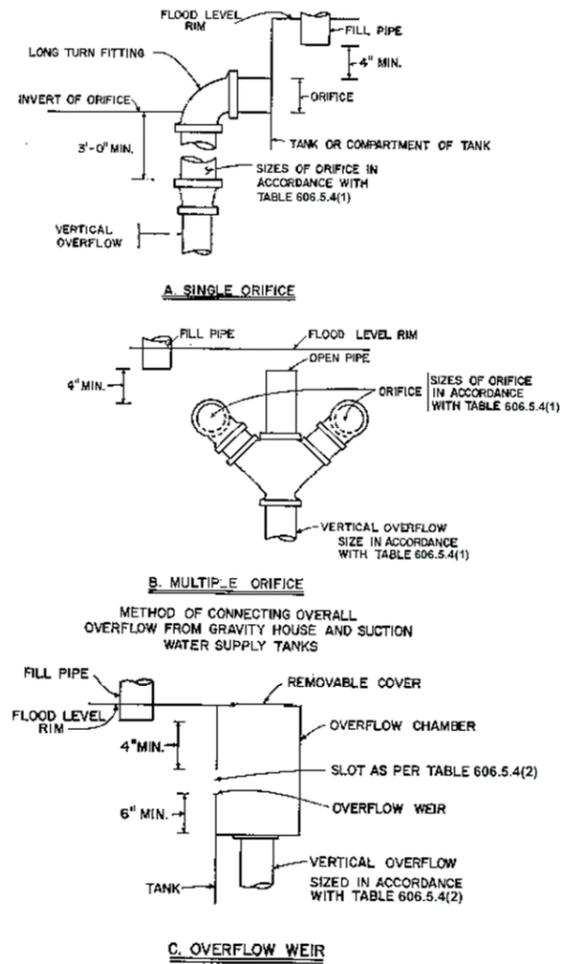


FIGURE 606.5.4
METHODS OF CONNECTING OVERFLOW FROM GRAVITY HOUSE AND SUCTION WATER SUPPLY TANKS

606.5.4.5 Cleaning or painting. Water tanks shall be cleaned and painted in accordance with the following:

[1.] **606.5.4.5.1 Prohibited materials.** No water tank of any kind that is part of a building water supply system used for potable purposes shall be cleaned with any material or painted on the inside with any material that will have a toxic or otherwise objectionable effect on the potability of the water supply when the tank is put into service. No lead paint shall be used. The water supply connections to and from a tank shall be disconnected or plugged while the tank is being cleaned or painted to prevent any foreign fluid or substance from entering the distribution piping. Where the air in a tank may be insufficient to sustain human life, or may contain an injurious gas, adequate measures shall be taken for the protection of the workers.

[2.] **606.5.4.5.2 Disinfection.** After the tank has been cleaned or painted, it shall be disinfected according to the following procedure before it is put back in service:

[2.1.] The underside of the top, the bottom, and the walls shall be washed with a hypochlorite solution containing 100 or more parts per million of available chlorine.

[2.2.] The tank shall be filled with water to which hypochlorite solution is added during the filling in sufficient quantity so that the treated water in the tank will contain at least 10 parts per million of available chlorine.

[2.3.] The chlorinated water shall be allowed to remain in the tank for two hours.

[2.4.] Finally, the tank shall be drained completely before refilling.

[3.] **606.5.4.5.3 Maintenance schedule.** House and suction tanks shall be drained and cleaned at least once a year.

606.5.5 Low-pressure cutoff required on booster pumps. A low-pressure cutoff shall be installed on all booster pumps in a water pressure booster system to prevent creation of a vacuum or negative pressure on the suction side of the pump when a positive pressure of 10 psi (68.94 kPa) or less occurs on the suction side of the pump.

606.5.6 Reserved.

606.5.7 Reserved.

606.5.8 Prohibited location of potable supply tanks. Potable water gravity tanks [or manholes of potable water pressure tanks] shall not be located directly under any soil or waste piping or any source of contamination.

§10. Section 606.7 of the New York city plumbing code, as added by local law number 56 for the year 2010, is amended to read as follows:

606.7 Water sub-meters required. Water distribution pipe lines serving a commercial cooking facility, commercial laundry facility or commercial gym or spa shall be equipped with at least one water sub-meter to measure the amount of water supplied through such lines to the water using equipment within such facility, gym or spa. [Such water sub-meter shall be equipped with an electronic encoder with absolute or pulse-based output.] Makeup water lines serving an evaporative cooling tower or swimming pool shall be equipped with at least one water sub-meter to measure the amount of water supplied through such lines to such cooling tower or swimming pool. [Such water sub-meter] *Water sub-meters* shall be [equipped with an electronic encoder with absolute or pulse-based output] *those models recommended for billing purposes in the "Guide to Water Sub-meters" published by the Department of Environmental Protection or as otherwise provided in the rules of the department.*

Exception. Swimming pools accessory to Group R-3 occupancies.

§11. The New York city plumbing code is amended by adding a new section 606.8 to read as follows:

606.8 Pressure tanks. *Tank systems containing water and air in combination under pressure exceeding 15 psi (103.4 kPa) above atmospheric pressure, where the pressure is supplied and maintained by pumps connected directly to the tanks, shall comply with the requirements of this section.*

606.8.1 Design requirements. *The pressure tank system shall be designed by a registered design professional. An application for a permit and plans shall be filed with the department. The plans and application shall contain, but not be limited to:*

1. *Size and location of high pressure tanks;*
2. *The operating pressures and temperatures; and*
3. *The location, type and specifications of pressure relief valves.*

606.8.2 Location requirements. *All high pressure tanks shall be located at least 5 feet (1524 mm) horizontally from a gas service or distribution line or its vertical projection upon the floor.*

606.8.3 Required separation. *All pressure tanks shall be located in rooms separated from gas service or distribution lines by fire-resistance rated enclosures.*

§12. Section 607.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

607.1 Where required. In residential occupancies, hot water shall be supplied to all plumbing fixtures and equipment utilized for bathing, washing, culinary purposes, cleansing, laundry or building maintenance. In nonresidential occupancies, hot water shall be supplied [to all plumbing fixtures and equipment utilized] for culinary purposes, cleansing, laundry or building maintenance *purposes*. In nonresidential occupancies, hot water or tempered water shall be supplied for bathing and washing purposes. Tempered water shall be [delivered for accessible hand-washing facilities] *supplied through a water temperature limiting device that conforms to ASSE 1070 and shall limit the tempered water to a maximum of 110°F (43°C). This provision shall not supersede the requirement for protective shower valves in accordance with Section 424.3.*

§13. Section 607.2 of the New York city plumbing code, as amended by local law number 85 for the year 2009, is amended to read as follows:

607.2 Hot water supply temperature maintenance. Where the developed length of hot or tempered water piping from the source of hot water supply to the farthest fixture exceeds 20 feet (6096mm), the hot water supply system shall be provided with a method of maintaining the temperature in accordance with the New York City Energy Conservation Code.

§14. Sections 607.2.2 and 607.4 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

607.2.2 Hot water system controls. Automatic circulating hot water system pumps or [heat trace] *temperature maintenance cable* shall be arranged to be conveniently turned off, automatically or manually, when the hot water system is not in operation.

607.4 Flow of hot water to fixtures. Fixture fittings, faucets and diverters shall be installed and adjusted so that the flow of hot water from the fittings corresponds to the left-hand side of the fixture fitting.

Exception: Shower and tub/shower mixing valves conforming to ASSE 1016 or ASME A112.18.1/CSA B125.1, where the flow of hot water corresponds to the markings on the device.

§15. Table 608.1 of the New York city plumbing code is REPEALED and a new table 608.1 is added to read as follows:

**TABLE 608.1
APPLICATION OF BACKFLOW PREVENTERS**

Air gap	High or low hazard	Backsiphonage or backpressure	ASME A112.1.2
Air gap fittings for use with plumbing fixtures, appliances and appurtenances	High or low hazard	Backsiphonage or backpressure	ASME A112.1.3
Antisiphon-type fill valves for gravity water closet flush tanks	High hazard	Backsiphonage only	ASSE 1002, CSA B125.3
Backflow preventer for carbonated beverage machines	Low hazard	Backpressure or backsiphonage Sizes 1/4" - 3/8"	ASSE 1022
Backflow preventer with intermediate atmospheric vents	Low hazard	Backpressure or backsiphonage Sizes 1/4" - 3/4"	ASSE 1012, CAN/CSA B64.3
Barometric loop	High or low hazard	Backsiphonage only	(See Section 608.13.4)
Double check backflow prevention assembly [and double check fire protection backflow prevention assembly]	Low hazard	Backpressure or backsiphonage Sizes 3/8" - 12	ASSE 1015, AWWA C510, CSA B64.5, CSA B64.5.1
Double check detector fire protection backflow prevention assemblies	Low hazard	Backpressure or systems) Sizes 2" - 12	ASSE 1048
Dual-check-valve-type backflow preventer	Low hazard	Backpressure or backsiphonage Sizes 1/4" - 1"	ASSE 1024, CSA B64.6
Hose connection backflow preventer	High or low hazard	Low head backpressure, rated working pressure, backsiphonage or backsiphonage Sizes 1/2" - 1"	ASSE 1052, CSA B64.2.1.1
Hose connection vacuum breaker	High or low hazard	Low head backpressure or backsiphonage Sizes 1/2", 3/4", 1"	ASSE 1011, CAN/CSA B64.2, CSA B64.2.1
Laboratory faucet backflow preventer	High or low hazard	Low head backpressure and Backsiphonage	ASSE 1035, CSA B64.7
Pipe-applied atmospheric-type vacuum Breaker	High or low hazard	Backsiphonage only Sizes 1/4" - 4"	ASSE 1001, CAN/CSA B64.1.1
Pressure vacuum breaker assembly	High or low hazard	Backsiphonage only Sizes 1/2" - 2	ASSE 1020, CSA B64.1.2
Reduced pressure principle backflow preventer [and reduced pressure principle fire protection backflow preventer]	High or low hazard	Backpressure or backsiphonage Sizes 3/8" - 12	ASSE 1013, AWWA C511, CAN/CSA B64.4, CSA B64.4.1
Reduced pressure detector fire protection backflow prevention assemblies	High or low hazard	Backsiphonage or backpressure (Fire sprinkler systems)	ASSE 1047
Spillproof vacuum breaker	High or low hazard	Backsiphonage only Backs Sizes 1/4" - 2"	ASSE 1056
Vacuum breaker wall hydrants, frost-resistant, automatic draining type	High or low hazard	Low head backpressure or backsiphonage Sizes 3/4", 1"	ASSE 1019, CAN/CSA B64.2.2

Sizes listed in inches. For SI: 1 inch = 25.4 mm.

a. Low hazard.

High hazard-See Contamination (Section 202).

b. See Backpressure (Section 202).

See Backpressure, low head (Section 202).

See Backsiphonage (Section 202).

§16. Sections 608.1 through 608.16.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to Table 608.1, except as specifically stated in Sections

608.2 through 608.16.9.

608.2 Plumbing fixtures. The supply lines or fittings for every plumbing fixture shall be installed so as to prevent backflow. *Plumbing fixture fittings shall provide backflow protection in accordance with ASME A112.18.1.*

608.3 Devices, appurtenances, appliances and apparatus. All devices, appurtenances, appliances and apparatus intended to serve some special function, such as sterilization, distillation, processing, cooling, or storage of ice or foods, and that connect to the water supply system, shall be provided with protection against backflow and contamination of the water supply system. Water pumps, filters, softeners, tanks and all other appliances and devices that handle or treat potable water shall be protected against contamination.

608.3.1 Special equipment, water supply protection. The water supply for hospital fixtures shall be protected against backflow with a reduced pressure principle backflow preventer, an atmospheric or spill-proof vacuum breaker, or an air gap. Vacuum breakers for bedpan washer hoses shall not be located less than 5 feet (1524 mm) above the floor. Vacuum breakers for hose connections in health care or laboratory areas shall not be less than 6 feet (1829 mm) above the floor.

608.4 Water service piping. Water service piping shall be protected in accordance with Sections 603.2 and 603.2.1.

608.5 Chemicals and other substances. Chemicals and other substances that produce either toxic conditions, taste, odor or discoloration in a potable water system shall not be introduced into, or utilized in, such systems.

608.6 Cross-connection control. Cross connections shall be prohibited, except where approved protective devices are installed.

608.6.1 Private water supplies. Cross connections between a private water supply and a potable public supply shall be prohibited.

608.7 [Stop-and-waste valves prohibited. Combination stop-and-waste valves or cocks shall not be installed underground.] *Valves and outlets prohibited below grade. Potable water outlets and combination stop-and-waste valves shall not be installed underground or below grade. Freeze-proof yard hydrants that drain the riser into the ground are considered to be stop-and-waste valves.*

Exception: *Freeze-proof yard hydrants that drain the riser into the ground shall be permitted to be installed, provided that the potable water supply to such hydrants is protected upstream of the hydrants in accordance with Section 608 and the hydrants are permanently identified as nonpotable outlets by approved signage that reads as follows: "Caution, Nonpotable Water. Do Not Drink."*

608.8 Identification of [potable and] nonpotable water. In [all] buildings where [two or more water distribution systems, one potable water and the other] nonpotable water [,] systems are installed, [each system] *the piping conveying the nonpotable water shall be identified either by color marking or metal tags in accordance with Sections 608.8.1 through 608.8.3. All nonpotable water outlets such as hose connections, open ended pipes, and faucets shall be identified at the point of use for each outlet with the words, "Caution. Nonpotable Water. Do Not Drink." The words shall be indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material or shall be indelibly printed on the fixture. The letters of the words shall be not less than 0.5 inches in height and color in contrast to the background on which they are applied.*

608.8.1 Information. Pipe identification shall include the contents of the piping system and an arrow indicating the direction of flow. Hazardous piping systems shall also contain information addressing the nature of the hazard. Pipe identification shall be repeated at maximum intervals of 25 feet (7620 mm) and at each point where the piping passes through a wall, floor or roof. Lettering shall be readily observable within the room or space where the piping is located.

608.8.2 Color. The color of the pipe identification shall be discernable and consistent throughout the building. *The color purple shall be used to identify recycled, rain and gray water distribution systems.*

608.8.3 Size. The size of the background color field and lettering shall comply with Table 608.8.3.

**TABLE 608.8.3
SIZE OF PIPE IDENTIFICATION**

PIPE DIAMETER (inches)	LENGTH BACKGROUND COLOR FIELD (inches)	SIZE OF LETTERS (inches)
3/4 to 1 1/4	8	0.5
1 1/2 to 2	8	0.75
2 1/2 to 6	12	1.25
8 to 10	24	2.5

over 10	32	3.5
---------	----	-----

For SI: 1 inch = 25.4 mm.

608.9 Reutilization prohibited. Water utilized for the cooling of equipment or other processes shall not be returned to the potable water system. Such water shall be discharged into a drainage system through an air gap or shall be utilized for nonpotable purposes.

608.10 Reuse of piping. Piping that has been utilized for any purpose other than conveying potable water shall not be utilized for conveying potable water.

608.11 Painting of water tanks. The interior surface of a potable water tank shall not be lined, painted or repaired with any material that changes the taste, odor, color or potability of the water supply when the tank is placed in, or returned to, service.

608.12 Pumps and other appliances. Water pumps, filters, softeners, tanks and all other devices that handle or treat potable water shall be protected against contamination.

608.13 Backflow protection. Means of protection against *secondary* backflow shall be provided, maintained and inspected in accordance with Sections 608.13.1 through 608.13.9.

608.13.1 Air gap. The minimum required air gap shall be measured vertically from the lowest end of a potable water outlet to the flood level rim of the fixture or receptacle into which such potable water outlet discharges. Air gaps shall comply with ASME A112.1.2 and air gap fittings shall comply with ASME A112.1.3.

608.13.2 Reduced pressure principle backflow preventers. Reduced pressure principle backflow preventers shall conform to ASSE 1013, AWWA C511, [or CAN/CSA B64.4] *or CSA B 64.4.1.* Reduced pressure detector assembly backflow preventers shall conform to ASSE 1047. These devices shall be permitted to be installed where subject to continuous pressure conditions. The relief opening shall discharge by air gap and shall be prevented from being submerged. These devices shall be tested annually by a *New York State* certified tester *employed by a New York City licensed plumber.*

608.13.3 Backflow preventer with intermediate atmospheric vent. Backflow preventers with intermediate atmospheric vents shall conform to ASSE 1012 or CAN/CSA B64.3. These devices shall be permitted to be installed where subject to continuous pressure conditions. The relief opening shall discharge by air gap and shall be prevented from being submerged.

608.13.4 Barometric loop. Barometric loops shall precede the point of connection and shall extend vertically to a height of 35 feet (10668mm). A barometric loop shall only be utilized as an atmospheric-type or pressure-type vacuum breaker.

608.13.5 Pressure-type vacuum breakers. Pressure-type vacuum breakers shall conform to ASSE 1020 [and spillproof vacuum breakers shall comply with ASSE 1056] *or CSA B64.1.2.* These devices are designed for installation under continuous pressure conditions when the critical level is installed at the required height. Pressure-type vacuum breakers shall not be installed in locations where spillage could cause damage to the structure.

608.13.6 Atmospheric-type vacuum breakers. Pipe-applied atmospheric-type vacuum breakers shall conform to ASSE 1001 or CAN/CSA B64.1.1. Hose-connection vacuum breakers shall conform to ASSE 1011, ASSE 1019, ASSE 1035, ASSE 1052, CAN/CSA B64.2, *CSA B64.2.1, CSA B64.2.1.1, CAN/CSA B64.2.2 or CSA B64.7.* These devices shall operate under normal atmospheric pressure when the critical level is installed at the required height.

608.13.7 Double check-valve assemblies. Double check-valve assemblies shall conform to ASSE 1015, *CSA B64.5, CSA B64.5.1, or AWWA C510.* Double-detector check-valve assemblies shall conform to ASSE 1048. These devices shall be capable of operating under continuous pressure conditions. These devices shall be tested annually by a *New York State* certified tester *employed by a New York City licensed plumber.*

608.13.8 Spillproof vacuum breakers. Spillproof vacuum breakers (SVB) shall conform to ASSE 1056. These devices are designed for installation under continuous-pressure conditions when the critical level is installed at the required height.

608.13.9 Chemical dispenser backflow devices. Backflow devices for chemical dispensers shall comply with ASSE 1055 or shall be equipped with an air gap fitting.

608.14 Location of backflow preventers. Access shall be provided to backflow preventers as specified by the installation instructions of the approved manufacturer.

608.14.1 Outdoor enclosures for backflow prevention devices. Outdoor enclosures for backflow prevention devices shall comply with ASSE 1060.

608.14.2 Protection of backflow preventers. Backflow preventers shall not be located in areas subject to freezing except where they can be removed by means of unions or are protected from freezing by heat, insulation or both.

608.14.2.1 Relief port piping. The termination of the piping from the relief port or air gap fitting of a backflow preventer shall discharge to an approved indirect waste receptor or to the outdoors where it will not cause damage or create a nuisance.

608.15 Protection of potable water outlets. All potable water openings and outlets shall be protected against backflow in accordance with Section 608.15.1, 608.15.2, 608.15.3, 608.15.4, 608.15.4.1, or 608.15.4.2.

608.15.1 Protection by air gap. Openings and outlets shall be protected by an air gap between the opening and the fixture flood level rim as specified in Table 608.15.1. Openings and outlets equipped for hose connection shall be protected by means other than an air gap.

608.15.2 Protection by a reduced pressure principle backflow preventer. Openings and outlets shall be protected by a reduced pressure principle backflow preventer.

608.15.3 Protection by a backflow preventer with intermediate atmospheric vent. Openings and outlets shall be protected by a backflow preventer with an intermediate atmospheric vent.

608.15.4 Protection by a vacuum breaker. Openings and outlets shall be protected by atmospheric-type or pressure-type vacuum breakers. The critical level of the vacuum breaker shall be set a minimum of 6 inches (152 mm) above the flood level rim of the fixture or device. Fill valves shall be set in accordance with Section 425.3.1. Vacuum breakers shall not be installed under exhaust hoods or similar locations that will contain toxic fumes or vapors. Pipe-applied vacuum breakers shall be installed not less than 6 inches (152 mm) above the flood level rim of the fixture, receptor or device served.

608.15.4.1 Deck-mounted and integral vacuum breakers. Approved deck-mounted or equipment-mounted vacuum breakers and faucets with integral atmospheric or spillproof vacuum breakers shall be installed in accordance with the manufacturer's instructions and the requirements for labeling with the critical level not less than 1 inch (25 mm) above the flood level rim.

608.15.4.2 Hose connections. Sillcocks, hose bibbs, wall hydrants and other openings with a hose connection shall be protected by an atmospheric-type or pressure-type vacuum breaker or a permanently attached hose connection vacuum breaker.

Exceptions:

1. This section shall not apply to water heater and boiler drain valves that are provided with hose connection threads and that are intended only for tank or vessel draining.
2. This section shall not apply to water supply valves intended for connection of clothes washing machines where backflow prevention is otherwise provided or is integral with the machine.

608.16 Connections to the potable water system. Connections to the potable water system shall conform to Sections 608.16.1 through 608.16.10.

608.16.1 Beverage dispensers. The water supply connection to carbonated beverage dispensers shall be protected against backflow by a backflow preventer conforming to ASSE 1022 or by an air gap. The portion of the backflow preventer device downstream from the second check valve and the piping downstream therefrom shall not be affected by carbon dioxide gas.

§17. Section 608.16.2 of the New York city plumbing code, as amended by local law number 56 for the year 2010, is amended to read as follows:

608.16.2 Connections to boilers. The potable supply to the boiler shall be equipped with a backflow preventer with an intermediate atmospheric vent complying with ASSE 1012 or CAN/CSA B64.3. Where conditioning chemicals are introduced into the system, the potable water connection shall be protected by an air gap or a reduced pressure principle backflow preventer, complying with ASSE 1013, CAN/CSA B64.4 or AWWA C511. Makeup water lines to [boilers serving buildings greater than six stories] any boiler with heat input greater than 2.8 million btu/h (820 kW) shall be equipped with at least one water sub-meter to measure the amount of water supplied through such lines to such boilers. [Such water sub-meter] Water sub-meters shall be [equipped with an electronic encoder with absolute or pulse-based output] those models recommended for billing purposes in the "Guide to Water Sub-meters" published by the Department of Environmental Protection or as otherwise

provided in the rules of the department.

§18. Sections 608.16.3 through 608.16.10 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

608.16.3 Heat exchangers. Heat exchangers utilizing an essentially toxic transfer fluid shall be separated from the potable water by double-wall construction. An air gap open to the atmosphere shall be provided between the two walls. Heat exchangers utilizing an essentially nontoxic transfer fluid shall be permitted to be of single-wall construction.

Exceptions: Double-wall construction shall not be required for the following:

1. Heat exchangers supplied directly from the Consolidated Edison steam system; and
2. Low-pressure steam-heating boilers.

608.16.4 Connections to automatic fire sprinkler systems and standpipe systems. The potable water supply to automatic fire sprinkler and standpipe systems shall be protected against backflow by a double check-valve assembly or a reduced pressure principle backflow preventer.

Exceptions:

1. Where systems are installed as a portion of the water distribution system in accordance with the requirements of this code and are not provided with a fire department connection, isolation of the water supply system shall not be required.
2. Isolation of the water distribution system is not required for deluge, preaction or dry pipe systems.

**TABLE 608.15.1
MINIMUM REQUIRED AIR GAPS**

FIXTURE	MINIMUM AIR GAP	
	Away from wall ^a (inches)	Close to a wall (inches)
Lavatories and other fixtures with effective opening not greater than 1/2 inch in diameter	1	1 1/2
Sink, laundry trays, gooseneck back faucets and other fixtures with effective openings not greater than 3/4 inch in diameter	1 1/2	2 1/2
Over-rim bath fillers and other fixtures with effective openings not greater than 1 inch in diameter	2	3
Drinking water fountains, single orifice not greater than 7/16 inch in diameter or multiple orifices with a total area of 0.150 square inch (area of circle 7/16 inch in diameter)	1	1 1/2
Effective openings greater than 1 inch	Two times the diameter of the effective opening	Three times the diameter of the effective opening

For SI: 1 inch = 25.4 mm.

a. Applicable where walls or obstructions are spaced from the nearest inside-edge of the spout opening a distance greater than three times the diameter of the effective opening for a single wall, or a distance greater than four times the diameter of the effective opening for two intersecting walls.

608.16.4.1 Additives or nonpotable source. Where systems under continuous pressure contain chemical additives or antifreeze, or where systems are connected to a nonpotable secondary water supply, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer. Where chemical additives or antifreeze are added to only a portion of an automatic fire sprinkler or standpipe system, the reduced pressure principle backflow preventer shall be permitted to be located so as to isolate that portion of the system. Where systems are not under continuous pressure, the potable water supply shall be protected against backflow by an air gap or a pipe applied atmospheric vacuum breaker conforming to ASSE 1001 or CAN/CSA B64.1.1.

608.16.5 Connections to lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

608.16.6 Connections subject to backpressure. Where a potable water connection is made to a nonpotable line, fixture, tank, vat, pump or other equipment subject to back-pressure, the potable water connection shall be protected by a

reduced pressure principle backflow preventer.

608.16.7 Chemical dispensers. Where chemical dispensers connect to the potable water distribution system, the water supply system shall be protected against backflow in accordance with Section 608.13.1, 608.13.2, 608.13.5, 608.13.6, 608.13.8 or 608.13.9.

608.16.8 Portable cleaning equipment. Where the portable cleaning equipment connects to the water distribution system, the water supply system shall be protected against backflow in accordance with Section 608.13.1, 608.13.2, 608.13.3, 608.13.7 or 608.13.8.

608.16.9 Dental pump equipment. Where dental pumping equipment connects to the water distribution system, the water supply system shall be protected against backflow in accordance with Section 608.13.1, 608.13.2, 608.13.5, 608.13.6 or 608.13.8.

608.16.10 Coffee machines and noncarbonated beverage dispensers. *The water supply connection to coffee machines and noncarbonated beverage dispensers shall be protected against backflow by a backflow preventer conforming to ASSE 1022 or by an air gap.*

§19. Section 612.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

612.1 Solar systems. The construction, installation, alterations and repair of systems, equipment and appliances intended to *capture and* utilize solar energy for space heating or cooling, domestic hot water heating, swimming pool heating or process heating shall comply with the New York City Mechanical Code *and this code.*

PART G
CHAPTER 7

§1. Section 701.2 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

701.2 Sewer required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available and where [the department determines that] connection thereto is feasible. Where neither a sanitary nor a combined sewer is available to which [the department determines that] connection is feasible a private sewer or private sewage disposal system shall be provided. [All such private systems shall be provided subject to the approval of the Commissioner of Environmental Protection and of any other agency or agencies having jurisdiction] *See Section 106.6.1 of this code for required construction documents relating to provisions for discharge for sanitary sewage.*

701.2.1 Extensions of public sanitary or combined sewers. Extensions of public *sanitary or combined* sewers shall be made in accordance with the regulations of the Department of Environmental Protection.

701.2.2 Availability of public sanitary or combined sewer [to other than one- or two-family dwellings]. [A] *The determination as to whether a public sanitary or combined sewer [shall be deemed] is available [to a building if a property line of such building is within 500 feet (152 m), measured along a street, alley, or right-of-way of the public sewer. The connection] shall be made in accordance with the applicable standards of the Department of Environmental Protection.*

[**Exception:** Where a substantial improvement of a building or buildings is contemplated on a tract of land, the public sanitary or combined sewer may be declared available thereto by the agencies having jurisdiction thereon even though the specified distance is exceeded.]

[701.2.3 Availability of public sewer to one- or two-family dwellings. A public sanitary or combined sewer shall be deemed available to a one- and two-family dwelling if a property line of such dwelling is within 100 feet (30 480 mm), measured along a street, alley, or right-of-way, of the public sewer. The extension and connection shall be made in accordance with the applicable standards of the Department of Environmental Protection, provided, however, that such one- and two-family dwelling need not connect directly to the public sanitary or combined sewer if the common elements of an internal private drain are located in a dedicated, unobstructed right-of-way that extends to the sanitary or combined sewer with a minimum width of 10 feet located entirely outside of the building footprint and outside of all overhangs and projections that are less than 14 feet in height above grade.

Exception: Where two or more one- or two-family dwellings are to be constructed on a tract of land, the public sanitary or combined sewer may be declared available thereto by the agencies having jurisdiction thereon even though the specified distance is exceeded.]

701.2.[4] 3 Feasibility of connecting to an available sanitary or combined

public sewer. The [department shall determine that] *determination as to whether* connection to an available *sanitary or combined* public sewer is feasible [if:

1. The sewer is of adequate capacity to receive all sewage flowing from the building;
2. The sewer is in adequate physical condition to receive such sewage;
3. No physical obstacles exist between the boundaries of the lot or tract of land on which the building is located and the sewer, which would make connection to the sewer impracticable;
4. The elevation of the sewer in relation to the lot or tract of land on which the building is located is such that conveyance of the sewage from the building to the sewer is not impracticable;
5. The sewer is located in the same drainage area as all or most of the lot or tract of land on which the building is located; and
6. No other factor reasonably related to the conveyance of sewage from the building to the sewer would make such connection impracticable or undesirable as a proper means of sewage disposal.] *shall be in accordance with the applicable standards of the Department of Environmental Protection.*

701.2.[5] 4 Where public sewers are made available to premises with private sewage disposal system. When public sewers are made available to premises with individual on- site private disposal systems, such private sewage disposal system shall be abandoned in a manner prescribed by the commissioner, and the owner shall connect the building house sewer to the available public sewer within 6 months of the date of notification that the sewer has been accepted to receive flow by the agency or agencies having jurisdiction.

701.2.[6] 5 Abandonment of existing building sewer connections. All abandoned building sewers *shall require plug permits from the Department of Environmental Protection and* shall be securely sealed at a point inside the curb line and as close thereto as practicable.

§2. Section 701.3 of the New York city plumbing code, as amended by local law number 18 for the year 2008, is amended to read as follows:

701.3 Separate sewer connection. Every building having plumbing fixtures installed and intended for human habitation, occupancy or use on premises abutting on a street, alley or easement in which there is a public sewer shall have a separate connection with the sewer. Where located on the same lot, multiple buildings shall not be prohibited from connecting to a common building sewer that connects to the public sewer, provided, however, that the common elements of an internal private drain are located in a dedicated, unobstructed right-of-way that extends to the sewer with a minimum width of 10 feet (3048 mm) located entirely outside of the building footprint and outside of all overhangs and projections that are less than 14 feet (4267 mm) in height above grade.

§3. Section 701.4 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

701.4 Sewage treatment. Sewage or other waste shall not be discharged into surface or subsurface water unless it has been discharged by a method subject to the approval of the commissioner and of the Department of Health and Mental Hygiene [and], the Department of Environmental Protection, *and the New York State Department of Environmental Conservation.*

§4. Section 701.5 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

701.5 Damage to drainage system or public sewer. Wastes detrimental to the public sewer system or to the functioning of the sewage-treatment plant shall be treated and disposed of in accordance with applicable rules of the [city department of environmental protection] *Department of Environmental Protection.*

§5. Section 701.8 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

701.8 Engineered systems. Engineered sanitary drainage systems shall conform to the provisions of Section 28-113.2.2 of the Administrative Code and Section PC 714 of this code.

§6. Section 701.10 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

701.10 Plastic pipe. Plastic piping and fittings shall not be used.

Exceptions:

1. Plastic piping and fittings may be used in residential buildings five stories or less in height.

2. Plastic piping and fittings may be used as permitted in Sections PC 803 and PC 804.

§7. Table 702.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**TABLE 702.1
ABOVE-GROUND DRAINAGE AND VENT PIPE**

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe in IPS diameters, including Schedule 40, DR 22 (PS 200) and DR 24 (PS 140); with a solid, cellular core or composite wall ^a	ASTM D 2661; ASTM F 628; ASTM F 1488; CSA B181.1
Brass pipe	ASTM B 43
Cast-iron pipe	ASTM A 74; [CISPI 301]; ASTM A 888; CISPI 301
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, L)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 306
Ductile iron	AWWA C151
Galvanized steel pipe	ASTM A 53
Glass pipe	ASTM C 1053
High silicon cast iron	ASTM A 518 A/518 M
Polyolefin pipe ^a	ASTM F 1412; ASTM D 2657; CAN/CSA-B 181.3
Polyvinyl chloride (PVC) plastic pipe [(Type DWV) in IPS diameters, including schedule 40, DR 22 (PS 200), and DR 24 (PS 140); with a solid, cellular core or composite wall ^a	ASTM D 2665; [ASTM D 3311; ASTM F 1866] ASTM F 891; ASTM F 1488; CSA B181.2
Polyvinyl chloride (PVC) plastic pipe with a 3.25-inch O.D. and a solid, cellular core or composite wall ^a	ASTM D 2949; ASTM F 1488
Polyvinylidene fluoride (PVDF) plastic pipe ^a	ASTM F 1673; CAN/CSA B 181.3
Stainless steel drainage systems, Types 304 and 316L	ASME A112.3.1

a. Limited to residential buildings five stories or less in height.

§8. Section 702.4 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

702.4 Fittings. Pipe fittings shall be approved for installation with the piping material installed and shall [conform to the respective pipe standards or one of the] comply with the applicable standards listed in Table 702.4.

§9. Tables 702.2 and 702.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

**TABLE 702.2
UNDERGROUND BUILDING DRAINAGE AND VENT PIPE**

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; [CISPI 301]; ASTM A 888; CISPI 301
Copper or copper-alloy tubing (Type K or L)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 306
Ductile iron	AWWA C 151
Nonasbestos fiber cement pipe	ASTM C 1449
[Polyethylene (corrugated 12 inches and larger)]	[ASTM F 667]
Polyvinyl chloride (PVC) plastic pipe in IPS diameters, including schedule 40, DR 22 (PS 200), and DR 24 (PS 140); with a solid, cellular core or composite wall ^a	ASTM D 2665; ASTM F 891; ASTM F 1488; CSA B181.2
Stainless steel drainage systems, Type 316L	ASME A112.3.1

a. Limited to residential buildings five stories or less in height.

**TABLE 702.3
BUILDING SEWER PIPE**

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301
Concrete pipe	ASTM C14; ASTM C76; CAN/CSA A257.1M; CAN/CSA A257.2M
Copper or copper-alloy tubing (Type K or L)	ASTM B 75; ASTM B 88; ASTM B 251
Ductile iron	AWWA C151
Nonasbestos fiber cement Pipe	ASTM C 1449
Polyvinyl chloride (PVC) plastic pipe (Type DWV, SDR26, SDR35, SDR41, PS50 or PS100) ^a	ASTM D 2665; ASTM D 3034; ASTM F 891; CSA B 182.2; CAN/CSA B 182.4; CSA B181.2
Stainless steel drainage systems, Types 304 and 316L	ASME A112.3.1
Vitrified clay pipe	ASTM C 4; ASTM C 700

a. Limited to residential buildings five stories or less in height.

§10. Table 702.4 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

**TABLE 702.4
PIPE FITTINGS**

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe [schedule 40] in IPS diameters ^a	[ASTM D 3311; CSA B181.1] ASTM D 2661; ASTM F 628; CSA B 181.1
Acrylonitrile butadiene styrene (ABS) plastic pipe in sewer and drain diameters	ASTM D 2751
Brass	ASTM B62
Cast iron	ASME B 16.4; ASME B 16.12; ASTM A 74; ASTM A 888; CISPI 301
Copper or copper alloy	ASME B 16.15; ASME B 16.18; ASME B 16.22; ASME B 16.23; ASME B 16.26; ASME B 16.29
Galvanized steel	ASTM A153; ASME B16.3
Glass	ASTM C 1053
[Gray iron and d] Ductile iron	AWWA C 110
High silicon iron	ASTM A 861
Malleable iron	ASME B 16.3
Non-asbestos fiber cement	ASTM C1449
[Polyethylene (corrugated 12 inches and larger)]	[ASTM 667]
Polyolefin ^a	CAN/CSAB 181.3; ASTM F 1312; ASTM D 2657
Polyvinyl chloride (PVC) plastic in IPS diameters ^a	[ASTM D 3311;] ASTM D 2665; ASTM F 1866
Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters ^a	ASTM D 3034
Polyvinyl chloride (PVC) plastic pipe with a 3.25-inch O.D. ^a	ASTM D 2949
Polyvinylidene fluoride (PVDF) plastic pipe ^a	ASTM F 1673; CAN/CSA B181.3
Stainless steel drainage systems, Types 304 and 316L	ASME A 112.3.1
Vitrified clay pipe	ASTM C425

a. Limited to residential buildings five stories or less in height.

§11. Section 702.6 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

702.6 Lead bends and traps. Lead bends and traps shall not be less than [0.125] 1/8 inch (3.2 mm) wall thickness.

§12. The New York city plumbing code is amended by adding a new section 703.6.1, to read as follows:

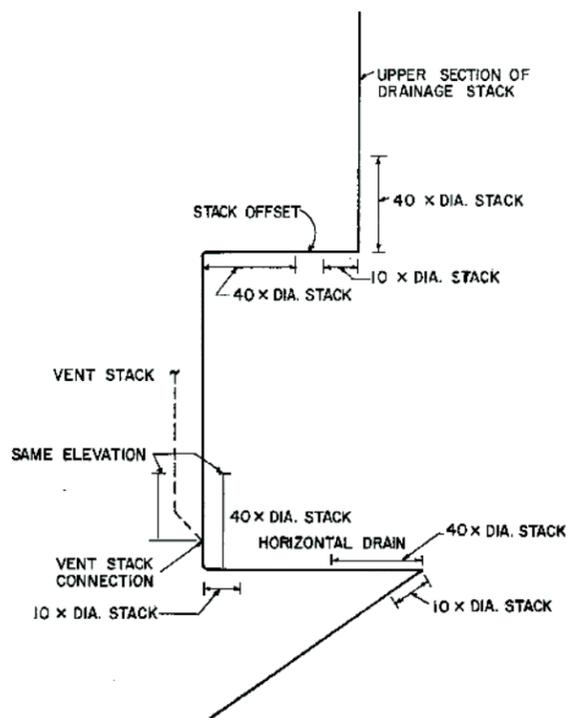
703.6.1 Fresh air inlets. Every sanitary or combined building drain equipped with a building trap, sewage pump, ejector, receiving tank, oil separator, or similar equipment, shall be provided with a fresh air inlet pipe connected to the building drain immediately upstream from, and within 4 feet (1219 mm) of, such trap or equipment. Such connection shall be made in the same manner as prescribed in Section PC 905 for vent connections to horizontal drains, and the fresh air inlet pipe shall be extended to the outer air and shall be terminated in an open end at least 6 inches (152 mm) above grade. The open end shall be protected by a perforated metal plate permanently fixed in the mouth of the inlet and having an open ventilating area at least equal to the area of the pipe, or by a return bend with its unprotected open end at least 6 inches (152 mm) above grade, located inside the street line. The size of the fresh air inlet pipe shall be at least one-half the diameter of the building drain at the point of connection, but not less than 3 inches (76 mm).

§13. Items 2 and 3 of section 704.6 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

2. In the horizontal drain at the base of a soil or waste stack a zone shall be considered to exist in the horizontal portion within 10 stack diameters of the base fitting. Where a 60-degree (1.05 rad) or 90-degree (1.57 rad) fitting is installed in the horizontal drain, a zone shall be considered to exist in the horizontal portion within 40 drain diameters upstream of and 10 drain diameters downstream of the fitting in accordance with Figure 704.6(2).

3. In a soil or waste stack offset of 60 degrees (1.05 rad) or 90 degrees (1.57 rad), a zone shall be considered to exist in the vertical portion of the stack within 40 stack diameters of the base fitting for the upper section of the stack. The zone shall be considered to exist in the horizontal offset within 10 stack diameters of such base fitting and within 40 stack diameters of the top fitting for the lower section of the stack.

§14. Figure RS 16-8 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:



[Figure RS 16-8
Suds Pressure Zones]

FIGURE 704.6(2)
SUDS PRESSURE ZONES

§15. Sections 705.5.2 and 705.5.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

705.5.2 Compression gasket joints. Compression gaskets for hub and spigot pipe and fittings shall conform to ASTM C 564 and shall be tested to ASTM C 1563. Gaskets shall be compressed when the pipe is fully inserted.

705.5.3 Mechanical joint coupling. Mechanical joint couplings for hubless pipe and fittings shall comply with CISPI 310 or ASTM C 1277 or ASTM C 1540. The elastomeric sealing sleeve shall conform to ASTM C 564 or CAN/CSA B602 and

shall be provided with a center stop. Mechanical joint couplings shall be installed in accordance with the manufacturer's installation instructions.

§16. Section 705.11.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

705.11.1 Caulked joints. Every lead-caulked joint for hub and spigot soil pipe shall be firmly packed with oakum or hemp and filled with molten lead not less than 1 inch (25 mm) deep and not to extend more than [0.125] 1/8 inch (3.2 mm) below the rim of the hub. Paint, varnish or other coatings shall not be permitted on the jointing material until after the joint has been tested and approved. Lead shall be run in one pouring and shall be caulked tight. Acid-resistant rope and acidproof cement shall be permitted.

§17. Section 705.13.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

705.13.2 Wiped. Joints shall be fully wiped, with an exposed surface on each side of the joint not less than [0.75] 3/4 inch (19.1 mm). The joint shall be at least [0.325] 5/8 inch (9.5 mm) thick at the thickest point.

§18. Sections 705.16 through 705.20 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

705.16 Polyethylene plastic pipe. Joints between polyethylene plastic pipe and fittings shall be underground and shall comply with Section 705.16.1 or 705.16.2.

705.16.1 Heat-fusion joints. Joint surfaces shall be clean and free from moisture. All joint surfaces shall be cut, heated to melting temperature and joined using tools specifically designed for the operation. Joints shall be undisturbed until cool. Joints shall be made in accordance with ASTM D 2657 and the manufacturer's instructions.

705.16.2 Mechanical joints. Mechanical joints in drainage piping shall be made with an elastomeric seal conforming to ASTM C 1173, ASTM D 3212 or CAN/CSA B602. Mechanical joints shall be installed in accordance with the manufacturer's instructions.

705.17 Polyolefin plastic. Joints between polyolefin plastic pipe and fittings shall comply with Sections 705.17.1 and 705.17.2.

705.17.1 Heat-fusion joints. Heat-fusion joints for polyolefin pipe and tubing joints shall be installed with socket-type heat-fused polyolefin fittings or electrofusion polyolefin fittings. Joint surfaces shall be clean and free from moisture. The joint shall be undisturbed until cool. Joints shall be made in accordance with ASTM F 1412 or CAN/CSA B181.3.

705.17.2 Mechanical and compression sleeve joints. Mechanical and compression sleeve joints shall be installed in accordance with the manufacturer's instructions, and in conformance with acceptance criteria established by the commissioner.

705.18 Polyvinylidene fluoride plastic. Joints between polyvinylidene fluoride pipe and fittings shall comply with Sections 705.18.1 and 705.18.2.

705.18.1 Heat-fusion joints. Heat-fusion joints for polyvinylidene fluoride pipe and tubing joints shall be installed with socket-type heat-fused polyvinylidene fluoride fittings or electrofusion polyvinylidene fittings and couplings. Joint surfaces shall be clean and free from moisture. The joint shall be undisturbed until cool. Joints shall be made in accordance with ASTM F 1673.

705.18.2 Mechanical and compression sleeve joints. Mechanical and compression sleeve joints shall be installed in accordance with the manufacturer's instructions, and in conformance with acceptance criteria established by the commissioner.

705.[16]19 Joints between different materials. Joints between different piping materials shall be made with a mechanical joint of the compression or mechanical-sealing type conforming to ASTM C 1173, ASTM C 1460 or ASTM C 1461. Connectors and adapters shall be approved for the application and such joints shall have an elastomeric seal conforming to ASTM C 425, ASTM C 443, ASTM C 564, ASTM C 1440, ASTM D 1869, ASTM F 477, CAN/CSA A257.3M or CAN/CSA B602, or as required in Sections 705.16.1 through 705.16.5. Joints between glass pipe and other types of materials shall be made with adapters having a TFE seal. Joints shall be installed in accordance with the manufacturer's instructions.

705.[16]19.1 Copper or copper-alloy tubing to cast-iron hub pipe. Joints between copper or copper-alloy tubing and cast-iron hub pipe shall be made with a brass ferrule or compression joint. The copper or copper-alloy tubing shall be soldered to the ferrule in an approved manner, and the ferrule shall be joined to the cast-iron hub by a caulked joint or a mechanical compression joint.

705.[16]19.2 Reserved

705.[16]19.3 Cast-iron pipe to galvanized steel or brass pipe. Joints between cast-iron and galvanized steel or brass pipe shall be made by either caulked or threaded joints or with an approved adapter fitting.

705.[16]19.4 Plastic pipe or tubing to other piping material. Joints between different grades of plastic pipe or between plastic pipe and other piping material shall be made with an approved adapter fitting. Joints between plastic pipe and cast-iron hub pipe shall be made by a caulked joint or a mechanical compression joint.

705.[16]19.5 Lead pipe to other piping material. Joints between lead pipe and other piping material shall be made by a wiped joint to a caulking ferrule, soldering nipple, or bushing or shall be made with an approved adapter fitting.

705.[16]19.6 Borosilicate glass to other materials. Joints between glass pipe and other types of materials shall be made with adapters having a TFE seal and shall be installed in accordance with the manufacturer's instructions.

705.[16]19.7 Stainless steel drainage systems to other materials. Joints between stainless steel drainage systems and other piping materials shall be made with approved mechanical couplings.

705.[17]20 Drainage slip joints. Slip joints shall comply with Section 405.8.

705.[18]21 Caulking ferrules. Ferrules shall be of red brass and shall be in accordance with Table 705.[18] 21.

**TABLE 705.[18] 21
CAULKING FERRULE SPECIFICATIONS**

PIPE SIZES (inches)	INSIDE DIAMETER (inches)	LENGTH (inches)	MINIMUM WEIGHT EACH
2	2¼	4½	1 pound
3	3¼	4½	1 pound 12 ounces
4	4¼	4½	2 pounds 8 ounces

For SI: 1 inch = 25.4 mm, 1 ounce = 28.35 g, 1 pound = 0.454 kg.

705.[19]22 Soldering bushings. Soldering bushings shall be of red brass and shall be in accordance with Table 705.[19] 22.

**TABLE 705.[19] 22
SOLDERING BUSHING SPECIFICATIONS**

PIPE SIZES (inches)	MINIMUM WEIGHT EACH
1¼	6 ounces
1½	8 ounces
2	14 ounces
2½	1 pound 6 ounces
3	2 pounds
4	3 pounds 8 ounces

For SI: 1 inch = 25.4 mm, 1 ounce = 28.35 g, 1 pound = 0.454 kg.

705.[20]23 Stainless steel drainage systems. O-ring joints for stainless steel drainage systems shall be made with an approved elastomeric seal.

§19. Section 708.3.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

708.3.3 Changes of direction. Cleanouts shall be installed at each change of direction of the building drain or horizontal waste or soil lines greater than 45 degrees (0.79 rad) *in the building sewer, building drain and horizontal waste or soil lines.* Where more than one change of direction occurs in a run of piping, only one cleanout shall be required for each 40 feet (12 192 mm) of developed length of the drainage piping.

§20. Section 709.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

709.2 Fixtures not listed in Table 709.1. Fixtures not listed in Table 709.1 shall have a drainage fixture unit load based on the outlet size of the fixture in accordance with Table 709.2. The minimum trap size for unlisted fixtures shall be the size of the drainage outlet but not less than [1.25] 1 ¼ inches (32 mm).

§21. Table 709.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**TABLE 709.1
DRAINAGE FIXTURE UNITS FOR FIXTURES AND GROUPS**

FIXTURE TYPE	DRAINAGE	MINIMUM SIZE
--------------	----------	--------------

	FIXTURE VALUE AS LOAD FACTORS	UNIT OF TRAP (inches)
Automatic clothes washers, commercial ^{a,g}	3	2
Automatic clothes washers, residential ^g	2	2
Bathroom group as defined in Section 202 (1.6 gpf water closet) ^f	5	-
Bathroom group as defined in Section 202 (water closet flushing greater than 1.6 gpf) ^f	6	-
Bathtub ^b (with or without overhead shower or whirlpool attachments)	2	1½
Bidet	1	[1¼] 1½
Combination sink and tray	2	1½
Dental lavatory	1	[1¼] 1½
Dental unit or cuspidor	1	1¼
Dishwashing machine, ^c domestic	2	1½
Drinking fountain	[0.5] ½	1¼
[Emergency floor drain]	[0]	[2]
Floor drains	2 ^h	[2] 3
Floor sinks	Note h	2
Kitchen sink, domestic	2	[1½] 2
Kitchen sink, domestic with food waste grinder and/or dishwasher	2	[1½] 2
Laundry tray (1 or 2 compartments)	2	[1½] 2
Lavatory	1	[1¼] 1½
Shower	2	[1½] 2
Sink	2	[1½] 2
Urinal	4	Note d
Urinal, 1 gallon per flush or less	2 ^e	Note d
Wash sink (circular or multiple) each set of faucets	2	1½
Water closet, flushometer tank, public or private	4 ^e	Note d
Water closet, private (1.6 gpf)	3 ^e	Note d
Water closet, private (flushing greater than 1.6 gpf)	4 ^e	Note d
Water closet, public (1.6 gpf)	4 ^e	Note d
Water closet, public (flushing greater than 1.6 gpf)	6 ^e	Note d

For SI: 1 inch = 25.4 mm, 1 gallon = 3.785 L.

- a. For traps larger than 3 inches, use Table 709.2.
- b. A showerhead over a bathtub or whirlpool bathtub attachment does not increase the drainage fixture unit value.
- c. See Sections 709.2 through 709.4 for methods of computing unit value of fixtures not listed in this table or for rating of devices with intermittent flows.
- d. Trap size shall be consistent with the fixture outlet size.
- e. For the purpose of computing loads on building drains and sewers, water closets and urinals shall not be rated at a lower drainage fixture unit unless the lower values are confirmed by testing.
- f. For fixtures added to a dwelling unit bathroom group, add the DFU value of those additional fixtures to the bathroom group fixture count.
- g. See Section 406.3 for sizing requirements for fixture drain, branch drain, and drainage stack for an automatic clothes washer standpipe.
- h. See Sections 709.4.

§22. Table 710.1(2) of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**TABLE 710.1(2)
HORIZONTAL FIXTURE BRANCHES AND STACKS^a**

DIAMETER OF PIPE (inches)	MAXIMUM NUMBER OF DRAINAGE FIXTURE UNITS (dfu)			
	Total horizontal branch	for Stacks ^b		
		[Total discharge into one interval]	Total for stack of three intervals less	Total for stack greater than three branch intervals
1½	3	[2]	4	8
2	6	[6]	10	24
2½	12	[9]	20	42
3	20	[20]	48	72
4	160	[90]	240	500

5	360	[200]	540	1,100
6	620	[350]	960	1,900
8	1,400	[600]	2,200	3,600
10	2,500	[1,000]	3,800	5,600
12	3,900	[1,500]	6,000	8,400
15	7,000	[Note c]	Note c	Note c

For SI: 1 inch = 25.4 mm.

a. Does not include branches of the building drain. Refer to Table 710.1(1).

b. Stacks shall be sized based on the total accumulated connected load at each story or branch interval. [As the total accumulated connected load decreases, stacks are permitted to be reduced in size. Stack diameters shall not be reduced to less than one-half of the diameter of the largest stack size required.] *No soil or waste stack shall be smaller than any horizontal branch connection thereto.*

c. Sizing load based on design criteria.

§23. Section 712.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

712.1 Building subdrains. Building subdrains that cannot be discharged to the sewer by gravity flow shall be discharged into a [tightly] *gas tight* covered and vented ejector pit/basin from which the liquid shall be lifted and discharged into the building gravity drainage system by automatic pumping equipment or other approved method.

§24. Section 712.3.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

712.3.3 Discharge piping. Discharge piping [shall meet the requirements of Section 712.2] *and fittings shall be constructed of approved materials.*

§25. Section 712.4.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

712.4.2 Capacity. A sewage pump or sewage ejector shall have the capacity and head for the application requirements. Pumps or ejectors that receive the discharge of water closets shall be capable of handling spherical solids with a diameter of up to and including 2 inches (51 mm). Other pumps or ejectors shall be capable of handling spherical solids with a diameter of up to and including 1 inch (25.4mm). The minimum capacity of a pump or ejector based on the diameter of the discharge pipe shall be in accordance with Table 712.4.2.

Exceptions:

1. Grinder pumps or grinder ejectors that receive the discharge of water closets shall have a minimum discharge opening of [1.25] *1 ¼* inches (32 mm).

2. Macerating toilet assemblies that serve single water closets shall have a minimum discharge opening of [0.75] *¾* inch (19 mm).

§26. Sections 713.11.2 and 713.11.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

713.11.2 Boiling-type sterilizers. The minimum size of a sterilizer vent stack shall be 2 inches (51 mm) in diameter where serving a utensil sterilizer and [1.5] *1 ½* inches (38 mm) in diameter where serving an instrument sterilizer. Combinations of boiling-type sterilizer vent connections shall be sized in accordance with Table 713.11.1.

713.11.3 Pressure sterilizers. Pressure sterilizer vent stacks shall be [2.5] *2 ½* inches (64mm) minimum. Those serving combinations of pressure sterilizer exhaust connections shall be sized in accordance with Table 713.11.3.

PART H
CHAPTER 8

§1. Section 802.1.4 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

802.1.4 Swimming pools. Where wastewater from swimming pools, backwash from filters and water from pool deck drains discharge to the building drainage system, the discharge shall be through an indirect waste pipe by means of an air gap *to a waste outlet.*

§2. The New York city plumbing code is amended by adding a new section 802.1.8, to read as follows:

802.1.8 Food utensils, dishes, pots and pans sinks. *Sinks used for the washing,*

rinsing or sanitizing of utensils, dishes, pots, pans or serviceware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air break.

Exception: *Hand sinks may be directly connected to the drainage system.*

§3. Section 803.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

803.2 Neutralizing device required for corrosive wastes. [Corrosive] *All discharges into the public sewers are subject to regulation by the Department of Environmental Protection. The Department of Environmental Protection may prohibit the discharge of any corrosive liquids, including but not limited to spent acids or other harmful chemicals that may destroy or injure a drain, sewer, soil or waste pipe, or create noxious or toxic fumes or interfere with sewage treatment processes or may require that such liquids be neutralized or treated prior to discharge in accordance with Department of Environmental Protection regulations. Where treatment prior to discharge is required by the Department of Environmental Protection, liquids shall not be discharged into the plumbing system without being thoroughly neutralized or treated in [accordance with the requirements of the New York city department of environmental protection] compliance with the rules of the Department of Environmental Protection.*

PART I
CHAPTER 9

§1. Section 903.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

903.3 Vent termination. [Every vent stack] *Vent stacks or stack [vent] vents shall terminate outdoors above the roof or to the stack vent portion of the soil or waste stack, at least 6 inches (152 mm) above the flood level of the highest fixture connection discharging into the soil or waste stack.*

§2. Section 907.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

907.2 Floor drain vents. No vents will be required for piping serving floor drains when the floor drain is located not more than 15 feet (4572 mm) from [a] *the vented line to which it connects.*

§3. Section PC 909 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

SECTION PC 909
WET VENTING

909.1 [Wet] Horizontal wet vent permitted. Any combination of fixtures within one bathroom group located in the same room [are] *is* permitted to be vented by a *horizontal wet vent.* The wet vent shall be considered the vent for the fixtures and shall extend from the connection of the dry vent along the direction of the flow in the drain pipe to the most downstream fixture drain connection to the horizontal branch drain. *Each wet-vented fixture drain shall connect independently to the horizontal wet vent.* Only the fixtures within the bath-room groups shall connect to the wet-vented horizontal branch drain. Any additional fixtures shall discharge downstream of the *horizontal wet vent.*

909.2 Vent connection. The dry vent connection to the wet vent shall be an individual vent or common vent to the lavatory, bidet, shower or bathtub. The dry vent shall be sized based on the largest required diameter of pipe within the wet vent system served by the dry vent.

909.2.1 Horizontal wet vent. *The dry-vent connection for a horizontal wet-vent system shall be an individual vent or a common vent for any bathroom group fixture, except an emergency floor drain. Where the dry-vent connects to a water closet fixture drain, the drain shall connect horizontally to the horizontal wet-vent system. Not more than one wet-vented fixture drain shall discharge upstream of the dry-vented fixture drain connection.*

909.3 Size. *The dry vent serving the wet vent shall be sized based on the largest required diameter of pipe within the wet-vent system served by the dry vent. The wet vent shall be a minimum size of 2 inches (51 mm).*

§4. Section 916.5.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

916.5.1 Sewage pumps and sewage ejectors other than pneumatic. Drainage piping below sewer level shall be vented in a similar manner to that of a gravity system. Building sump vent sizes for sumps with sewage pumps or sewage ejectors, other than pneumatic, shall be determined in accordance with Table 916.5.1. *Where a building sump vent connects to a sanitary vent system, the sanitary branch vent shall be at least 3 inches (76 mm) in diameter.*

§5. Section 916.5.2 of the New York city plumbing code, as added by local law

number 99 for the year 2005, is amended to read as follows:

916.5.2 Pneumatic sewage ejector vent. The air pressure relief pipe from a pneumatic sewage ejector shall be connected to an independent vent stack terminating as required for vent extensions through the roof. The relief pipe shall be sized to relieve air pressure inside the ejector to atmospheric pressure, but shall not be less than 1½ inches (38 mm) in size.

PART J
CHAPTER 10

§1. Sections PC 1002 and 1003 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

SECTION PC 1002
TRAP REQUIREMENTS

1002.1 Fixture traps. Each plumbing fixture shall be separately trapped by a water-seal trap, except as otherwise permitted by this code. The trap shall be placed as close as possible to the fixture outlet. The vertical distance from the fixture outlet to the trap weir shall not exceed 24 inches (610 mm) and the horizontal distance shall not exceed 30 inches (762 mm) measured from the centerline of the fixture outlet to the centerline of the inlet of the trap. The [distance] height of a clothes washer standpipe above a trap shall conform to Section 802.4. A fixture shall not be double trapped.

Exceptions:

1. This section shall not apply to fixtures with integral traps.
2. A combination plumbing fixture is permitted to be installed on one trap provided that one compartment is not more than 6 inches (152 mm) deeper than the other compartment and the waste outlets are not more than 30 inches (762 mm) apart.
3. A grease [trap] *interceptor* intended to serve as a fixture trap in accordance with the manufacturer's installation instructions shall be permitted to serve as the trap for a single fixture or a combination sink of not more than three compartments where the vertical distance from the fixture outlet to the inlet of the interceptor does not exceed 30 inches (762 mm), and the developed length of the waste pipe from the most upstream fixture outlet to the inlet of the interceptor does not exceed 60 inches (1524 mm).
4. *This section shall not apply to outdoor drinking fountains discharging to a drywell.*

1002.2 Design of traps. Fixture traps shall be self-scouring. Fixture traps shall not have interior partitions, except where such traps are integral with the fixture or where such traps are constructed of an approved material that is resistant to corrosion and degradation. Slip joints shall be made with an approved elastomeric gasket and shall be installed only on the trap inlet, trap outlet and within the trap seal.

1002.3 Prohibited traps. The following types of traps are prohibited:

1. Traps that depend on moving parts to maintain the seal.
2. Bell, pot, bottle traps and traps with interior partitions.
3. Crown-vented traps.
4. Traps not integral with a fixture and that depend on interior partitions for the seal, except those traps constructed of an approved material that is resistant to corrosion and degradation.
5. "S" traps.
6. Drum traps.

Exception: [Drum traps] *Traps* used as solids interceptors and [drum] traps serving chemical waste systems shall not be prohibited.

1002.4 Trap seals. Each fixture trap shall have a liquid seal of not less than 2 inches (51 mm) and not more than 4 inches (102 mm), or deeper for special designs relating to accessible fixtures. Where a trap seal is subject to loss by evaporation, a trap seal primer valve shall be installed. *Trap seal primer valves shall connect to the trap at a point above the level of the trap seal.* A trap seal primer valve shall conform to ASSE 1018 or ASSE 1044.

1002.5 Size of fixture traps. Fixture trap size shall be sufficient to drain the fixture rapidly and not less than the size indicated in Table 709.1. A trap shall not be larger than the drainage pipe into which the trap discharges.

1002.6 Building traps. Building traps shall be provided with a cleanout and a

relief vent or fresh air intake but in no case less than 3 inches (76 mm) on the inlet side of the trap. The size of the relief vent or fresh air intake shall not be less than one-half the diameter of the drain to which the relief vent or air intake connects. Such relief vent or fresh air intake shall be carried above grade and shall be terminated in a screened outlet located outside the building.

1002.7 Trap setting and protection. Traps shall be set level with respect to the trap seal and, where necessary, shall be protected from freezing.

1002.8 Recess for trap connection. A recess provided for connection of the underground trap, such as one serving a bathtub in slab-type construction, shall have sides and a bottom of corrosion-resistant, insect- and vermin proof construction.

1002.9 Acid-resisting traps. Where a vitrified clay or other brittleware, acid-resisting trap is installed underground, such trap shall be embedded in concrete extending 6 inches (152 mm) beyond the bottom and sides of the trap.

1002.10 Plumbing in mental health centers. In mental health centers, pipes and traps shall not be exposed.

SECTION PC 1003
INTERCEPTORS AND SEPARATORS

1003.1 Where required. Interceptors and separators shall be provided to prevent the discharge of oil, grease, sand and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system, or the sewage treatment plant or processes.

1003.2 Approval. The size, type and location of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section based on the anticipated conditions of use. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator.

1003.3 Grease [traps and grease] interceptors. Grease [traps and grease] interceptors shall comply with the requirements of Sections 1003.3.1 through 1003.3.4.2] 5.

1003.3.1 Grease [traps and grease] interceptors and automatic grease removal devices required. A grease [trap or grease] interceptor or automatic grease removal device shall be required to receive the [drainage] direct and indirect discharges from fixtures and equipment with grease-laden waste located in food preparation areas, such as in restaurants, [hotel] kitchens, hospitals, [school kitchens,] bars, [factory] cafeterias (including school cafeterias), butcher shops, slaughterhouses, fish markets, supermarket food processing areas, delicatessens, or [restaurants and] clubs. *Fixtures and equipment shall include pot sinks, prerinse sinks, soup kettles or similar devices, wok stations, floor drains or sinks into which kettles are drained, food scrap sinks, scraper sinks, scullery sinks, meat and/or poultry and/or fish preparation sinks, automatic hood wash units, and dishwashers with a maximum discharge temperature in compliance with the requirements of the Department of Environmental Protection. Grease interceptors and automatic grease removal devices shall receive waste only from fixtures and equipment that allow fats, oils or grease to be discharged.*

[Exception: *Fixtures and equipment within dwelling units.*]

1003.3.2 [Food waste grinders. Where food waste grinders connect to grease traps, a solids interceptor shall separate the discharge before connecting to the grease trap. Solids interceptors and grease interceptors shall be sized and rated for the discharge of the food waste grinder.] **Reserved.**

1003.3.3 Grease [trap and grease] interceptors and automatic grease removal devices not required. A grease [trap or a grease] interceptor or an automatic grease removal device shall not be required for individual dwelling units, [or] any private living quarters, or non-culinary schools which only contain residential type stoves and sinks intended for teaching basic home cooking skills.

1003.3.4 Grease [traps and grease] interceptor[s] and automatic grease removal device sizing and standards. Grease [traps and grease] interceptors and automatic grease removal devices shall be sized in accordance with the rules of the Department of Environmental Protection. *Grease interceptors and automatic grease removal devices shall [conform to] be designed and tested in accordance with PDI G101, ASME A112.14.3 or ASME A112.14.4 and shall be installed in accordance with the manufacturer's instructions.*

1003.3.4.1 Grease [trap] interceptor capacity. Grease [traps] interceptors shall have [the] a grease retention capacity [indicated in Table 1003.3.4.1 for the flow-through rates indicated] in accordance with the rules of the Department of Environmental Protection.

1003.3.4.2 Rate of flow controls. Grease [traps] interceptors shall be equipped with devices to control the rate of water flow so that the water flow does not exceed the rated flow. The flow-control device shall be vented and terminate not less than 6

inches (152 mm) above the flood rim level or be installed in accordance with the manufacturer's instructions.

[TABLE 1003.3.4.1
CAPACITY OF GREASE TRAPS

TOTAL FLOW- THROUGH RATING (gpm)	GREASE RETENTION CAPACITY (pounds)
4	8
6	12
7	14
9	18
10	20
12	24
14	28
15	30
18	36
20	40
25	50
35	70
50	100

For SI: 1 gallon per minute = 3.785 L/m, 1 pound = 0.454 kg.]

1003.3.5 Automatic grease removal devices. Where automatic grease removal devices are installed, such devices shall be located downstream of each fixture or multiple fixtures in accordance with the manufacturer's instructions. The automatic grease removal device shall be sized to pretreat the measured or calculated flows for all connected fixtures or equipment. Ready access shall be provided for inspection and maintenance.

1003.4 Oil separators required. At repair garages, car washing facilities with engine or undercarriage cleaning capability and at factories where oily and flammable liquid wastes are produced, separators shall be installed into which all oil-bearing, grease-bearing or flammable wastes shall be discharged before emptying in the building drainage system or other point of disposal.

Exception: An oil separator is not required in hydraulic elevator pits where an automatic shut-down system is installed for the prevention of accidental discharge of oil-laden waste water into the sanitary system.

1003.4.1 Separation of liquids. A mixture of treated or untreated light and heavy liquids with various specific gravities shall be separated in an approved receptacle.

1003.4.2 Oil separator design. Oil separators shall be designed in accordance with Sections 1003.4.2.1 and 1003.4.2.2.

1003.4.2.1 General design requirements. Oil separators shall have a depth of not less than 2 feet (610 mm) below the invert of the discharge drain. The outlet opening of the separator shall have not less than an 18-inch (457 mm) water seal.

1003.4.2.2 Garages and service stations. Where automobiles are serviced, greased, repaired or washed or where gasoline is dispensed, oil separators shall have a minimum capacity of 6 cubic feet (0.17 m³) for the first 100 square feet (9.3 m²) of area to be drained, plus 1 cubic foot (0.028 m³) for each additional 100 square feet (9.3 m²) of area to be drained into the separator. Parking garages in which servicing, repairing or washing is not conducted, and in which gasoline is not dispensed, shall not require a separator. Areas of commercial garages utilized only for storage of automobiles are not required to be drained through a separator.

1003.5 Sand interceptors in commercial establishments. Sand and similar interceptors for heavy solids shall be designed and located so as to be provided with ready access for cleaning, and shall have a water seal of not less than 6 inches (152mm).

1003.6 Laundries. [Commercial laundries] Laundry facilities not installed within an individual dwelling unit or intended for individual family use shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage into the drainage system of solids [0.5] ½ inch (12.7 mm) or larger in size, string, rags, buttons or other materials detrimental to the public sewage system.

1003.7 Bottling establishments. Bottling plants shall discharge process wastes into an interceptor that will provide for the separation of broken glass or other solids before discharging waste into the drainage system.

1003.8 Slaughterhouses. Slaughtering room and dressing room drains shall be equipped with approved separators. The separator shall prevent the discharge into the drainage system of feathers, entrails and other materials that cause clogging.

1003.9 Venting of interceptors and separators. Interceptors and separators shall be designed so as not to become air bound where tight covers are utilized. Each interceptor or separator shall be vented where subject to a loss of trap seal.

1003.10 Access and maintenance of interceptors and separators. Access shall be provided to each interceptor and separator for service and maintenance, and for inspection by the department and the Department of Environmental Protection. Interceptors and separators shall be maintained by periodic removal of accumulated grease, scum, oil, or other floating substances and solids deposited in the interceptor or separator.

PART K
CHAPTER 11

§1. Section PC 1101 of the New York city plumbing code, as amended by local law number 8 for the year 2008, is amended to read as follows:

SECTION PC 1101
GENERAL

1101.1 Scope. The provisions of this chapter shall govern the materials, design, construction and installation of storm drainage. Storm water discharge shall be in accordance with [city department of environmental protection] Department of Environmental Protection requirements. Extension requirements from the public storm or combined sewer to the building sewer shall be determined by the Department of Environmental Protection.

1101.2 Where required. All roofs, paved areas, yards, courts and courtyards shall drain into a separate storm sewer system, or a combined sewer system, or to an approved place of disposal. In accordance with [city department of environmental protection requirements] the requirements of the Department of Environmental Protection, an approved system for beneficial collection and use of storm water may be installed, in which case overflow from such a system shall be discharged to a public storm or combined sewer. See Section 106.6.2 of this code for required construction documents relating to provisions for discharge for stormwater runoff.

1101.2.1 Increases in existing impervious surfaces. Whenever [an alteration increases] impervious surfaces on the lot are increased [to greater than 20 percent of the impervious surfaces existing when the structure was constructed], such impervious surfaces shall drain into a storm sewer system, or a combined sewer system, or to an approved place of disposal.

Exception: [Where the total area of impervious surfaces proposed to be increased by an alteration, after the effective date of this code is less than or equal to 1,000 square feet (93 m²).] An existing one- or two-family dwelling where the area of a proposed horizontal building enlargement plus any proposed increase in impervious surfaces in total is less than or equal to 200 square feet (19 m²). In such cases, the storm water discharge may be accommodated by existing facilities. For the purposes of this exception, the 200 square feet (19 m²) shall include all enlargements and increases cumulatively after July 1, 2008.

1101.2.2 Availability of public storm or combined sewer. The determination as to whether a public storm sewer or public combined sewer is available to a building shall be made in accordance with applicable requirements of the Department of Environmental Protection.

1101.2.3 Feasibility of connecting to an available public storm or combined sewer. The determination as to whether connection to an available public storm sewer or combined public sewer is feasible shall be made in accordance with applicable requirements of the Department of Environmental Protection.

1101.2.4 Extensions of public storm or combined sewers. Extensions of public storm or combined sewers shall be made in accordance with the rules of the Department of Environmental Protection.

1101.3 Prohibited drainage. Storm water shall not be drained into sewers intended for sewage only.

1101.4 Tests. The conductors and the building storm drain shall be tested in accordance with Section PC 312.

1101.5 Change in size. The size of a drainage pipe shall not be reduced in the direction of flow.

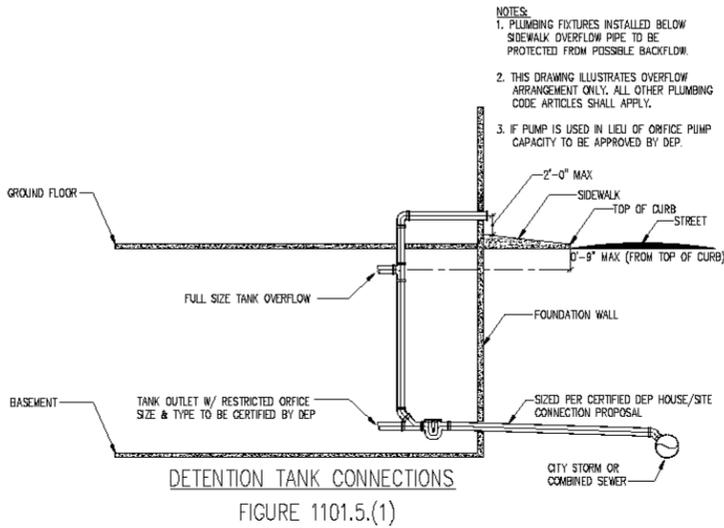
Exception: Drainage pipe that is part of an approved detention system.

1101.5.1 Detention systems. Where a detention system is provided, the pipe leaving the detention tank shall be permitted to be reduced to the flow allowed by the Department of Environmental Protection, provided, however, that an emergency overflow shall be provided to protect the building from internal flooding. Such emergency overflow shall equal the full size of the incoming storm water flow. Such emergency overflow shall discharge the overflow outside of the building into either

of the following locations:

1. The tax lot; or

2. The public sewer, provided that the overflow piping is provided with a vent, of the same diameter as the overflow piping, that terminates on the front wall of the building facing the street and no more than 2 feet (610 mm) above the sidewalk, provided further that the connection from the overflow pipe to outlet pipe of the detention tank is no more than 9 inches (229 mm) below the top of the curb level. See Figure 1101.5(1).



1101.6 Fittings and connections. All connections and changes in direction of the storm drainage system shall be made with approved drainage-type fittings in accordance with Table 706.3. The fittings shall not obstruct or retard flow in the system.

1101.7 Roof design. Roofs shall be designed for the maximum possible depth of water that will pond thereon as determined by the relative levels of roof deck and overflow weirs, scuppers, edges or serviceable drains in combination with the deflected structural elements. In determining the maximum possible depth of water, all primary roof drains shall be assumed to be blocked.

1101.8 Cleanouts required. Cleanouts shall be installed in the storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

Exception: Subsurface drainage system.

1101.9 Backwater valves. [Backwater valves installed in a storm drainage system shall conform to Section PC 715.] Storm drainage systems shall be provided with backwater valves as required for sanitary drainage systems in accordance with Section PC 715.

1101.10 Plastic pipe. Plastic piping and fittings shall not be used.

Exceptions:

1. Plastic piping and fittings may be used in residential buildings five stories or less in height.
2. Corrugated polyethylene piping and fittings, with a diameter of 12 inches (305 mm) or more may be used in connection with any type of building for underground yard drainage and storm water piping when used outside of the foundation wall of the building and not connecting to any piping system from the interior of the building.

1101.11 Site grading. Except as otherwise permitted by this code, no person shall perform site grading or land contour work, as defined in [section] Section 19-146 of the Administrative Code, [which work] that would [causes] cause storm water to flow across sidewalks or onto an adjacent property.

§2. Tables 1102.4, 1102.5 and 1102.7 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

**TABLE 1102.4
BUILDING STORM SEWER PIPE**

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301
Chlorinated polyvinyl chloride (CPVC) plastic ^b	ASTM F 437; ASTM F 439
Concrete pipe	ASTM C 14; ASTM C 76;

	CAN/CSA A257.1M; CAN/CSA A257.2M
Ductile-iron pipe	AWWA C151
High density polyethylene pipe ([HIPE] HDPE) ^a	ASTM D 3350
Nonasbestos fiber-cement pipe	ASTM C [1449] 1450
Polyvinyl chloride (PVC) plastic pipe (Type DWV, SDR26, SDR35, SDR41, PS50 or PS100) ^{[a] b}	ASTM D 2665; ASTM D 3034; ASTM F 891; CSA B 182.2; CAN/CSA B 182.4; CSA B 181.2
Vitrified clay pipe	ASTM C 400; ASTM C 700
Stainless steel drainage systems, Type 316L	ASME A112.3.1

a. Approved plastic sewer for piping 12 inches and larger in accordance with Section 1101.10, Exception 2.

b. Limited to residential buildings five stories or less in height.

**TABLE 1102.5
SUBSOIL DRAIN PIPE**

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301
Polyethylene (PE) plastic pipe	ASTM F 405; CAN/CSA B 182.1; CSAB182.6; CSAB182.8
Polyvinyl chloride (PVC) Plastic pipe (type sewer pipe, PS25, PS50 or PS 100) ^a	ASTM D 2729; ASTM F 891; CSA-B 182.2; CAN/CSA-B 182.4
Porous concrete pipe	ASTM C 654
Vitrified clay pipe	ASTM C 4; ASTM C 700
Stainless steel drainage systems, Type 316L	ASME A112.3.1

a. Limited to residential buildings five stories or less in height.

**TABLE 1102.7
PIPE FITTINGS**

MATERIAL	STANDARD
Cast-iron	ASME B16.4; ASME B16.12; ASTM A 888; CISPI 301; ASTM A 74
Chlorinated polyvinyl chloride (CPVC) plastic ^a	ASTM F 437; ASTM F 438; ASTM F 439
	[ASME B16.15: ASME]
[Gray iron and d] Ductile iron	AWWA C110
High-density polyethylene (HDPE)	ASTM D 3350
Malleable iron	ASME B 16.3
Nonasbestos fiber-cement	ASTM C 1450
Plastic; general ^a	ASTM F 409
Polyethylene (PE) plastic ^a	ASTM [D 2609] F 2306/F 2306M
Polyvinyl chloride (PVC) plastic ^a	ASTM D 2464; ASTM D 2466; ASTM D 2467; CSA-B137.2; ASTM D 2665; ASTM F 1866
Steel	ASME B16.9; ASME B16.11; ASME B 16.28
Stainless steel drainage Systems, Type 316L	ASME A112.3.1
Vitrified clay	ASTM C 425

a. Limited to residential buildings five stories or less in height.

1103.1 Main trap. Leaders and storm drains connected to a combined sewer shall be trapped. Individual storm water traps shall be installed on the storm water drain branch serving each conductor, or a single trap shall be installed in the main storm drain just before its connection with the combined building sewer or the public sewer. A hooded catch basin located within the [street] property line shall be the equivalent of a building-house trap for the connection to a street combined sewer.

§3. Sections 1104.2 and 1104.3 of the New York city plumbing code, as added by local law number 99 for the year 2005, are amended to read as follows:

1104.2 Combining storm with sanitary drainage. The sanitary and storm

drainage systems of a structure shall be entirely separate except for minor modifications to existing buildings having combined systems. Where a combined building drain is utilized, the building storm drain shall be connected in the same horizontal plane through a single-wye fitting to the combined sewer at least 10 feet (3048 mm) downstream from any soil stack. If a separate city storm sewer is not available, building sanitary drains shall be separate and shall only be permitted to connect to a common building combined sewer downstream of building-house trap.

1104.3 Clear water drains. Drains carrying clear water, i.e., air-conditioning drips, pump drips, cooling water, etc., may discharge into the storm water drainage system through an indirect waste connection discharging into a trapped funnel or raised lip floor drain.

Exception: Cooling tower blow-down shall discharge into the sanitary drainage system.

§4. The New York city plumbing code is amended to add a new section 1104.4, to read as follows:

1104.4 Parking garage floor drains. Floor drains provided in open or enclosed parking garages shall drain to the storm drainage system.

§5. The title of Sections 1106 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**SECTION PC 1106
SIZE OF CONDUCTORS, LEADERS AND STORM DRAINS**

§6. Section 1106.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

1106.2 Vertical conductors and leaders. Vertical conductors and leaders shall be sized for the maximum projected roof area, in accordance with Tables 1106.2(1) and 1106.2(2).

§7. Table 1106.2 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

**TABLE 1106.2(1)
SIZE OF CIRCULAR VERTICAL CONDUCTORS AND LEADERS**

DIAMETER OF LEADER (inches) ^a	HORIZONTALLY PROJECTED ROOF AREA (square feet)	
	Rainfall rate (inches per hour)	
	3	6
2	960	480
3	2,930	1,470
4	6,130	3,070
5	11,530	5,765
6	17,995	9,000
8	38,660	19,315

For SI: 1 inch = 25.4 mm, 1 square foot = 0.0929m².

a. Sizes indicated are the diameter of circular piping. This table is applicable to piping of other shapes provided the cross-sectional shape fully encloses a circle of the diameter indicated in this table. For rectangular leaders, see Table 1106.2(2). Interpolation is permitted for pipe sizes that fall between those listed in this table.

§8. The New York city plumbing code, as added by local law number 99 for the year 2005, is amended by adding a new Table 1106.2(2) to read as follows:

**TABLE 1106.2(2)
SIZE OF RECTANGULAR VERTICAL CONDUCTORS AND LEADERS**

DIMENSIONS OF COMMON LEADER SIZES (width x length (inches) ^a)	HORIZONTALLY PROJECTED ROOF AREA (square feet)	
	Rainfall rate (inches per hour)	
	3	6
1 ³ / ₄ x 2 ¹ / ₂	1,130	565
2 x 3	1,840	920
2 ³ / ₄ x 4 ¹ / ₄	4,270	2,135
3 x 4	4,400	2,200
3 ¹ / ₂ x 4	5,300	2,650
3 ¹ / ₂ x 5	7,100	3,550
3 ³ / ₄ x 4 ³ / ₄	7,320	3,660
3 ³ / ₄ x 5 ¹ / ₄	8,500	4,250
3 ¹ / ₂ x 6	9,260	4,630
4 x 6	10,990	5,495
5 ¹ / ₂ x 5 ¹ / ₂	14,760	7,380
7 ¹ / ₂ x 7 ¹ / ₂	33,500	16,750

For SI: 1 inch = 25.4 mm, 1 square foot = 0.0929m².

a. Sizes indicated are nominal width x length of the opening for rectangular piping.

b. For shapes not included in this table, Equation 11-1 shall be used to determine the equivalent circular diameter, D_e, of rectangular piping for use in interpolation using the data from Table 1106.2(1).

$$D_e = [width \times length]^{1/2}$$

(Equation 11-1)

where:

D_e = equivalent circular diameter and D_e, width and length are in inches.

§9. Section 1106.4 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

1106.4 Vertical walls. In sizing roof drains and storm drainage piping, one-half of the exposed area of any vertical wall that diverts rainwater to the roof shall be added to the projected roof area for inclusion in calculating the required size of vertical conductors, leaders and horizontal storm drainage piping.

Exception: Where vertical conductors or leaders and down stream piping has been sized for secondary roof drainage in accordance with PC 1107, the contribution from vertical walls need not be added to the projected roof area.

§10. Section 1108.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

1108.1 Size of combined drains and sewers. Combined sanitary and storm sewers are not permitted in new installations. All sanitary and storm systems shall be separate up to a point within 5 feet (1524 mm) inside or outside of the foundation wall, unless rules of the Department of Environmental Protection require that the point of combination be located otherwise. With respect to repair of combined systems installed prior to the effective date of this section, [The] the size of a combination sanitary and storm drain or sewer shall be computed in accordance with the method in Section 1106.3. The fixture units shall be converted into an equivalent projected roof or paved area. Where the total fixture load on the combined drain is less than or equal to 256 fixture units, the equivalent drainage area in horizontal projection shall be taken as 1,333 square feet (124 m²). Where the total fixture load exceeds 256 fixture units, each additional fixture unit shall be considered the equivalent of 5.2 square feet (0.48 m²) of drainage area. These values are based on a rainfall rate of 3 inch (75 mm) per hour.

§11. Section 1111.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

1111.1 Subsoil drains. Subsoil drains carrying groundwater shall be open-jointed, horizontally split or perforated pipe conforming to one of the standards listed in Table 1102.5. Such drains shall not be less than 4 inches (102 mm) in diameter. Where the building is subject to backwater, the subsoil drain shall be protected by an accessibly located backwater valve. Where subsoil drainage is discharged into a public sewer, the subsoil drains shall discharge into a readily accessible silt and sand interceptor before being connected into the gravity drainage or sump system. Subsoil drainage shall discharge to a trapped area drain, sump, dry well or approved location above ground. The subsoil sump shall not be required to have either a gas-tight cover or a vent. The sump and pumping system shall comply with Section 1113.1.

§12. The New York city plumbing code, as added by local law number 99 for the year 2005, is amended by adding a new Section PC 1114 to read as follows:

**SECTION PC 1114
PRIVATE ON-SITE STORMWATER DISPOSAL SYSTEMS**

1114.1 When drywells are permitted. Where the Department of Environmental Protection determines that connection to a public combined or separate storm sewer is not available or that connection to a public combined or separate storm sewer is not feasible, a private on-site storm water disposal system may be provided. All such private systems are subject to the approval of the Department of Buildings, the Department of Environmental Protection, and of any other agency having jurisdiction, and shall be designed and constructed in accordance with Section 1114.2.

Exception: Exterior drinking fountains shall be permitted to drain to drywells.

1114.2 Drywells. Drywells shall be the only method of on-site disposal of storm water permitted unless an alternate method of on-site disposal is approved by the commissioner with the concurrence of the commissioner of the Department of Environmental Protection or any other agency having jurisdiction over storm water

disposal. Drywells shall be designed and constructed in accordance with the following provisions:

1114.2.1 Scope of field investigation. Except as provided in Section 1114.2.2 the size of a drywell shall be predicated on a field investigation at the site of a proposed drywell to assess the suitability of the soil and site. The investigation shall occur prior to department approval of the drywell system and shall include the following:

1. Percolation tests. The percolation rate of subsurface soils shall be verified with a percolation test. Percolation tests shall be performed in accordance with accepted engineering practice under the supervision of a special inspector in accordance with Section 1704.20.1 of the New York City Building Code. The results of the percolation tests shall be filed with the department stating the suitability of the site and the capacity of the subsoil for the proposed use.

2. Soil borings and testpits. At least one boring and one test pit shall be made at the approximate site of each contemplated drywell. Soil borings and sampling procedures shall be in accordance with ASTM D 1586 and ASTM D 1587 and generally accepted engineering practice. Soil and rock samples shall be classified in accordance with Section 1802.3 of the New York City Building Code. Soil of classes 1, 4, 5, 6, and uncontrolled fill as set forth in Section 1804.2.1 and Table 1804.1 of the New York City Building Code shall be considered "Impermeable soil". Soil of classes 2 and 3 as set forth in Section 1804.2.1 and Table 1804.1 of the New York City Building Code, or porous material as determined by percolation tests, having a minimum thickness of 5 feet (1524 mm) in depth shall be deemed "Permeable soil". Controlled fill, as described in Section 1804.2.2 of the New York City Building Code shall be considered permeable soil.

1114.2.2 Design considerations. Drywell design shall be based on the following:

1. Precipitation rate. The drywell size shall be based upon rainfall of 2 inches (51 mm) in a 24-hour period on all impervious surfaces where a site is underlain by permeable soil. Where a site is underlain by impermeable soil, the size of a drywell shall be based upon rainfall of 2 inches (51 mm) in a 24-hour period over the entire site.

2. Storage volume. The storage volume of the drywell shall be measured 2 feet (610 mm) above the level of the water table. The location of the water table shall be verified at the time of the field investigation conducted in accordance with Section 1114.2.1. Unless otherwise approved by the Department of Environmental Protection the storage volume of the drywell shall accommodate the total storm water volume calculated in accordance with Item 1 above.

3. Location of drywells. Drywells shall be located at least 5 feet (1524 mm) from all lot lines and 10 feet (3048 mm) from all foundations or walls existing on the date of application for a building permit or proposed under the application to construct the drywell. Drywells shall be located twenty feet (6096 mm) from disposal fields and twenty feet (6096 mm) from seepage pits. Drywells shall not be located within the building foot print.

1114.2.3 Required components. Drywell design shall incorporate the following components:

1. Grit chamber. All drywells shall contain a grit chamber as part of the drywell system. Grit chambers shall be constructed in accordance with Figure 1114.2.3(1).

2. Sand column. If the boring and test pit disclose that the drywell is located within or underlain by impermeable soil, it shall be constructed in accordance with Figure 1114.2.3(2). If the drywell is underlain by permeable soil, it shall be constructed in accordance with Figure 1114.2.3(2), except that the sand column to permeable soil may be omitted.

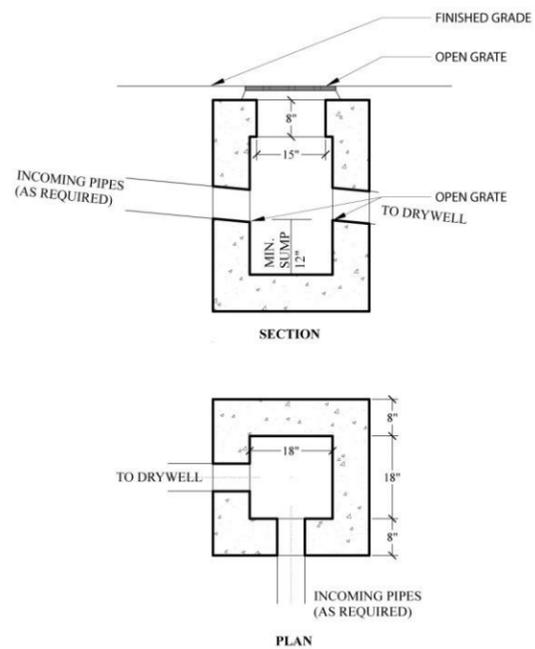


FIGURE 1114.2.3(1)
YARD DRAIN WITH SUMP

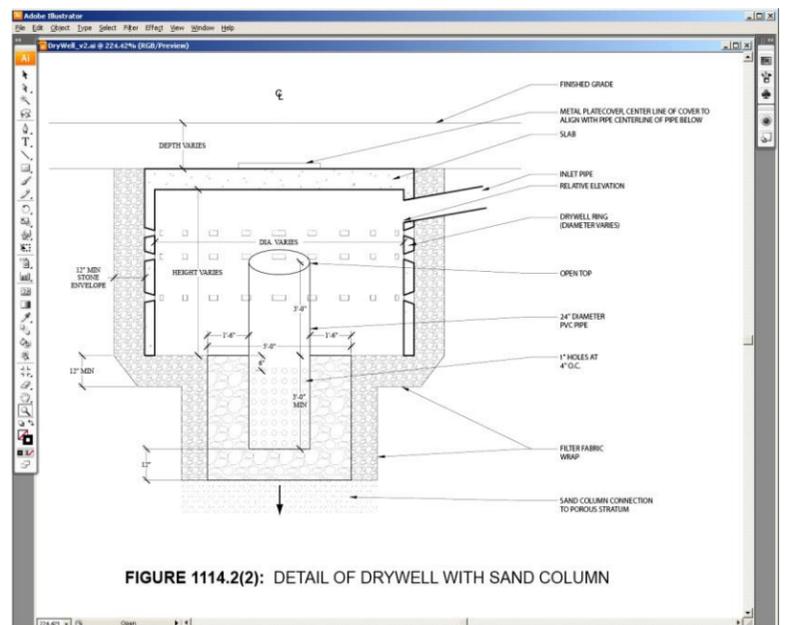


FIGURE 1114.2.3(2)
DETAIL OF DRYWELL WITH SAND COLUMN

1114.2.4 Drywell installation.

1114.2.4.1 Support of excavation. When a drywell installation requires an excavation deeper than 5 feet (1524 mm) the sides of the excavation shall be protected and maintained in accordance with Section 3304.4 of the New York City Building Code.

1114.2.4.2 Sand column installation. Where subsurface conditions require the installation of a sand column, measures shall be taken to ensure the sand column is installed without contamination by impervious materials.

1114.2.4.3 Verification. The department reserves the right to require a 24-hour percolation test of the installed drywell system prior to final approval.

1114.2.5 Special inspection. The construction of drywells shall be subject to special inspection in accordance with Section 1704.20 of the New York City Building Code. Minor variations, based on actual site conditions, shall be acceptable at the discretion of the registered design professional of record.

1114.2.6 Maintenance. The property owner shall maintain any drywell in proper working order such that it meets original design performance.

1114.2.7 Signage. Signage shall be attached to the house trap or fresh air pipe in the basement that states: A DRYWELL IS LOCATED ON THIS PROPERTY FOR STORMWATER DISPOSAL. ANNUAL MAINTANCE OF THIS DRYWELL IS REQUIRED. This signage shall depict the location of the drywell on the property.

PART L
CHAPTER 12

§1. Section 1202.1 of the New York city plumbing code, as amended by local law number 008 for the year 2008, is amended to read as follows:

1202.1 Nonflammable medical gases. Nonflammable medical gas systems, inhalation anesthetic systems and vacuum piping systems shall be designed and installed in accordance with NFPA 99 [and 99C].

Exceptions:

- 1. This section shall not apply to portable systems or cylinder storage.
2. Vacuum system exhaust terminations shall comply with the New York City Mechanical Code.

§2. Section 1203.1 of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

1203.1 Design and installation. Nonmedical oxygen systems shall be designed and installed in accordance with NFPA [50] 55 and NFPA 51.

PART M
CHAPTER 13

§1. Chapter 13 of the New York city plumbing code is REPEALED and a new Chapter 13 is added to read as follows:

CHAPTER 13

REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. Refer to the rules of the department for any subsequent modifications that may have been made to the referenced national standards set forth herein in accordance with the exception contained in Section 28-103.19 of the Administrative Code. The application of the referenced standards shall be as specified in Section 102.8.

Table with columns: Standard Reference Number, Title, and Referenced in code section number. Includes entries for ANSI standards like A118.10-99 and Z124.1-95.

Table with columns: Standard Reference Number, Title, and Referenced in code section number. Includes entries for ARI standards like A110.1-02 and 810-06.

Table with columns: Standard Reference Number, Title, and Referenced in code section number. Includes entries for ASME standards like A112.1.2-2004 and A112.1.3-2000.

Table with columns: Standard Reference Number, Title, and Referenced in code section number. Includes entries for ASSE standards like A112.19.4M-1994 and A112.19.5-2005.

ASSE

American Society of Sanitary Engineering
901 Canterbury Drive, Suite A
Westlake, OH 44145

Table with columns: Standard Reference Number, Title, and Referenced in code section number. Includes entries for ASSE standards like 1001-02 and 1002-99.

ASTM

ASTM International
100 Barr Harbor Drive
West Conshohocken, PA 19380-2959

Table with columns: Standard Reference Number, Title, and Referenced in code section number. Includes entries for ASTM standards like A 53/A 53M-06a and A 153/A 153M-09.

F 409-02	Specification for Thermoplastic Accessible and Replaceable Plastic Tube and Tubular Fittings	424.1.2, Table 1102.7
F 437-06	Specification for Threaded Chlorinated Poly (Vinyl Chloride) (CPVC) Plastic Pipe Fittings, Schedule 80	Table 1102.4, Table 1102.7
F 438-04	Specification for Socket-type Chlorinated Poly (Vinyl Chloride) (CPVC) Plastic Pipe Fittings, Schedule 40	Table 1102.4, Table 1102.7
F 439-06	Specification for Socket-type Chlorinated Poly (Vinyl Chloride) (CPVC) Plastic Pipe Fittings, Schedule 80	Table 1102.4, Table 1102.7
F 477-07	Specification for Elastomeric Seals (Gaskets) for Joining Plastic Pipes	605.24, 705.19
F 628-06e01	Specification for Acrylonitrile-Butadiene-Styrene (ABS) Schedule 40 Plastic Drain, Waste, and Vent Pipe with a Cellular Core	Table 702.1, Table 702.4, 705.2.2
F 656-02	Specification for Primers for Use in Solvent Cement Joints of Poly (Vinyl Chloride) (PVC) Plastic Pipe and Fittings	705.14.2
F 667-06	Standard Specification for Large Diameter Corrugated Polyethylene Pipe and Fittings	Table 702.2, Table 702.4
F 891-04	Specification for Coextruded Poly (Vinyl Chloride) (PVC) Plastic Pipe with a Cellular Core	Table 702.1, Table 702.2, 702.3, Table 1102.4, Table 1102.5
F 1412-01e01	Specification for Polyolefin Pipe and Fittings for Corrosive Waste Drainage	Table 702.1, Table 702.2
F 1488-02	Specification for Coextruded Composite Pipe	Table 702.1, Table 702.2
F 1673-04	Polyvinylidene Fluoride (PVDF) Corrosive Waste Drainage Systems	Table 702.1, 702.4, 705.18.1
F 1866-07	Specification for Poly (Vinyl Chloride) (PVC) Plastic Schedule 40 Drainage and DWV Fabricated Fittings	Table 702.4, Table 1102.7
F 7206/F7206M-05	12" to 60" Annular Corrugated Profile-wall Polyethylene (PE) Pipe and Fittings for Gravity Flow Storm Sewer and Subsurface Drainage Applications	Table 1102.7

AWS		American Welding Society 550 N.W. Le Jeune Road Miami, FL 33126
Standard	Referenced	
Reference	in code	
Number	Title	section number
A5.8-04	Specifications for Filler Metals for Brazing and Braze Welding	605.12.1, 605.14.1, 605.15.1, 705.4.1, 705.9.1, 705.10.1

AWWA		American Water Works Association 6666 West Quincy Avenue Denver, CO 80235
Standard	Referenced	
Reference	in code	
Number	Title	section number
C104-98	Standard for Cement-mortar Lining for Ductile-Iron Pipe and Fittings for Water	605.5
C110/A21.10-03	Standard for Ductile-iron and Gray-iron Fittings, 3 Inches through 48 Inches, for Water	Table 605.5, Table 702.4, Table 1102.7
C111-00	Standard for Rubber-gasket Joints for Ductile-iron Pressure Pipe and Fittings	605.13
C115/A21.15-99	Standard for Pipe with Ductile-iron or Gray-iron Threaded Flanges	Table 605.5
C151/A21.51-02	Standard for Ductile-iron Pipe, Centrifugally Cast for Water	Table 702.1, Table 702.2, Table 702.3, Table 605.5, Table 1102.4
C153-00/A21.53-00	Standard for Ductile-iron Compact Fittings for Water Service	Table 605.5
C510-00	Double Check Valve Backflow Prevention Assembly	Table 608.1, 608.13.7
C511-00	Reduced-pressure Principle Backflow Prevention Assembly	Table 608.1, 608.13.2, 608.16.2
C651-99	Disinfecting Water Mains	610.1
C652-02	Disinfection of Water-storage Facilities	610.1

CISPI		Cast Iron Soil Pipe Institute 5959 Shallowford Road, Suite 419 Chattanooga, TN 37421
Standard	Referenced	
Reference	in code	
Number	Title	section number
301-04a	Specification for Hubless Cast Iron Soil Pipe and Fittings for Sanitary and Storm Drain, Waste and Vent Piping Applications	Table 702.1, Table 702.2, Table 702.3, Table 702.4, Table 1102.4, Table 1102.5, Table 1102.7
310-11	Specification for Coupling for Use in Connection with Hubless Cast Iron Soil Pipe and Fittings for Sanitary and Storm Drain, Waste and Vent Piping Applications	705.5.3

CSA		Canadian Standards Association 5060 Spectrum Way Mississauga, Ontario, Canada L4W 5N6
Standard	Referenced	
Reference	in code	
Number	Title	section number
B45.1-02	Ceramic Plumbing Fixtures	408.1, 416.1, 418.1, 419.1
B45.2-02	Enameled Cast-iron Plumbing Fixtures	407.1, 415.1, 416.1, 418.1
B45.3-02	Porcelain Enameled Steel Plumbing Fixtures	407.1, 416.1, 418.1
B45.4-02	Stainless-Steel Plumbing Fixtures	415.1, 416.1, 418.1, 420.1
B45.5-02	Plastic Plumbing Fixtures	407.1, 416.2, 417.1, 419.1, 420.1, 421.1
B45.9-99	Macerating Systems and Related Components	712.4.1
B45.10-01	Hydromassage Bathtubs	421.1
B64.1.2-01	Vacuum Breakers, Pressure Type (PVB)	Table 608.1, 608.13.5
B64.2.1-01	Vacuum Breakers, Hose Connection Type (HCVB) with Manual Draining Feature	Table 608.1, 608.13.6
B64.2.1.1-01	Vacuum Breakers, Hose Connection Dual Check Type (HCDVB)	Table 608.1, 608.13.6
B64.4.1-01	Backflow Preventers, Reduced Pressure Principle Type for Fire Sprinklers (RPF)	Table 608.1, 608.13.2
B64.5-01	Backflow Preventers, Double Check Type (DCVA)	Table 608.1, 608.13.7
B64.5.1-01	Backflow Preventers, Double Check Type for Fire Systems (DCVAF)	Table 608.1, 608.13.7
B64.6-01	Backflow Preventers, Dual Check Valve Type (DVC)	Table 608.1
B64.7-94	Vacuum Breakers, Laboratory Faucet Type (LFVB)	Table 608.1, 608.13.6
B64.10/B64.10.1-01	Manual for the Selection and Installation of Backflow Prevention Devices: Manual for the Maintenance and Field Testing of Backflow Prevention Devices	312.10.2
B79-94(2000)	Floor, Area and Shower Drains, and Cleanouts for Residential Construction	412.1
B125-01	Plumbing Fittings	424.1, 424.3, 424.4, 424.6, 425.3, 425.5, Table 608.1
B125.1-(Rev 1 2005)	Plumbing Supply Fittings	424.2, 424.3, 607.4
B125.2-(Rev 1 2005)	Plumbing Waste Fittings	424.1, 424.2
B125.3-2005	Plumbing Fittings	416.5, 424.5, Table 608.1
B137-02	PVC Injection-Molded Gasketed Fittings for Pressure Applications	Table 1102.7
B137.3-02	Rigid Poly (Vinyl Chloride) (PVC) Pipe for Pressure Applications	705.14.2
B181.1-02	ABS Drain, Waste, and Vent Pipe and Pipe Fittings	Table 702.1, Table 702.4, 705.2.2, 715.2
B181.2-02	PVC Drain, Waste, and Vent Pipe and Pipe Fittings—with Revisions through December 1993	Table 702.1, Table 702.2, Table 702.3, 705.14.2, 715.2, Table 1102.4
B182.1-02	Plastic Drain and Sewer Pipe and Pipe Fittings	705.14.2
B182.2-02	PVC Sewer Pipe and Fittings (PSM Type)	Table 702.3, Table 1102.4, Table 1102.5
B182.6-02	Profile Polyethylene Sewer Pipe and Fittings for Leak-proof Sewer Applications	Table 1102.5
B182.8-02	Profile Polyethylene Storm Sewer and Drainage Pipe and Fittings	Table 1102.5
CAN/CSA-A257.1M-92	Circular Concrete Culvert, Storm Drain, Sewer Pipe and Fittings	Table 702.3, Table 1102.4
CAN/CSA-A257.2M-92	Reinforced Circular Concrete Culvert, Storm Drain, Sewer Pipe and Fittings	Table 702.3, Table 1102.4
CAN/CSA-A257.3M-92	Joints for Circular Concrete Sewer and Culvert Pipes, Manhole Sections, and Fittings Using Rubber Gaskets	705.6, 705.19
CAN/CSA-B64.1.1-01	Vacuum Breakers, Atmospheric Type (AVB)	425.2, Table 608.1, 608.13.6, 608.16.4.1
CAN/CSA-B64.2-01	Vacuum Breakers, Hose Connection Type (HCVB)	Table 608.1, 608.13.6
CAN/CSA-B64.2.2-01	Vacuum Breakers, Hose Connection Type (HCVB) with Automatic Draining Feature	Table 608.1, 608.13.6
CAN/CSA-B64.3-01	Backflow Preventers, Dual Check Valve Type with Atmospheric Port (DCAP)	Table 608.1, 608.13.3, 608.16.2
CAN/CSA-B64.4-01	Backflow Preventers, Reduced Pressure Principle Type (RPF)	Table 608.1, 608.16.2
CAN/CSA-B64.10-01	Manual for the Selection, Installation, Maintenance and Field Testing of Backflow Prevention Devices	312.9.2
CAN/CSA-B181.3-02	Polyolefin Laboratory Drainage Systems	Table 702.1, Table 702.4, 705.17.1
CAN/CSA-B182.1-02	Plastic Drain and Sewer Pipe and Pipe Fittings	Table 1102.5
CAN/CSA-B182.4-02	Profile PVC Sewer Pipe and Fittings	Table 702.3, Table 1102.4, Table 1102.5
CAN/CSA-B602-02	Mechanical Couplings for Drain, Waste, and Vent Pipe and Sewer Pipe	705.2.1, 705.5.3, 705.6, 705.14.1, 705.15, 705.16.2, 705.19

IAPMO		International Association of Plumbing and Mechanical Officials 5001 E. Philadelphia Street Ontario, CA 91761
Standard	Referenced	
Reference	in code	
Number	Title	section number
PS48-92	Material Safety Data Verification for Plumbing Products	605.6
PS74-95	Reinforced Water Connectors	605.6
PS117-08	Copper and Copper Alloy Tubing System Incorporating Press-type or Nail-type Connections	605.15.3

ICC		International Code Council 500 New Jersey Ave. NW Washington, DC 20001
Standard	Referenced	
Reference	in code	
Number	Title	section number
ICC-ES PMG L.C. 1002-10	PMG Listing Criteria for Press-connection Fittings for Potable Water Tube and Radiant Heating Systems	605.15.3

ISEA		International Safety Equipment Association 1501 N. Moore Street, Suite 808 Arlington, VA 22209
Standard	Referenced	
Reference	in code	
Number	Title	section number
Z358.1-98	Emergency Eyewash and Shower Equipment	411.1

NFPA		National Fire Protection Association Battlemarch Park Quincy, MA 02269-7471
Standard	Referenced	
Reference	in code	

Number	Title	section number
51-02	Design and Installation of Oxygen-fuel Gas Systems for Welding, Cutting, and Allied Processes	1203.1
55-10	Standard for the Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable, Stationary Containers, Cylinders and Tanks	1203.1
99-05	Standard for Health Care Facilities	1202.1

NSF		NSF International 789 Dixboro Road Ann Arbor, MI 48105
Standard	Referenced	
Reference	in code	
Number	Title	section number
3-2007	Commercial Warewashing Equipment	409.1
14-2007	Plastic Piping System Components and Related Materials	303.3, 611.3
18-1996	Manual Food and Beverage Dispensing Equipment	426.1
42-2007e	Drinking Water Treatment Units—Aesthetic Effects	611.1, 611.3
44-2004	Residential Cation Exchange Water Softeners	611.1, 611.3
53-2007	Drinking Water Treatment Units—Health Effects	611.1, 611.3
58-2006	Reverse Osmosis Drinking Water Treatment Systems	611.2, 611.3
61-2007a	Drinking Water System Components—Health Effects	410.1, 424.1, 605.3.1, 605.4, 605.5, 611.3
62-2004	Drinking Water Distillation Systems	611.1

NYC/NYS		New York City Codes / New York State Codes / New York City Agencies
Standard	Referenced	
Reference	in code	
Number	Title	section number
1968 Building Code		102.2.1, 102.2.2
New York City Administrative Code		102.2.1, 102.2.2, 107.5, 107.7, 1101.11
New York City Building Code		102.2.1, 102.2.2, 201.3, 305.4, 307.1, 307.2, 307.3, 307.6, 308.2, 309.1, 310.1, 310.3, 403.1, Table 403.1, 403.1.2, 403.3, 403.4, 403.5, 403.6, 403.7, 403.8, 403.9, 404.1, 404.1.1, 404.1.2, 404.1.3, 404.1.4, 404.1.5, 404.1.6, 404.1.7, 404.1.8, 404.1.9, 404.1.10, 404.1.11, 404.1.12, 404.1.13, 404.1.14, 404.1.15, 404.1.16, 404.1.17, 404.1.18, 404.1.19, 404.1.20, 404.1.21, 404.1.22, 404.1.23, 404.1.24, 404.1.25, 404.1.26, 404.1.27, 404.1.28, 404.1.29, 404.1.30, 404.1.31, 404.1.32, 404.1.33, 404.1.34, 404.1.35, 404.1.36, 404.1.37, 404.1.38, 404.1.39, 404.1.40, 404.1.41, 404.1.42, 404.1.43, 404.1.44, 404.1.45, 404.1.46, 404.1.47, 404.1.48, 404.1.49, 404.1.50, 404.1.51, 404.1.52, 404.1.53, 404.1.54, 404.1.55, 404.1.56, 404.1.57, 404.1.58, 404.1.59, 404.1.60, 404.1.61, 404.1.62, 404.1.63, 404.1.64, 404.1.65, 404.1.66, 404.1.67, 404.1.68, 404.1.69, 404.1.70, 404.1.71, 404.1.72, 404.1.73, 404.1.74, 404.1.75, 404.1.76, 404.1.77, 404.1.78, 404.1.79, 404.1.80, 404.1.81, 404.1.82, 404.1.83, 404.1.84, 404.1.85, 404.1.86, 404.1.87, 404.1.88, 404.1.89, 404.1.90, 404.1.91, 404.1.92, 404.1.93, 404.1.94, 404.1.95, 404.1.96, 404.1.97, 404.1.98, 404.1.99, 404.1.100, 404.1.101, 404.1.102, 404.1.103, 404.1.104, 404.1.105, 404.1.106, 404.1.107, 404.1.108, 404.1.109, 404.1.110, 404.1.111, 404.1.112, 404.1.113, 404.1.114, 404.1.115, 404.1.116, 404.1.117, 404.1.118, 404.1.119, 404.1.120, 404.1.121, 404.1.122, 404.1.123, 404.1.124, 404.1.125, 404.1.126, 404.1.127, 404.1.128, 404.1.129, 404.1.130, 404.1.131, 404.1.132, 404.1.133, 404.1.134, 404.1.135, 404.1.136, 404.1.137, 404.1.138, 404.1.139, 404.1.140, 404.1.141, 404.1.142, 404.1.143, 404.1.144, 404.1.145, 404.1.146, 404.1.147, 404.1.148, 404.1.149, 404.1.150, 404.1.151, 404.1.152, 404.1.153, 404.1.154, 404.1.155, 404.1.156, 404.1.157, 404.1.158, 404.1.159, 404.1.160, 404.1.161, 404.1.162, 404.1.163, 404.1.164, 404.1.165, 404.1.166, 404.1.167, 404.1.168, 404.1.169, 404.1.170, 404.1.171, 404.1.172, 404.1.173, 404.1.174, 404.1.175, 404.1.176, 404.1.177, 404.1.178, 404.1.179, 404.1.180, 404.1.181, 404.1.182, 404.1.183, 404.1.184, 404.1.185, 404.1.186, 404.1.187, 404.1.188, 404.1.189, 404.1.190, 404.1.191, 404.1.192, 404.1.193, 404.1.194, 404.1.195, 404.1.196, 404.1.197, 404.1.198, 404.1.199, 404.1.200, 404.1.201, 404.1.202, 404.1.203, 404.1.204, 404.1.205, 404.1.206, 404.1.207, 404.1.208, 404.1.209, 404.1.210, 404.1.211, 404.1.212, 404.1.213, 404.1.214, 404.1.215, 404.1.216, 404.1.217, 404.1.218, 404.1.219, 404.1.220, 404.1.221, 404.1.222, 404.1.223, 404.1.224, 404.1.225, 404.1.226, 404.1.227, 404.1.228, 404.1.229, 404.1.230, 404.1.231, 404.1.232, 404.1.233, 404.1.234, 404.1.235, 404.1.236, 404.1.237, 404.1.238, 404.1.239, 404.1.240, 404.1.241, 404.1.242, 404.1.243, 404.1.244, 404.1.245, 404.1.246, 404.1.247, 404.1.248, 404.1.249, 404.1.250, 404.1.251, 404.1.252, 404.1.253, 404.1.254, 404.1.255, 404.1.256, 404.1.257, 404.1.258, 404.1.259, 404.1.260, 404.1.261, 404.1.262, 404.1.263, 404.1.264, 404.1.265, 404.1.266, 404.1.267, 404.1.268, 404.1.269, 404.1.270, 404.1.271, 404.1.272, 404.1.273, 404.1.274, 404.1.275, 404.1.276, 404.1.277, 404.1.278, 404.1.279, 404.1.280, 404.1.281, 404.1.282, 404.1.283, 404.1.284, 404.1.285, 404.1.286, 404.1.287, 404.1.288, 404.1.289, 404.1.290, 404.1.291, 404.1.292, 404.1.293, 404.1.294, 404.1.295, 404.1.296, 404.1.297, 404.1.298, 404.1.299, 404.1.300, 404.1.301, 404.1.302, 404.1.303, 404.1.304, 404.1.305, 404.1.306, 404.1.307, 404.1.308, 404.1.309, 404.1.310, 404.1.311, 404.1.312, 404.1.313, 404.1.314, 404.1.315, 404.1.316, 404.1.317, 404.1.318, 404.1.319, 404.1.320, 404.1.321, 404.1.322, 404.1.323, 404.1.324, 404.1.325, 404.1.326, 404.1.327, 404.1.328, 404.1.329, 404.1.330, 404.1.331, 404.1.332, 404.1.333, 404.1.334, 404.1.335, 404.1.336, 404.1.337, 404.1.338, 404.1.339, 404.1.340, 404.1.341, 404.1.342, 404.1.343, 404.1.344, 404.1.345, 404.1.346, 404.1.347, 404.1.348, 404.1.349, 404.1.350, 404.1.351, 404.1.352, 404.1.353, 404.1.354, 404.1.355, 404.1.356, 404.1.357, 404.1.358, 404.1.359, 404.1.360, 404.1.361, 404.1.362, 404.1.363, 404.1.364, 404.1.365, 404.1.366, 404.1.367, 404.1.368, 404.1.369, 404.1.370, 404.1.371, 404.1.372, 404.1.373, 404.1.374, 404.1.375, 404.1.376, 404.1.377, 404.1.378, 404.1.379, 404.1.380, 404.1.381, 404.1.382, 404.1.383, 404.1.384, 404.1.385, 404.1.386, 404.1.387, 404.1.388, 404.1.389, 404.1.390, 404.1.391, 404.1.392, 404.1.393, 404.1.394, 404.1.395, 404.1.396, 404.1.397, 404.1.398, 404.1.399, 404.1.400, 404.1.401, 404.1.402, 404.1.403, 404.1.404, 404.1.405, 404.1.406, 404.1.407, 404.1.408, 404.1.409, 404.1.410, 404.1.411, 404.1.412, 404.1.413, 404.1.414, 404.1.415, 404.1.416, 404.1.417, 404.1.418, 404.1.419, 404.1.42

C101.3 Permits. Permits shall be required in accordance with Section PC 105.

C101.4 Installation. Wastewater recycling systems shall comply with Section PC C102. Water recycling systems which harvest rainwater or condensate water used solely for drip irrigation, subsurface irrigation or cooling tower makeup shall comply with Section PC C103.

C101.5 Materials. Above-ground drain, waste and vent piping for water recycling systems shall conform to one of the standards listed in Table 702.1. Underground building drainage and vent piping shall conform to one of the standards listed in Table 702.2. Distribution piping shall conform to one of the standards listed in Tables 605.4 and 605.5 and shall be painted purple in color or covered in a purple jacket and labeled in accordance with Section C101.6. Manufactured purple piping shall be approved by the commissioner.

C101.6 Identification. Distribution piping and reservoirs shall be identified as containing nonpotable water. Piping identification shall be in accordance with Section 608.8.

C101.6.1 Spigots and hose bibs. Spigots and hose bibs dispensing recycled water shall be secured from unauthorized use by a locking mechanism. Signage reading "Caution: Non-potable water, do not drink" shall be placed adjacent to the location of spigots and hose bibs.

C101.7 Inspections. Water recycling systems shall be inspected in accordance with Section PC107.

C101.8 Potable water connections. Only connections in accordance with Section C102.3 and C103.3 shall be made between a water recycling system and a potable water system. All other connections shall be prohibited.

C101.9 Wastewater connections. Water recycling systems shall receive only wastewater, groundwater, and rainwater.

C101.10 Collection reservoir. Wastewater shall be collected in a reservoir constructed of durable, nonabsorbent and corrosion-resistant materials. Access openings shall be provided to allow inspection and cleaning of the reservoir interior and shall be properly gasketed and the tanks vented to prevent odors from entering into the building.

C101.10.1 Multiple collection reservoirs required. Separate collection tanks or compartments shall be provided for influent wastewater and rainwater. Where multiple collection reservoirs are provided, a separate recycled water reservoir shall be provided which shall receive treated water from the collection systems.

C101.10.1.1 Recycled water receiver reservoirs. Recycled water receiver reservoirs shall be provided with potable water makeup in accordance with Section C102.3.

C101.11 Filtration. Effluent entering the collection reservoir shall pass through an acceptable filtration system suitable for the reuse application.

C101.12 Overflow. The collection reservoir shall be equipped with an overflow pipe having the same or larger diameter as the influent pipe for the wastewater. The overflow pipe shall be connected to the appropriate building drainage system.

C101.13 Drain required. All reservoirs shall be provided with a drain indirectly connected to the sanitary drainage system.

C101.14 Vent required. Reservoir(s) shall be provided with a vent sized in accordance with Chapter 9 and based on the diameter of the reservoir influent pipe.

C101.15 Cooling towers. Treated effluent shall only be utilized as water makeup on cooling towers equipped with drift eliminators and shall be operated in accordance with the New York City Building Code and Mechanical Code.

SECTION PC C102 WASTEWATER RECYCLING SYSTEMS

C102.1 Scope. This section shall apply to water recycling systems collecting wastewater and rainwater. Treated effluent must comply with the water quality standards listed in Table C102.1 and may be used for flushing of water closets and urinals, cooling tower makeup, washing of sidewalks, streets or buildings, laundry, subsurface or drip landscape irrigation systems, watering plants with a hose or other approved uses that are located in the same lot as the water recycling system.

Exception: Systems collecting only rainwater and/or condensate used

solely for cooling tower makeup and/or subsurface and drip irrigation shall comply with Section PC C103.

**TABLE C102.1
MINIMUM WATER QUALITY STANDARDS**

POLLUTANT	QUANTITY LIMIT
BOD	< 10 mg/l ^a
TSS	< 10 mg/l
Total Coliform	< 100 per 100 ml
E. Coli	< 2.2 colonies per 100 ml
pH	6.5-8.0
Turbidity	< 2.0 NTU ^b

a. Effluent from rainwater and condensate collected in separate tanks or compartments from wastewater, shall not be required to meet the BOD limitations indicated above. b. The wastewater facility effluent must meet the performance standards of < 2.0 NTU for turbidity for 95% of the measurements. At no time can the turbidity result be above 5 NTU. These results shall be recorded and compiled in the annual report.

C102.2 Disinfection. Filtered effluent shall be disinfected prior to reuse by an acceptable method, which shall achieve the minimum water quality standards as stated in Table C102.1.

C102.3 Makeup water. Potable water shall be supplied as a source of makeup water for water recycling systems included in Section PC C102. The potable water supply shall be protected against backflow in accordance with Section PC 608.

C102.4 Coloring. If the treated effluent water is to be dyed, the dye shall be a food grade vegetable dye either blue or green in color. Such effluent water shall be dyed before being supplied to the fixtures.

C102.5 Reserved.

C102.6 Reserved.

C102.7 Reserved.

C102.8 Tests. Drain, waste and vent piping for water recycling systems shall be tested in accordance with Section PC312. Distribution piping for water recycling systems shall be tested in accordance with Section 312.5 of this code. Additional tests shall be performed in accordance with Sections C102.8.1 through C102.8.3.

C102.8.1 Wet testing. The system shall be "wet tested" with potable water to ensure no leaks exist and all equipment is fully functional.

C102.8.2 Start-up testing. After successful wet testing and once sufficient influent is established for continuous operation, the system shall be placed into start-up mode for a minimum of two weeks. Adequate flow shall be based on design requirements and nutrient loads. Samples shall be collected five days per week and each sample must meet the water quality requirements of Table C102.1. Samples not meeting the water quality requirements of Table C102.1 shall be recorded, and included in the final start-up test report. Successful start-up tests shall demonstrate 100 percent compliance with the water quality requirements of Table C102.1 for a period of two continuous weeks. Treated water effluent from the recycling system shall be directed to a floor drain. The building shall continue to operate all fixtures using only the potable water system during this start-up testing.

C102.8.3 Temporary use testing. The system shall be placed into temporary use mode after successful start-up testing. During the temporary use mode, treated effluent from the system shall be directed into the recycled water reservoirs and shall be utilized in accordance with Section C102.1. Samples shall be collected on a weekly basis for a period of three months. The operation of the system shall immediately cease if any test sample does not meet the minimum water quality standards of Table C102.1 in which case, tests from at least five consecutive days shall demonstrate full compliance.

SECTION PC C103 RAINWATER RECYCLING SYSTEMS

C103.1 Scope. This section shall apply to water recycling systems collecting rainwater and/or condensate used solely for cooling tower makeup and/or subsurface and drip irrigation.

C103.2 Reserved.

C103.3 Makeup water. Makeup water shall not be required for drip or subsurface landscape irrigation systems. Where makeup water is provided, the potable water supply shall be protected against backflow in accordance with Section PC 608.

C103.4 Reserved.

C103.5 Coloring. Treated effluent water used for cooling tower makeup and drip or subsurface landscape irrigation systems shall not be required to be dyed.

C103.6 Reserved.

C103.7 Reserved.

C103.8 Reserved.

C103.9 Reserved.

C103.10 Reserved.

C103.11 Reserved.

C103.12 Tests. Drain, waste and vent piping for water recycling systems shall be tested in accordance with Section PC 312. Distribution piping for water recycling systems shall be tested in accordance with Section 312.5. Additional tests shall be performed in accordance with Sections C103.12.1 and C103.12.2.

C103.12.1 Wet testing. The system shall be “wet tested” with potable water to ensure no leaks exist and all equipment is fully functional.

C103.12.2 Start-up testing. After successful wet testing and once sufficient influent is established for continuous operation, the system shall be placed into start-up mode for a minimum of two weeks. An effluent sample from the treatment system shall be collected and shall meet the water quality requirements of Table C102.1. If the sample does not meet the water quality requirements of Table C102.1 it shall be recorded and included in the final start-up test report. Successful start-up tests shall demonstrate 100 percent compliance with the water quality requirements of Table C102.1.

PART O
APPENDIX E

§1. Section E101.1.1 of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

E101.1.1 This appendix outlines two procedures which may be utilized for sizing a water piping system (see Section E103.3). The design procedures are based on the minimum static pressure available from the supply source, the head [charges] changes in the system caused by friction and elevation, and the rates of flow necessary for operation of various fixtures.

§2. “Line B” of “Step 2” of Section E103.3 of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

Line B: Determine from [Section] Table 604.3 the highest pressure required for the fixtures on the system, which is 15 psi (103.4 kPa), to operate a flushometer valve. The most remote fixture outlet is necessary to compute the pressure loss caused by pipe and fittings, and represents the most downstream fixture along the circuit of piping requiring the available pressure to operate properly as indicated by Table 604.3.

§3. “Step 7 Column 6” of Section E103.3 of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

Step 7 Column 6: Select from Table E103.3(6) the equivalent lengths for the trial pipe size of fittings and valves on each pipe section. Enter the sum for each section in Column 6. (The number of fittings to be used in this example must be an estimate.) The equivalent length of piping is the developed length plus the equivalent lengths of pipe corresponding to friction head losses for fittings and valves. Where the size of fittings and valves is not known, the added friction head losses must be approximated. An estimate for this example is [as follows] found in Example E103.3(1).

§4. The unidentified table following “Step 8 Column 7” of section E103.3 of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

EXAMPLE E103.3(1)

COLD WATER PIPE SECTION	FITTINGS/VALVES	PRESSURE LOSS EXPRESSED AS EQUIVALENT LENGTH OF TUBE (FEET)	HOT WATER PIPE SECTION	FITTINGS/VALVES	PRESSURE LOSS EXPRESSED AS EQUIVALENT OF TUBE (FEET)
A-B	3-2 1/2 Gate valves	3	A-B	3-2 1/2 Gate valves	3
	1-2 1/2 Side branch tee	12		1-2 1/2 Side branch tee	12
B-C	1-2 1/2 Straight run tee	0.5	B-C	1-2 Straight run tee	7
				1-2 90-degree ell	0.5

C-F	1-2 1/2 Side branch tee	12	C-F	1-1 1/2 Side branch tee	7
C-D	1-2 1/2 90-degree ell	7	C-D	1-1 1/2 90-degree ell	4
D-E	1-2 1/2 Side branch tee	12	D-E	1-1 1/2 Side branch tee	7

§5. “Step 10 Column 9” of Section E103.3 of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

Step 10 Column 9: Multiply the figures in Columns 7 and 8 for each section and enter in Column 9.

Total friction loss is determined by multiplying the friction loss per 100 feet (30 480mm) for each pipe section in the total developed length by the pressure loss in fittings expressed as equivalent length in feet. Note: section C-F should be considered in the total pipe friction losses only if greater loss occurs in section C-F than in pipe section D-E. section C-F is not considered in the total developed length. Total friction loss in equivalent length is determined [as follows:] in Example E 103.3(2)

§6. The unidentified table following “Step 12 Line L” of Section E103.3 of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is amended to read as follows:

EXAMPLE E103.3 (2)

PIPE SECTIONS	FRICTION LOSS EQUIVALENT LENGTH (feet)	
	Cold Water	Hot Water
A-B	0.69 x 3.2 = 2.21 0.085 x 3.1 = 0.26 0.20 x 1.9 = 0.38 x 1.9 = 3.08	2.21 0.26 0.54 5.93
B-C		1.62
C-D		0.16 x 1.4 = 0.22
D-E		0.17 x 3.2 = 0.54
Total pipe friction losses (Line K)		7.99

§7. Figure E103.3(1) of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is REPEALED and a new figure E103.3(1) is added to read as follows:

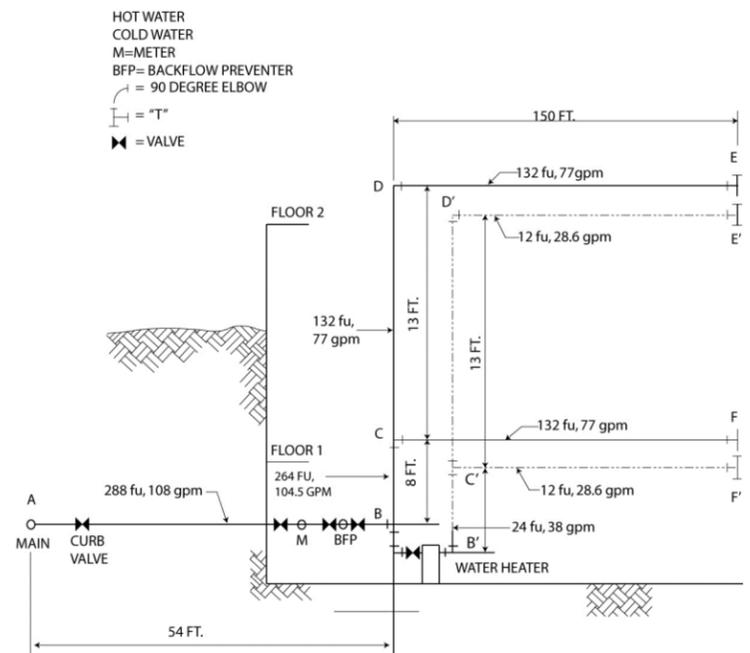


FIGURE E103.3(1)
EXAMPLE-SIZING

For SI: 1 foot = 304.8 mm, 1 gpm = 3.785 L/m.

**FIGURE E103.3(1)
EXAMPLE- SIZING**

§8. Figure E103.3(4) of Appendix E of the New York city plumbing code, as added by local law number 99 for the year 2005, is REPEALED.

§9. The title of Figure E103.3(7) of Appendix E of the New York city plumbing

code, as added by local law number 99 for the year 2005, is amended to read as follows:

**FIGURE E103.3(7)
FRICTION LOSS IN [FAIRLY] ROUGH PIPE^a**

§10. The New York city plumbing code, as added by local law number 99 for the year 2005, is amended by adding a new Section E202 to read as follows:

**SECTION PC E202
DETERMINATION OF PIPE VOLUMES**

E202.1 Determining volume of piping systems. Where required for engineering design purposes, Table E202.1 shall be used to determine the approximate internal volume of water distribution piping.

**TABLE E202.1
INTERNAL VOLUME OF VARIOUS WATER DISTRIBUTION TUBING**

OUNCES OF WATER PER FOOT OF TUBE			
Size Nominal, Inch	Copper Type M	Copper Type L	Copper Type K
³ / ₈	1.06	0.97	0.84
¹ / ₂	1.69	1.55	1.45
³ / ₄	3.43	3.22	2.90
1	5.81	5.49	5.17
1 ¹ / ₄	8.70	8.36	8.09
1 ¹ / ₂	12.18	11.83	11.45
2	21.08	20.58	20.04

For SI: 1 ounce = 0.030 liter.

§ 2. Notwithstanding any other law or rule tables, figures or equations in graphic or PDF format to be added to the New York city plumbing code pursuant to this local law need not be underlined to denote new matter being added. The absence of underlining to denote new matter being added shall not affect the validity of such tables, figures or equations.

§3. This local law shall take effect on the same date as the effective date of a local law amending the administrative code of the city of New York in relation to bringing the New York city building code up to date with the 2009 edition of the International Building Code published by the International Code Council.

ERIK MARTIN DILAN Chairperson; JOEL RIVERA, GALE A. BREWER, LEROY G. COMRIE, Jr., LEWIS A. FIDLER, JAMES F. GENNARO, ROBERT JACKSON, LETITIA JAMES, MELISSA MARK-VIVERITO, ROSIE MENDEZ, ELIZABETH CROWLEY, BRADFORD S. LANDER, JUMAANE D. WILLIAMS, JAMES S. ODDO; Committee on Housing and Buildings, July 25, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for Int. No. 730-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the disclosure of information regarding certain construction projects.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on December 8, 2011 (Minutes, page 5243), respectfully

REPORTS:

BACKGROUND AND ANALYSIS:

On Wednesday, July 25, 2012, the Committee on Housing and Buildings, chaired by Council Member Erik Martin Dilan, will conduct a hearing on Proposed Int. No. 730-A, “A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of information regarding certain construction projects.”

On January 30, 2012, the Committee heard an earlier version of this legislation and received testimony from representatives of the Department of

Housing Preservation and Development (HPD) and other persons interested in the legislation. Amendments to the bill were made following this initial hearing.

One of HPD’s duties is to encourage the construction, improvement, and rehabilitation of housing in the city.²¹ HPD fulfills this duty in part by selecting developers to work on affordable housing projects including rental and home ownership projects, and by steering federal, state, and municipal financial assistance to such developers.

Recently there have been a number of events that may indicate that HPD’s developer selection process is not functioning as intended. First, the Committee has received documentation of allegations calling into question the construction quality of the housing built by some HPD-selected developers. Second, investigations by the United States Department of Labor (DOL) as well as allegations in the press indicate possible underpayment and other mistreatment of construction laborers by some HPD-selected developers and their contractors. And third, several HPD-selected developers, as well as HPD staff involved with the selection of developers, were recently indicted on charges related to manipulating HPD’s developer selection process.

Construction quality allegations

The Committee has received documentation of complaints from owners of housing built by HPD-selected developers alleging chronic flooding; sinking and uneven foundations; sewage backups; water leakage into lighting fixtures and electrical equipment; mold; premature pipe rusting; fire hazards, such as combustible wooden pallets used to support boilers; substandard heating units and hot water heaters with too little capacity; doorframes not secured to buildings; improperly installed windows; buckling outdoor facades; crumbling staircases; improperly secured railings along stairwells; improperly installed roofing; and insufficient repair efforts.²²

In December 2011, the press reported that owners of City-subsidized housing in the Bedford-Stuyvesant neighborhood were complaining of “contamination” due to plumbing backups and faulty heating, and that homeowners were being asked to pay the developer additional money to fix those problems.²³ In January 2012, it was reported that an HPD-selected developer had constructed housing plagued by water leaks, mold, cracked walls, lack of insulation, and malfunctioning electrical systems and plumbing.²⁴

The Committee also heard complaints from homeowners living in housing constructed by HPD-selected developers at the January hearing on this matter.

Worker issues

DOL has taken legal action against a number of contractors engaged by HPD-selected developers over the course of the last few years. Some examples of the misconduct alleged by DOL include:

- Contractors that misclassified workers in order to underpay them, failed to pay workers for all hours worked, failed to maintain employment records, and falsified payroll documentation.²⁵
- A contractor that was found to owe approximately \$1.4 million in back wages and that had failed to adequately monitor “under-bidding” by its subcontractors.²⁶
- A contractor that had underpaid 32 workers by approximately \$829,000.²⁷

Additionally, the press has reported allegations of worker underpayment, forced kickbacks, and even violence.²⁸

for the Lower Ma_____

²¹ Charter §1802.

²² Testimony for January 30, 2012 Hearing of Committee on Housing and Buildings regarding Int. 730, available online through legistar.council.nyc.gov.

²³ Brian Kates and Erin Durkin, *Bed Stuy homeowners charge city and developer tried to jack up price, then moved them into shoddy homes*, New York Daily News, December 2011.

²⁴ Erin Durkin, *Developer Transcorp, with long history of lapses, botched homes for city program in Ocean Hill, homeowners and city say*, New York Daily News, January 2012.

²⁵ DOL, *US Labor Department recovers nearly \$339,000 in back wages and debar electrical subcontractor for work on New York City publicly-funded housing projects*, December 2010; DOL, *US Labor Department seeks to recover back wages, proposes debarment of construction contractor for labor violations at New York City publicly-funded housing project*, 2010.

²⁶ DOL, *US Labor Department seeks debarment of construction contractor for labor violations at New York City publicly funding housing projects*, March 2011.

²⁷ DOL, *US Department of Labor seeks more than \$829,000 in back wages, proposes debarment of 2 contractors for work on New York publicly-funded housing projects*, December 2010.

²⁸ Daniel Beekman, *Feds, HPD eye projects in Brooklyn, the Bronx after workers claim illegal labor*, New York Daily News, October 2011; Erin Durkin and Daniel Beekman, *City halts \$32 million Brooklyn housing project due to investigation first reported in Daily News*, New York Daily News, December 2011; Aaron Short, *Hospital stay! The city halts redevelopment of former medical center in Williamsburg*, The Brooklyn Paper, November 2011; Brian Kates, *Contractors hired goons to issue death threats, beat and throw acid at workers who fought kickbacks*, New York Daily News, October 2011; Brian Kates, *Feds probe workers underpaid at E. Harlem stimulus sites*, New York Daily News, November 2009.

Corruption allegations

In October 2011, an HPD Assistant Commissioner and six HPD developers were indicted for “racketeering conspiracy, bribery, extortion, wire fraud and money laundering in connection with corruption schemes that netted defendants between one and two million dollars in kickbacks and bribes over a decade and cost HPD hundreds of thousands of dollars in overpayments to developers on HPD projects.”²⁹ The Assistant Commissioner allegedly accepted approximately \$600,000 in bribes from developers and contractors in return for “awarding them HPD contracts.”³⁰

In June 2012, two developers, one contractor, and two HPD officials were indicted on similar charges. The allegations against those individuals include:

- A developer that had a subcontractor do work on an HPD official’s residence for \$50,000 below cost in return for that official’s support in obtaining future housing subsidies. The subcontractor in turn recovered the \$50,000 by over-billing on another project.³¹
- A “supervisory construction project manager” employed by HPD received a 30% stake in a private redevelopment company in exchange for steering HPD work toward the owners of that company.³²
- A “director of construction services for loan and construction management programs” employed by HPD provided certified payrolls to a private contractor in exchange for \$10,000. The contractor then used these payrolls to create false wage information for a prevailing wage project.³³
- A developer arranged with other potential developers to require general contractors to give a \$300,000 kickback in exchange for selection.³⁴
- A contractor paid for an HPD Assistant Commissioner’s honeymoon in Greece in exchange for having contracts for HPD project work steered to him.³⁵

Proposed Int. No. 730-A

Bill section one adds a new chapter 10 entitled “Housing Development Project Reporting Requirements” to title 26 of the Administrative Code.

Section 26-901 of the new chapter defines relevant terms used in the bill.

Section 26-902, subdivision a, requires that HPD disclose the criteria it uses to prequalify developer, contractors, and subcontractors for its various affordable housing programs.

Section 26-902, subdivision b, requires that HPD disclose the name and address of any entity that has been disqualified from being selected as developer or which is ineligible to appear on a list of recommended contractors and subcontractors. HPD must also disclose the criteria it used to make disqualification decisions.

Section 26-903, subdivision a, requires that HPD disclose certain information concerning each affordable housing project carried out using discretionary financial assistance³⁶ including: the HPD program under which the project is being carried out; the location of the project (address, block, lot number); the size of the project (stories, square footage); number of proposed dwelling units, disaggregated by bedroom size, income limits, and rents; how the project was publicly funded (type and amount of government assistance); the anticipated and actual completion dates; the name and address of the developer, contractors, and subcontractors and the name and title of the principal officers and owners thereof; how the developer was selected (method of selection, whether a prequalified list was used, what criteria were considered); whether project work will be covered by state or federal prevailing wage laws; descriptions of the final outcomes of complaints involving the developer related to prevailing wage violations to the extent known to HPD; and the total number of construction conditions related to the project along with a description of any

remedial actions taken, ordered, or requested by HPD as it relates to such conditions.

Section 26-903, subdivision b, provides the reporting timeframe for projects where the developer was selected by HPD *after* January 1, 2013. For such projects, HPD must update the project information at least once every six months until completion of the project and must update the construction condition information at least once every six months until five years after completion of the project.

Section 26-903, subdivision c provides the reporting timeframe for projects where the developer was selected by HPD *before* January 1, 2013. For such projects, HPD will have until January 1, 2014 to provide certain project information and must update the information at least once every six months thereafter until completion of the project. Information on construction conditions must be updated at least once every six months until five years after completion of the project.

Section 26-904 requires that developers file quarterly wage reports with HPD covering each laborer engaged in construction-related work (excluding professional employees like architects or lawyers, office support staff, and management). The wage reports must include the laborer’s job title (or a description of their position) along with the information specified under Labor Law §195(3), specifically: laborer’s name; employer’s name, address, and phone number; rates of pay; frequency of pay; gross wages; deductions; allowances; and net wages. Wage reports do not have to be filed for laborers working for contractors or subcontractors with less than \$2.5 million annual gross revenue in the preceding tax year, but such contractors/subcontractors must submit a certification stating that they are exempt from providing the wage reports.

Section 26-905 provides that any contractor/subcontractor who does not provide wage reporting in accordance with section 26-904 (if applicable) or who has a history of construction conditions (as determined by HPD) will be ineligible to be on any list of recommended contractors/subcontractors.

Bill section two contains the enactment clause and provides that the proposed legislation will take effect on January 1, 2013, except that the Commissioner of HPD shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Amendments to Int. 730

- Technical changes were made throughout the bill for the purposes of clarity and to revise the organization of the text.
- Bill section one has been amended as follows:
 - Originally, housing projects that were funded by more than \$100,000 of city financial assistance were covered by the bill. Now, housing projects receiving any discretionary city financial assistance are covered, except that projects receiving only non-discretionary tax benefits such as 421-a or J-51 benefits, work done through HPD’s Emergency Repairs Program, certain demolition work, and work done by HPD under article seven-a of the New York State Real Property Actions and Proceedings Law have been excluded. Further, only projects where the developer was selected within the last five years are covered (originally, all projects were covered).
 - Information on the specific identities of entities on prequalified lists or information pertaining to entities that were denied prequalification status or who had such status revoked will no longer be required. However, HPD will now be required to provide the identities of entities that have been disqualified from selection as developers and the criteria used to make such disqualification decisions.
 - The dwelling information HPD will provide for each project now includes the number of bedrooms, any income limitations, and all legal and actual rents. HPD must also disclose the number of commercial units, if any.
 - The anticipated and actual completion date of each project will now be required.
 - The disclosure of the name, address, and federal taxpayer identification for every *potential* developer is no longer required.
 - HPD will not be required to provide information pertaining to specific housing development contracts.
 - Information related to complaints, charges, allegations, judgments, injunctions or other relief filed or obtained in connection with a judicial action related to prevailing wage violations is no longer required. However, a description of the final outcome (including settlement) of proceedings related to such violations is now required. Further, this information is required only for developers and their current and former (within last five years) principal officers, not for all contractors and subcontractors.
 - The disclosure requirements for construction quality issues have been modified to include: violations, complaints received by HPD related to construction quality, and all determinations

²⁹ United States Department of Justice, *Assistant Commissioner of NYC Department of Housing Preservation and Development Indicted for Racketeering, Bribery and Extortion*, October 2011.

³⁰ *Id.*

³¹ Complaint and Affidavit in support of Application for Arrest Warrant in matter of *United States v. William B. Clarke*, #12M531 (E.D.N.Y. June 4, 2012).

³² Complaint and Affidavit in support of Application for Arrest Warrant in matter of *United States v. Luis Adorno*, #12M529 (E.D.N.Y. June 4, 2012).

³³ Complaint and Affidavit in support of Application for Arrest Warrant in matter of *United States v. Michael Provenzano*, #12M530 (E.D.N.Y. June 4, 2012).

³⁴ Complaint and Affidavit in support of Application for Arrest Warrant in matter of *United States v. Placido Rodriguez*, #12M533 (E.D.N.Y. June 4, 2012).

³⁵ Complaint and Affidavit in support of Application for Arrest Warrant in matter of *United States v. Panayiotis Papanicolaou*, #12M532 (E.D.N.Y. June 4, 2012).

³⁶ Projects funded exclusively by as-of-right, non-discretionary tax benefits – such as 421-a or J-51 benefits – are excluded.

by HPD that project work did not meet the customary standards for construction in New York City. Such information must be reported during the pendency of the project and up to five years after construction is completed. The original bill focused on post-construction Building Code violations issued up to five years after completion of the project.

- The time-frame for reporting by HPD has been changed. Information for projects where the developer is selected after January 1, 2013 must be updated twice annually (instead of monthly) until completion of construction. Construction conditions must be updated twice annually until five years after the date of completion. For projects where the developer was selected prior to January 1, 2013, information on such projects must be provided by January 1, 2014 and will have to be updated twice annually until completion of construction except that construction conditions must be updated twice annually until five years after completion of construction.
- The wage reporting requirement has been revised so that (1) it applies only to laborers and excludes certain employees (architects, lawyers, engineers, etc.), office staff, and management; (2) wage reports are required quarterly rather than monthly; (3) contractors and subcontractors that earn less than \$2.5 million annual gross revenue in the preceding tax year are excluded (but will have to submit a certification to that effect); and (4) the information required is the same information required for wage statements under Labor Law §195(3).
- Contractors and subcontractors that do not comply with wage reporting, or who have a history of construction conditions as determined by HPD, will now be ineligible to be included on a list of recommended contractors and subcontractors.
- Bill section two has been amended to provide that the effective date of the legislation will be January 1, 2013 instead of one year after enactment.

(The following is the text of the Fiscal Impact Statement for Int. No. 730-A:)



THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 PRESTON NIBLACK, DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO: 730-A
 COMMITTEE:
 Committee on Housing and Buildings

TITLE: A local law to amend the New York City administrative code, in relation to the disclosure of information regarding certain construction projects.

SPONSOR: Council Members Recchia, Wills, Brewer, Chin, Dickens, Dromm, Fidler, Gentile, Koppell, Koslowitz, Lander, Levin, Mealy, Rose, Van Bramer, Vann, Weprin, Williams, Lappin, Nelson, Gonzalez, Koo, Jackson, Gennaro, Garodnick, Crowley, Comrie, Greenfield, Oddo, Ulrich and Halloran.

SUMMARY OF LEGISLATION: Proposed Int. 730-A is intended to identify affordable housing development projects created or preserved with City funding and to increase transparency into the Department of Housing Preservation and Development’s (HPD) process for selecting developers of these projects. HPD will be required to post online twice annually certain information related to its selection process and about the projects (new projects and on a more limited basis for projects less than five years old). The information HPD will be required to post will include: (1) the name, address, and principal officers/owners of the developers, their contractors, and subcontractors; (2) the manner in which those developers were selected, including if prequalified or disqualified lists were used in the selection process; (3) information on the project’s location, size, number of dwelling units, and affordability levels (e.g. income limitations and initial rents); (4) the amount and type of city financial assistance given to the project; (5) information on whether the construction work on a project will be subject to state and federal prevailing wage laws; (6) and twice yearly updates on construction conditions for five years post project completion. Projects that are funded solely by non-discretionary tax exemptions and abatements will be excluded from this reporting requirement.

This bill will also require quarterly wage reports from certain contractors and subcontractors. These wage reports will be only for new projects and include some of the same information required by the State Minimum Wage Theft Prevention Act on pay statements and annual notices to employees, specifically: the name of the employee; the name, address, and phone number of the employer; the employee’s rate or rates of pay (and whether he or she is paid by the hour, shift, day, etc.); gross wages; deductions; allowances claimed as part of the minimum wage; and net wages. Wage reports will be only required for employees of contractors and subcontractors with annual gross revenue of at least \$2.5 million. The wage reporting excludes professional, administrative, and management employees.

EFFECTIVE DATE: This local law would take effect on January 1, 2013.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2014

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(\$167,065)	(\$334,130)	(\$167,065)
Net	(\$167,065)	(\$334,130)	(\$167,065)

IMPACT ON REVENUES: There would be no impact on City revenues resulting from the enactment of this legislation. This bill imposes no new fines.

IMPACT ON EXPENDITURES: It is estimated that additional staffing requirements needed for the collection, compilation and posting of this data will cost the Department of Housing and Development approximately \$334,130 annually. This local law will not take effect until the middle of Fiscal Year 2013 so costs for that year are halved.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
 The Department of Housing Preservation and Development

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director

HISTORY: The City Council introduced the legislation and referred the bill to the Committee on Housing and Buildings as Proposed Intro. 730 on December 8, 2011. A hearing was held and the bill was laid over by committee on January 30, 2012. Intro. 730 has been amended and the amended version, Proposed Intro. 730-A, will be considered by the Committee on Housing and Buildings on July 25, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 730-A:)

Int. No. 730-A

By Council Members Recchia, Wills, Brewer, Chin, Dickens, Dromm, Fidler, Gentile, Koppell, Koslowitz, Lander, Levin, Mealy, Rose, Van Bramer, Vann, Weprin, Williams, Lappin, Nelson, Gonzalez, Koo, Jackson, Gennaro, Garodnick, Crowley, Comrie, Greenfield, Barron, Rodriguez, Oddo, Ulrich and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of information regarding certain construction projects.

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

CHAPTER 10

HOUSING DEVELOPMENT PROJECT REPORTING REQUIREMENTS

§ 26-901 Definitions.

§ 26-902 Reporting on prequalified lists and disqualified lists.

§ 26-903 Reporting on housing development projects.

§ 26-904 Wage information reporting.

§ 26-905 Ineligibility for inclusion on prequalified lists.

§ 26-901 Definitions. For the purposes of this chapter only, the following terms shall be defined as follows:

a. "City financial assistance" includes any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness, land conveyances for less than appraised value, land value or other thing of value allocated, conveyed or expended by the city.

b. "Construction condition" means:

(1) a violation of the New York city construction codes issued to a housing development project, a developer or a covered contractor of such housing development project, during the project work or within a five-year period following the completion of such project;

(2) a complaint related to the construction quality of a housing development project received by the department during the project work or within a five-year period following the completion of such project;

(3) a determination by the department, during the project work or within a five-year period following completion of such project, that the construction quality of a housing development project does not comply with applicable law or does not conform to customary standards for construction in the city of New York.

c. "Contractor" means an individual, sole proprietorship, partnership, joint venture, corporation or other entity that enters into a contract or other agreement with or is otherwise engaged by a developer or the department to perform project work.

d. "Covered contractor" means a contractor or subcontractor whose annual gross revenue for the immediately preceding tax year is not less than two million five hundred thousand dollars, calculated in accordance with section 779.266 of title 29 of the code of federal regulations; provided, however that where an entity is a principal owner of, serves as principal officer of, conducts or participates directly or indirectly in the conduct of the affairs of such contractor or subcontractor and any other contractor or subcontractor, the annual gross revenue for the immediately preceding tax year for each such contractor or subcontractor shall be aggregated and, if such aggregated value is not less than two million five hundred thousand dollars, each such contractor or subcontractor shall be a covered contractor.

e. "Department" means the department of housing preservation and development.

f. "Developer" means an individual, sole proprietorship, partnership, joint venture, corporation or other entity that receives city financial assistance for a housing development project.

g. "Disqualified list" means a list that identifies entities that are precluded by the department from being selected as developers where "disqualified" shall mean debarred, suspended or otherwise prohibited for any length of time. Such term shall also include a list of entities that are ineligible to be included on a list of prequalified contractors or subcontractors.

h. "Housing development project" means construction, rehabilitation or alteration of any residential building, residential facility or residential structure by a developer (1) which creates or preserves at least one dwelling unit; (2) which is funded in whole or in part by city financial assistance other than non-discretionary tax abatements or benefits approved or administered in accordance with sections 421-a or 489 of the New York state real property tax law or other similar programs and (3) where the developer of such project was not selected more than five years prior to the effective date of this chapter. The term "housing development project" shall not include emergency repairs performed by or on behalf of the department pursuant to section 27-2125 of this code, work performed by or on behalf of the department pursuant to section 27-2153 of this code, demolition work performed by or on behalf of the department pursuant to articles two hundred fifteen or two hundred sixteen of chapter two of title twenty-eight of this code, or work funded by the department pursuant to article seven-a of the New York state real property actions and proceedings law.

i. "List identifier" means a description of the purpose for which a disqualified list or prequalified list is used by the department that shall include the types of housing development projects for which the list is used.

j. "Prequalified list" means a list that identifies entities that are prequalified to be selected as developers and that was compiled, modified or used by the department to select developers within the immediately preceding five-year period; provided, however that the term "prequalified list" shall also include a list of entities that the department compiles and makes available to developers to assist in the selection of contractors and subcontractors to perform project work.

k. "Principal officer" means an individual who serves as or performs the functions of chief executive officer, chief financial officer or chief operating officer of an entity.

l. "Principal owner" means an individual, partnership, joint venture, corporation or other entity which holds a ten percent or greater ownership interest in an entity or holds an ownership interest as a general partner, managing partner or other position conducting or participating directly in the conduct of the affairs of an entity. The term "principal owner" shall not include a limited partner of a limited partnership or an equity investor in a limited liability company or a limited liability partnership where such equity investor does not conduct or participate directly in the conduct of the affairs of the limited liability company or limited liability partnership.

m. "Project identifier" means a description of a housing development project sufficient to identify such project.

n. "Project work" means construction, rehabilitation, alteration or demolition work performed in connection with a housing development project. Such term shall not include professional services including architectural, engineering, legal or accounting services or administrative, clerical or other similar office support services, or individuals solely engaged in managing, directing or supervising project work.

o. "Subcontractor" means an individual, sole proprietorship, partnership, joint venture, corporation or other entity that enters into a contract or other agreement with or is otherwise engaged by a contractor, the department or other entity to perform project work.

§ 26-902 Reporting on prequalified lists and disqualified lists.

a. For each prequalified list, the department shall make available on its website the list identifier and the criteria used by the department to determine whether an entity qualifies for such list.

b. For each disqualified list, the department shall make available on its website the list identifier, the name and address of each entity on such list and the name and title of each principal officer and principal owner of such entity and the criteria used by the department to determine whether an entity is disqualified.

§ 26-903. Reporting on housing development projects.

a. For each housing development project, the department shall make available on its website the following information:

(1) the project identifier;

(2) the program name as identified by the department and the list identifiers of all prequalified lists used in connection with such program;

(3) the address; block; lot number; stories; square footage of the building at its base; the number of proposed dwelling units including the number of bedrooms, disaggregated by income limits and all initial legal and actual rents; and the number of proposed commercial units;

(4) the source, type and value of all city financial assistance and other financial assistance provided by the city, disaggregated by source and type;

(5) the anticipated completion date of such project;

(6) for the developer, contractors and subcontractors for such project:

(i) the name and address;

(ii) the name and title of each principal officer and principal owner of such developer, contractor or subcontractor and

(iii) when applicable, whether the wage information described by subdivision a of section 26-904 of this chapter has been provided to the department for such developer, contractor or subcontractor;

(7) whether the developer was prequalified at the time of selection;

(8) the method used to select the developer including, but not limited to, direct negotiation, request for proposals, competitive bidding, public bidding, auction, selection by entities other than the department, and application;

(9) the criteria used to evaluate potential developers and to select the developer;

(10) whether the developer or contractor executed any legal documents subjecting any of the project work to section 220 of the New York state labor law;

(11) whether the developer or contractor executed any legal documents subjecting any of the project work to subchapter IV of chapter thirty-one of part A of subtitle II of title 40 of the United States Code or any applicable regulations or rules;

(12) To the extent known to the department, based on information reported to the department by the developer that the department reasonably believes to be correct and complete, a description of the final outcome of any judicial actions or proceedings, including any final judgment rendered or settlement, with respect to section 220 of the New York state labor law or subchapter IV of chapter thirty-one of part A of subtitle II of title 40 of the United States code or any applicable regulations or rules, within the five-year period immediately preceding developer selection by the department, against the developer, the current principal owner or principal officer thereof, or the former principal owner or principal officer thereof if such person held such position or status within the five-year period immediately preceding developer selection by the department;

(13) the completion date of the project; and

(14) the total number of construction conditions and for each such condition, the nature of the condition and a description of any remedial actions taken, ordered or requested with respect to such condition.

b. For housing development projects where the developer was selected after the effective date of this chapter, the department shall update the information required by subdivision a of this section every six months until completion of such project except that the information required by paragraph fourteen shall be updated every six months until five years after completion of such project.

c. For housing development projects where the developer was selected prior to the effective date of this chapter, the department shall make available the information required by subdivision a of this section no later than January 1, 2014 and shall update such information every six months thereafter until completion of such project except that:

(1) the information required by paragraph six for subcontractors shall be limited to subcontractors that entered into a contract or other agreement with or were otherwise engaged by a contractor or the department; and

(2) the information required by paragraph fourteen shall be updated every six months until five years after completion of such project.

§ 26-904 Wage information reporting. For all housing development projects where the developer of such project was selected after the effective date of this chapter, each such developer shall report to the department the information listed below at least quarterly:

a. for each individual employed or otherwise engaged to perform project work by the developer or any covered contractor:

(1) the individual's job title, position, or a description of the type of work performed by such person;

(2) the information described by subdivision three of section 195 of the New York state labor law which includes the name of the individual; the name of the employer; the address and phone number of the employer; the rate or rates of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or otherwise; gross wages; deductions; allowances, if any, claimed as part of the minimum wage and net wages;

b. for each contractor or subcontractor that is not a covered contractor, a written certification under oath by a principal officer of such contractor or subcontractor that such contractor or subcontractor is not a covered contractor.

§ 26-905 Ineligibility for inclusion on prequalified lists.

a. In addition to any other penalty provided by law, any contractor or subcontractor who fails to provide wage reporting information in accordance with section 26-904 of this chapter shall be ineligible to be included on a prequalified list of contractors and subcontractors.

b. In addition to any other penalty provided by law, any contractor or subcontractor with a history of construction conditions, as determined by the department, shall be ineligible to be included on a prequalified list of contractors and subcontractors.

§2. This local law shall take effect on January 1, 2013, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

ERIK MARTIN DILAN Chairperson; JOEL RIVERA, GALE A. BREWER, LEROY G. COMRIE, Jr., LEWIS A. FIDLER, JAMES F. GENNARO, ROBERT JACKSON, LETITIA JAMES, MELISSA MARK-VIVERITO, ROSIE MENDEZ, ELIZABETH CROWLEY, BRADFORD S. LANDER, JUMAANE D. WILLIAMS, JAMES S. ODDO; Committee on Housing and Buildings, July 25, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Land Use

Report for L.U. No. 622

Report of the Committee on Land Use in favor of approving Application no. 20125554 HKM (N 120263 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of 32 Dominick Street (Block 578, Lot 64) (List No.453, LP-2480), Borough of Manhattan, Community District 2, Council District 3.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 31, 2012 (Minutes, page 1793), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 02 20125554 HKM (N 120263 HKM)

Designation by the Landmarks Preservation Commission (List No. 453/LP-2480), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the 32 Dominick Street House (Tax Map Block 578, Lot 64), as an historic landmark.

PUBLIC HEARING

DATE: June 19, 2012

Witnesses in Favor: Three
Against: None

Witnesses

SUBCOMMITTEE RECOMMENDATION

DATE: July 24, 2012

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor:	Against:	Abstain:
Lander	None	None
Sanders, Jr.		
Palma		
Arroyo		
Williams		
Halloran		

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	Ignizio	None
Rivera		
Reyna		
Barron		
Jackson		
Sanders, Jr.		
Gonzalez		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Weprin		
Williams		
Halloran		

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1444

Resolution affirming the designation by the Landmarks Preservation Commission of the 32 Dominick Street House, located at 32 Dominick Street (Tax Map Block 578, Lot 64), Borough of Manhattan, Designation List No. 453, LP-2480 (L.U. No. 622; 20125554 HKM; N 120263 HKM).

By Council Members Comrie and Lander.

WHEREAS, the Landmarks Preservation Commission filed with the Council on April 5, 2012 a copy of its designation dated March 27, 2012 (the "Designation"), of the 32 Dominick Street House, located at 32 Dominick Street, Community District 2,

Cont'd

Lander
 Weprin
 Williams
 Ignizio
 Halloran

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1449

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 92 Seventh Avenue, Borough of Manhattan (20125400 TCM; L.U. No. 630).

By Council Members Comrie and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on June 8, 2012 its approval dated June 1, 2012 of the petition of Panzi Enterprises, LLC, d/b/a Panca, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 92 Seventh Avenue, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 20-226(e) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on July 23, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Petition;

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 631

Report of the Committee on Land Use in favor of approving Application no. 20125766 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Focacceria, LTD d.b.a. Focacceria Restaurant, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 87 MacDougal Street, Borough of Manhattan, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 31, 2012 (Minutes, page 2051), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 6

20125766 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Focacceria, Ltd., d/b/a Focacceria Restaurant, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 87 MacDougal Street.

INTENT

To allow an eating or drinking place located on a property which abuts the street to continue to maintain and operate an unenclosed service area on the sidewalk of such street.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: One
 None **Witnesses Against:**

SUBCOMMITTEE RECOMMENDATION

DATE: July 23, 2012 and recessed to July 24, 2012

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Garodnick		
Lappin		
Vacca		
Ignizio		

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Sanders, Jr.		
Gonzalez		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Cont'd		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1450

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 87 MacDougal Street, Borough of Manhattan (20125766 TCM; L.U. No. 631).

By Council Members Comrie and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on June 8, 2012 its approval dated June 1, 2012 of the petition of Focacceria, Ltd., d/b/a Focacceria Restaurant, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 87 MacDougal Street, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 20-226(e) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on July 23, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Petition;

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 632

Report of the Committee on Land Use in favor of approving Application no. C 120077 MMM submitted by New York University, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map within the New York University Core, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to § 197-d (b) (2) of the Charter or called up by vote of the Council pursuant to 197-d (b) (3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2051), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for LU No. 632 & Res No. 1466 printed in the General Orders Calendar section of these Minutes)

Accordingly, the Committee recommends its adoption.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 17, 2012.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 633

Report of the Committee on Land Use in favor of approving Application no. C 120122 ZMM submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No.12c, Borough of Manhattan, Community Board 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2051), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for LU No. 633 & Res No. 1467 printed in the General Orders Calendar section of these Minutes)

Accordingly, the Committee recommends its adoption.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 17, 2012.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 634

Report of the Committee on Land Use in favor of approving Application no. N 120123 ZRM submitted by New York University pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications) on the zoning lots bounded by West Third Street, Mercer Street, West Houston Street, and LaGuardia Place, Borough of Manhattan, Community Board 2, Council District 1 .

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2051), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for LU No. 634 & Res No. 1468 printed in the General Orders Calendar section of these Minutes)

Accordingly, the Committee recommends its adoption.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 17, 2012.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 635

Report of the Committee on Land Use in favor of approving Application no. C 120124 ZSM submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution to allow the distribution of total allowable floor area without regard for zoning lot lines; and to allow the location of buildings without regard for the applicable height and setback, yards and distance between buildings to facilitate the development of four new buildings, within a Large-Scale General Development generally bounded by West 3rd Street, Mercer Street, West Houston Street, and LaGuardia Place (Block 533, Lots 1 & 10, and Block

curbline of 12th Street, then westerly along said curbline to a point on a line extending south from the western property line of 390 to 370 Seventh Avenue, northerly along said line across 11th Street to the northern curbline of 11th Street, westerly along said curbline to a point on a line extending southerly from the western property line of 368 Seventh Avenue, northerly along said line to the southern property line of 362 Seventh Avenue, westerly along said property line, northerly along the western property lines of 362 and 360 Seventh Avenue, easterly along the northern property line of 360 Seventh Avenue, then northerly along the western property lines of 358 to 350 Seventh Avenue and across 10th Street, northerly along the western property lines of 348 to 340 Seventh Avenue, easterly along the northern property line of 340 Seventh Avenue, northerly along the western property line of 332-36 Seventh Avenue, northerly and across 9th Street to the northern curbline of 9th Street, westerly along said curbline to a line extending south along the western property line of 326 Seventh Avenue, then northerly along the western property lines of 326 and 324 Seventh Avenue, westerly along the southern property line of 322 Seventh Avenue, then northerly along 322 to 314 Seventh Avenue to the northern curbline of 8th Street, then westerly along said curbline to a point extending southerly from the western property line of 312 Seventh Avenue, then northerly along the western property lines of 312 to 304 Seventh Avenue, then easterly along the northern property line of 304 Seventh Avenue, then northerly along the western property lines of 302 to 294 Seventh Avenue to the south curbline of 7th Street, then easterly along said curbline to a point on a line extending from the eastern property line of 701 Eighth Avenue, then southerly along said line to the north curbline of 8th Street, then westerly to a point extending northerly from the eastern property line of 801 Eighth Avenue, then southerly along said line to southern curb line of 9th Street, then east to a point from a line extending north from the eastern property line of 524 9th Street, southerly along the eastern property lines of 524 9th Street and 911 Eighth Avenue, westerly along the southern property line of 911 8th avenue to the middle of Eighth Avenue, southerly along a line in the middle of Eighth Avenue to a point on a line extending along the middle of 10th Street, easterly along said line to a point extending northerly from the eastern property line of 640 10th Street, then southerly along said line to the northern property line of 1013 Eighth Avenue, easterly along the northern property line of 1013 Eighth Avenue, then southerly along the eastern property line of 1013 to 1023 Eighth Avenue to a point in the middle of 11th Street, then easterly along a line in the middle of 11th Street to a point extending northerly from the eastern property line of 582 11th Street, then southerly along said line, westerly along the southern property lines of 582 11th Street and 1111 Eighth Avenue to a point in the middle of Eighth Avenue, then southerly along a line in the middle of Eighth Avenue to a point in the middle of 14th Street, easterly along a line in the middle of 14th Street to a point extending northerly from the eastern property line of 442 14th Street, then southerly along said line to southwest corner of 442 14th Street, then easterly along the northern property lines of 448 to 486 14th Street, northerly along the western property line of 496 14th Street to a point in the middle of 14th Street, then easterly along a line in the middle of 14th Street to a point in the middle of Prospect Park West, then southerly along said line to a point extending easterly from the northwest corner of Prospect Park West and Bartell Pritchard Square, then westerly to the western curbline, and then southerly along the curving west curbline of Prospect Park West and Bartell Pritchard Square to the point of beginning.

The Park Slope Historic District Extension, Section 2, consists of the property bounded by a line beginning at the southwest corner of 145 Prospect Park West, then extending northerly along the western property lines of 145 Prospect Park West and 574 9th Street to the middle of 9th Street, then easterly along the line in the middle of Prospect Park West, then southerly along the line in the middle of Prospect Park West to a point on a line extending from the middle of 10th Street, then westerly along said line to a point extending southerly from the western property line of 151 Prospect Park West, then northerly along said line to the southern property line of 145 Prospect Park West, then westerly to the point of beginning.

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on June 7, 2012, its report on the Designation dated June 6, 2012 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on July 23, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA,

PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 637

Report of the Committee on Land Use in favor of approving Application no. 20125770 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 212 Lafayette Associates, LLC d.b.a. Café Select, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 212 Lafayette Street, Borough of Manhattan, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2053), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2

20125770 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 212 Lafayette Associates, LLC, d/b/a Café Select, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 212 Lafayette Street.

INTENT

To allow an eating or drinking place located on a property which abuts the street to continue to maintain and operate an unenclosed service area on the sidewalk of such street.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: None

Witnesses Against:

One

SUBCOMMITTEE RECOMMENDATION

DATE: July 24, 2012

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor:

Against:

Abstain:

Weprin

None

None

Rivera

Reyna

Comrie

Jackson

Garodnick

Lappin

Vacca

Ignizio

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:

Against:

Abstain:

Lander
Cont'd
 Weprin
 Williams
 Ignizio
 Halloran

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1453

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 442 Court Street, Borough of Brooklyn (20125568 TCK; L.U. No. 642).

By Council Members Comrie and Weprin.

WHEREAS, the New York City Department of Consumer Affairs filed with the Council on June 8, 2012 its approval dated June 8, 2012 of the petition of Leahlala, LLC, d/b/a Abilene, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 442 Court Street, Community District 6, Borough of Brooklyn (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 20-226(e) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on July 23, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Petition;

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 643

Report of the Committee on Land Use in favor of approving Application no. 20125449 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Aura, LLC, d/b/a Mickey Spillane's Kitchen, to establish, maintain and operate an unenclosed sidewalk café located at 350 West 49th Street, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 28, 2012 (Minutes, page 2636), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

20125449 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Aura, LLC, d/b/a Micky Spillane's Kitchen, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 350 West 49th Street.

INTENT

To allow an eating or drinking place located on a property which abuts the street to continue to maintain and operate an unenclosed service area on the sidewalk of such street.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: One
 None

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: July 23, 2012 and recessed to July 24, 2012

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Garodnick		
Lappin		
Vacca		
Ignizio		

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Sanders, Jr.		
Gonzalez		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Vacca		
Koo		
<u>Cont'd</u>		
Lander		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1454

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 350 West 49th Street, Borough of Manhattan (20125449 TCM; L.U. No. 643).

INTENT

To facilitate the development of a five-story building and a seven-story building with approximately 66 dwelling units and 1,710 square feet of commercial space.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: Two
None
Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: July 23, 2012

The Subcommittee recommends that the Land Use Committee approve the designation and the project, make the findings requested by the Department of Housing Preservation and Development and approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Dickens	None	None
Barron		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Sanders, Jr.		

Cont'd

Gonzalez
Palma
Arroyo
Dickens
Garodnick
Lappin
Vacca
Koo
Lander
Weprin
Williams
Ignizio
Halloran

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1459

Resolution approving the decision of the City Planning Commission on an application submitted by the New York City Department of Housing Preservation and Development, ULURP No. C 120161 HAX, approving the designation of property located at 493 Brook Avenue and 457/467 East

147th Street (Block 2292/Lots 49 and 50), Borough of the Bronx, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of property located at 493 Brook Avenue (Block 2292/Lot 49) to a developer selected by the New York City Department of Housing Preservation and Development (L.U. No. 650; C 120161 HAX).

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on June 22, 2012 its decision dated June 20, 2012 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

a) the designation of property located at 493 Brook Avenue and 457/467 East 147th Street (Block 2292/Lots 49 and 50), as an Urban Development Action Area (the "Area");

b) an Urban Development Action Area Project for such area (the "Project"); and pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 493 Brook Avenue (Block 2292/Lot 49) to a developer selected by the Department of Housing Preservation and Development to facilitate development of a five-story building and a seven-story building with a total of approximately 66 dwelling units, 1,710 square feet of commercial space, to be developed under the Department of Housing Preservation and Development's Low Income Rental Program (the "Disposition"), Community District 1, Borough of the Bronx (ULURP No. C 120121 HAX) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, on July 17, 2012 by letter dated July 12, 2012 the New York City Department of Housing Preservation and Development submitted its request respecting the application;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on July 23, 2012;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Application;

WHEREAS, the Council has considered the relevant environmental review (CEQR No. 07HPD019X) and the Negative Declaration which was issued on December 28, 2011;

RESOLVED:

The Council finds that the action described herein shall have no significant impact on the environment.

Pursuant to Section 197-d of the New York City Charter, on the basis of the Decision and Application and based on the environmental determination and the consideration described in the report C 120161 HAX incorporated by reference herein, the Council approves the Decision of the City Planning Commission (C 120161 HAX).

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council approves the designation of the Disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law.

The Council approves the disposition of the property located at 493 Brook Avenue (Block 2292/Lot 49) to a developer selected by the Department of Housing Preservation and Development.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E.

DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Quinn) announced that the following items had been preconsidered by the Committee on Land Use and had been favorably reported for adoption.

Report for L.U. No. 651

Report of the Committee on Land Use in favor of approving In Rem Action No. 51: Application no. 20125705 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council Districts 35, 36, 39, 40, 41, and 42, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 3, 5, 6, 8, 9 and 17. .

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on July 25, 2012, respectfully

REPORTS:

SUBJECT

BROOKLYN CB'S 3, 5, 6, 8, 9, AND 17 20125705 HAK

In Rem Action No. 51: Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council Districts 35, 36, 39, 40, 41, and 42, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law.

INTENT

To transfer and dispose of property pursuant to the Thirty Party Transfer Program.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: July 23, 2012

The Subcommittee recommends that the Land Use Committee approve the request.

In Favor:	Against:	Abstain:
Dickens	None	None
Barron		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Sanders, Jr.		
Gonzalez		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1460

Resolution approving an Urban Development Action Area Project located at 969 Putnam Avenue (Block 1483/Lot 58), 724 Classon Avenue (Block 1162/Lot 54), 633 Hancock Street (Block 1656/Lot 48), 248 Madison Street (Block 1823/Lot 29), 250 Madison Street (Block 1823/Lot 31), 915 St. Mark's Avenue (Block 1223/Lot 1), 973 St. Mark's Avenue (Block 1223/Lot 51), 971 St. Mark's Avenue (Block 1223/Lot 52), 941 Park Place (Block 1235/Lot 71), 342 14th Street (Block 1043/Lot 21), 483 Rogers Avenue (Block 5033/Lot 7), 1026 Clarkson Avenue (Block 4646/Lot 10), and 754 Miller Avenue (Block 4303/Lot 32), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (Preconsidered L.U. No. 651; 20125705 HAK).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 14, 2012 its request dated May 14, 2012 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 969 Putnam Avenue (Block 1483/Lot 58), 724 Classon Avenue (Block 1162/Lot 54), 633 Hancock Street (Block 1656/Lot 48), 248 Madison Street (Block 1823/Lot 29), 250 Madison Street (Block 1823/Lot 31), 915 St. Mark's Avenue (Block 1223/Lot 1), 973 St. Mark's Avenue (Block 1223/Lot 51), 971 St. Mark's Avenue (Block 1223/Lot 52), 941 Park Place (Block 1235/Lot 71), 342 14th Street (Block 1043/Lot 21), 483 Rogers Avenue (Block 5033/Lot 7), 1026 Clarkson Avenue (Block 4646/Lot 10), and 754 Miller Avenue (Block 4303/Lot 32), Community Districts 3, 5, 6, 8, 9, and 17, Borough of Brooklyn (the "Transfer Area"):

1. Find that the present status of the Transfer Areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
4. Approve an exemption of the Project from real property taxes pursuant to Sections 577 of Article XI of the Private Housing Finance Law; and Section 696 of the General Municipal Law (the "Tax Exemption");

WHEREAS, the Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on July 23, 2012;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Project;

RESOLVED:

The Council finds that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be disposed of and developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The Council approves the Tax Exemptions as follows:

1. Pursuant to Section 577 of the Private Housing Finance Law as follows:

a. All of the value of the property in the Transfer Area, including both the land and any improvements, shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date of conveyance of the Transfer Area to the transferee ("Article XI Commencement Date") and terminating upon the earlier to occur of (i) the fortieth anniversary of the Article XI Commencement Date, (ii) the date of reconveyance of the Transfer Area to an owner which is not a housing development fund company, or (iii) the date upon which the owner of the Transfer Area voluntarily surrenders and revokes such exemption by written notice to the Department of Finance ("Article XI Expiration Date").

b. In consideration of the tax exemption pursuant to Section 577 of the Private Housing Finance Law provided hereunder ("Article XI Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation ("Alternative Tax Benefit"), for so long as the Article XI Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the Article XI Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.

c. The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Transfer Area.

5. Pursuant to Section 696 of the General Municipal Law as follows:

a. All of the value of the buildings, structures, and other improvements situated on the Transfer Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the Article XI Expiration Date ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.

b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the UDAAP Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.

c. The UDAAP Exemption shall terminate with respect to all or any portion of the Transfer Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured

within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.

d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed forty (40) years.

e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Quinn) announced that the following items had been preconsidered by the Committee on Land Use and had been favorably reported for adoption.

Report for L.U. No. 652

Report of the Committee on Land Use in favor of approving In Rem Action No. 51: Application no. 20125706 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council Districts 35, 36 and 41, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 2 and

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on July 25, 2012, respectfully

REPORTS:

SUBJECT

BROOKLYN CB'S 2 AND 3

20125706 HAK

In Rem Action No. 51: Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council Districts 35, 36 and 41, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law.

INTENT

To transfer and dispose of property pursuant to the Thirty Party Transfer Program.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: July 23, 2012

The Subcommittee recommends that the Land Use Committee approve the request.

In Favor:	Against:	Abstain:
Dickens Barron Gonzalez Koo	None	None

COMMITTEE ACTION**DATE:** July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie Rivera Reyna Barron Jackson Sanders, Jr. Gonzalez Palma Arroyo Dickens Garodnick Lappin Vacca Koo Lander Weprin Williams Ignizio Halloran	None	None

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1461

Resolution approving an Urban Development Action Area Project located at 495 Putnam Avenue (Block 1825/Lot 41), 342 Lafayette Avenue (Block 1948/Lot 14), 237 Hancock Street (Block 1834/Lot 74), 580 Lafayette Avenue (Block 1788/Lot 53), and 409 Classon Avenue (Block 1967/Lot 4), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (Preconsidered L.U. No. 652; 20125706 HAK).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 14, 2012 its request dated May 14, 2012 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 495 Putnam Avenue (Block 1825/Lot 41), 342 Lafayette Avenue (Block 1948/Lot 14), 237 Hancock Street (Block 1834/Lot 74), 580 Lafayette Avenue (Block 1788/Lot 53), and 409 Classon Avenue (Block 1967/Lot 4), Community Districts 2 and 3, Borough of Brooklyn (the "Transfer Area"):

- Find that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
- Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
- Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
- Approve an exemption of the Project from real property taxes pursuant to Sections 577 of Article XI of the Private Housing Finance Law; and Section 696 of the General Municipal Law (the "Tax Exemption");

WHEREAS, the Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on July 23, 2012;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Project;

RESOLVED:

The Council finds that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be disposed of and developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The Council approves the Tax Exemptions as follows:

- Pursuant to Section 577 of the Private Housing Finance Law as follows:
 - All of the value of the property in the Transfer Area, including both the land and any improvements, shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date of conveyance of the Transfer Area to the transferee ("Article XI Commencement Date") and terminating upon the earlier to occur of (i) the fortieth anniversary of the Article XI Commencement Date, (ii) the date of reconveyance of the Transfer Area to an owner which is not a housing development fund company, or (iii) the date upon which the owner of the Transfer Area voluntarily surrenders and revokes such exemption by written notice to the Department of Finance ("Article XI Expiration Date").
 - In consideration of the tax exemption pursuant to Section 577 of the Private Housing Finance Law provided hereunder ("Article XI Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation ("Alternative Tax Benefit"), for so long as the Article XI Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the Article XI Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.
 - The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Transfer Area.
- Pursuant to Section 696 of the General Municipal Law as follows:
 - All of the value of the buildings, structures, and other improvements situated on the Transfer Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the Article XI Expiration Date ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon

the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.

- b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the UDAAP Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.
- c. The UDAAP Exemption shall terminate with respect to all or any portion of the Transfer Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.
- d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed forty (40) years.
- e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Transfer Area.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Quinn) announced that the following items had been preconsidered by the Committee on Land Use and had been favorably reported for adoption.

Report for L.U. No. 653

Report of the Committee on Land Use in favor of approving In Rem Action No. 51: Application no. 20125707 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Community Board 3, Council District 36, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 3.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on July 25, 2012, respectfully

REPORTS:

SUBJECT

BROOKLYN CB 3

20125707 HAK

In Rem Action No. 51: Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council District 36, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law.

INTENT

To transfer and dispose of property pursuant to the Thirty Party Transfer Program.

PUBLIC HEARING

DATE: July 23, 2012

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: July 23, 2012

The Subcommittee recommends that the Land Use Committee approve the request.

In Favor:	Against:	Abstain:
Dickens	None	None
Barron		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: July 24, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Sanders, Jr.		
Gonzalez		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1462

Resolution approving an Urban Development Action Area Project located at 25 Madison Street (Block 1987/Lot 71), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (Preconsidered L.U. No. 653; 20125707 HAK).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 14, 2012 its request dated May 14, 2012 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 25 Madison Street (Block 1987/Lot 71), Community District 3, Borough of Brooklyn (the "Transfer Area"):

1. Find that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
4. Approve an exemption of the Project from real property taxes pursuant to Sections 577 of Article XI of the Private Housing Finance Law; and Section 696 of the General Municipal Law (the "Tax Exemption");

WHEREAS, the Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on July 23, 2012;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Project;

RESOLVED:

The Council finds that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be disposed of and developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The Council approves the Tax Exemptions as follows:

1. Pursuant to Section 577 of the Private Housing Finance Law as follows:
 - a. All of the value of the property in the Transfer Area, including both the land and any improvements, shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date of conveyance of the Transfer Area to the transferee ("Article XI Commencement Date") and terminating upon the earlier to occur of (i) the fortieth anniversary of the Article XI Commencement Date, (ii) the date of reconveyance of the Transfer Area to an owner which is not a housing development fund company, or (iii) the date upon which the owner of the Transfer Area voluntarily surrenders and revokes such exemption by written notice to the Department of Finance ("Article XI Expiration Date").
 - b. In consideration of the tax exemption pursuant to Section 577 of the Private Housing Finance Law provided hereunder ("Article XI Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation ("Alternative Tax Benefit"), for so long as the Article XI Exemption shall remain in effect; provided, however, that the

owner of the Transfer Area may (i) voluntarily surrender and revoke the Article XI Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.

- c. The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Transfer Area.
5. Pursuant to Section 696 of the General Municipal Law as follows:
- a. All of the value of the buildings, structures, and other improvements situated on the Transfer Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the Article XI Expiration Date ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.
 - b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the UDAAP Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.
 - c. The UDAAP Exemption shall terminate with respect to all or any portion of the Transfer Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.
 - d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed forty (40) years.
 - e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Transfer Area.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Rules, Privileges and Elections

At this point the Speaker (Council Member Quinn) announced that the following items had been reconsidered by the Committee on Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-851

Report of the Committee on Rules, Privileges and Elections approving the re-appointment of Richard Stabile as a member of the New York City Tax Commission.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on July 25, 2012, respectfully

REPORTS:

Topic: New York City Tax Commission – (Candidates for re-appointment by the Mayor upon advice and consent of the Council)

- **Richard Stabile [Preconsidered-M-851]**
- **Kyriakos P. Tzanides [Preconsidered-M-852]**

The Tax Commission (the “Commission”) is charged with the duty of reviewing and correcting all assessments of real property within the City of New York that are set by the New York City Department of Finance [*New York City Charter* (“Charter”) §153(b)]. Any Commissioner shall exercise such other powers and duties as the President may from time to time assign [*Charter* §154].

The Commission consists of the President³⁷ and six Commissioners [*Charter* § 153(a)]. *Charter* §31 states that the Mayor, with advice and consent of the Council, shall appoint members of the Commission after a public hearing. Each Commissioner shall have at least three years of business experience in the field of real estate or real estate law. At least one resident of each borough shall be included among the Commissioners [*Charter* §153(a)]. The President of the Commission receives an annual salary of \$192,198. Commissioners receive an annual salary of \$25,677.³⁸

Real property tax assessment-related claims subject to administrative and corrective action by the Commission may assert: inequality; excessiveness, including the denial of a full or partial exemption; unlawfulness; and misclassification. See definitions – Charter §§163 and 164(b) (class one property). The Commission’s administrative determinations are subject to *de novo* judicial review [*Charter* §165(a)].

Between the fifteenth day of January and the twenty-fifth day of May, the Commission may itself, or by a Commissioner or assessor authorized by the Commission, act upon applications, compel the attendance of witnesses, administer oaths or affirmations and examine applicants and other witnesses under oath. In addition, the Commission is empowered to make rules of practice for its proceedings [*Charter* §164(a)].

The Commission determines the final assessed valuation or taxable assessed valuation, or the actual assessment or transition assessment, or the proper class designation of the real property of each applicant. The final assessed valuation or taxable assessed valuation of real property may be the same or less than the original assessment or, if determined to be unlawful, the same shall be ordered stricken from the roll or, where appropriate, entered on the exempt portion of the roll. If it is determined that the real property is misclassified, the correct class designation or allocation of assessed valuation shall be entered on the roll [*Charter* §164(b)].

Applications for correction of assessment of real property assessed at seven hundred fifty thousand dollars or more are dealt with between the first day of February and the first day of September [*Charter* §164-a (a)].

The final determination of the Commission upon any application for the correction of an assessment shall be rendered not later than the twenty-fifth day of May. Otherwise, the assessment objected to shall be deemed to be the final determination of the Commission [*Charter* §165]. A proceeding to review or correct on the merits any final determination of the Commission may be had as provided by law, and, if brought to review a determination mentioned in *Charter* § 165, must be commenced before the twenty-fifth day of October following the time when the

for the Lower Ma_____

³⁷ The Tax Commission’s current President, Glenn Newman, is also the President of the New York City Tax Appeals Tribunal.

³⁸ The Tax Commission’s current members are: Glenn Newman, President; Kirk Tzanides; Susan Grossman; Aladar Gyimesi; Alice Olick; Richard Stabile; and Fadil Brija.

determination sought to be reviewed or corrected was made [*Charter* §166].

The President or any Commissioner may enter upon real property and into buildings and structures at all reasonable times to ascertain the character of the property. Refusal by the owner or his agent to permit such entry shall be triable by a judge of the Criminal court and punishable by not more than thirty days’ imprisonment, or by a fine of not more than fifty dollars, or both [*Charter* §156].

The Commission shall issue an annual report to the City Council and to the Mayor not later than the first day of March in each year [*Charter* §155].

Mr. Stabile is scheduled to appear before the Committee on Rules, Privileges, and Elections on July 25, 2012. If re-appointed, Mr. Stabile, a resident of Queens, will be eligible to serve the remainder of a six-year term that will expire on January 6, 2016. A copy of Mr. Stabile’s résumé and report/resolution is annexed to this briefing paper.

Mr. Tzanides is scheduled to appear before the Committee on Rules, Privileges, and Elections on July 25, 2012. If re-appointed, Mr. Tzanides, a resident of Brooklyn, will be eligible to serve the remainder of a six-year term that will expire on January 6, 2016. A copy of Mr. Tzanides’ résumé and report/resolution is annexed to this briefing paper.

After interviewing the candidates and reviewing the relevant material, this Committee decided to approve the appointment of the nominees. For nominee Kyriakos P. Tzanides (M-852), please see the Report of the Committee on Rules, Privileges and Elections for M-852 printed in these Minutes; for nominee Richard Stabile (M-851), please see immediately below:

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 153 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment of Richard Stabile as a member of the New York City Tax Commission to serve for the remainder of a six-year term that expires on January 6, 2016.

This matter was referred to the Committee on July 25, 2012.

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Member Rivera offered the following resolution:

Res. No. 1463

RESOLUTION APPROVING THE RE-APPOINTMENT OF RICHARD STABILE AS A MEMBER OF THE NEW YORK CITY TAX COMMISSION.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and 153 of the *New York City Charter*, the Council does hereby approve the re-appointment of Richard Stabile as a member of the New York City Tax Commission to serve for the remainder of a six-year term that expires on January 6, 2016.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., ERIK MARTIN-DILAN, LEWIS A. FIDLER, ROBERT JACKSON, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, ELIZABETH CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, July 25, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Quinn) announced that the following items had been reconsidered by the Committee on Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-852

Report of the Committee on Rules, Privileges and Elections approving the re-appointment of Kyriakos P. Tzanides as a member of the New York City Tax Commission.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on July 25, 2012, respectfully

REPORTS:

(For Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-851 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 153 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment of Kyriakos P. Tzanides as a member of the New York City Tax Commission to serve for the remainder of a six-year term that expires on January 6, 2016.

This matter was referred to the Committee on July 25, 2012.

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Member Rivera offered the following resolution:

Res. No. 1464

RESOLUTION APPROVING THE RE-APPOINTMENT OF KYRIAKOS P. TZANIDES AS A MEMBER OF THE NEW YORK CITY TAX COMMISSION.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and 153 of the *New York City Charter*, the Council does hereby approve the re-appointment of Kyriakos P. Tzanides as a member of the New York City Tax Commission to serve for the remainder of a six-year term that expires on January 6, 2016.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., ERIK MARTIN-DILAN, LEWIS A. FIDLER, ROBERT JACKSON, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, ELIZABETH CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, July 25, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

GENERAL ORDER CALENDAR

Report for L.U. No. 621 Res 1465

Report of the Committee on Land Use in favor of approving Application no. C 120195 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Sections Nos. 14b, 14d, 17c, 18a & 18c. Council Districts 28, 29, 30 and 32.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 31, 2012 (Minutes, page 1793), respectfully

REPORTS:

SUBJECT

QUEENS CB - 09

C 120195 ZMQ

City Planning Commission decision approving an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 14b, 14d, 17c, 18a, and 18c.

INTENT

To rezone all or portions of 229 blocks in the Woodhaven and Richmond Hill neighborhoods in Queens.

PUBLIC HEARING

DATE: June 19, 2012

Witnesses in Favor: Three
None

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: June 19, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission with modification.

In Favor:	Against:	Abstain:
Weprin	None	None
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		
Vacca		

COMMITTEE ACTION

DATE: June 21, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	Sanders, Jr.	None
Reyna		
Barron		
Jackson		
Vann		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Vacca		
Koo		
Weprin		
Williams		
Halloran		

FILING OF MODIFICATION WITH THE CITY PLANNING COMMISSION

The Committee's proposed modification was filed with the City Planning Commission on June 25, 2012. The City Planning Commission filed a letter dated July 9, 2012, with the Council indicating that the proposed modification is not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1465

Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 120195 ZMQ, a Zoning Map amendment (L.U. No. 621).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on May 25, 2012 its decision dated May 23, 2012 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to rezone all or portions of 229 blocks in the Woodhaven and Richmond Hill neighborhoods in Queens. The proposed rezoning from R3-1, R5, C8-1, and M1-1 districts to R3A, R3X, R4A, R4-1, R4B, and R6A and updating of certain commercial overlay districts, is intended to protect neighborhood character from out-of-character development, reinforce established development patterns, and direct opportunities for moderate residential and commercial growth to locations along wide streets and transit resources, including Jamaica and Atlantic Avenues, Community District 9, Borough of Queens (ULURP No. C 120195 ZMQ) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration issued on February 27, 2012, which includes (E) designations to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-281) (CEQR No. 12DCP106Q);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120195 ZMQ, incorporated by reference herein, the Council approves the Decision with the following modification:

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 14b, 14d, 17c, 18a, and 18c:

Matter ~~Strikeout~~ is old, to be deleted by the Council;
Matter Underlined is new, to be added by the Council.

1. eliminating from an existing R3-1 District a C1-2 District bounded by a line 100 feet northerly of Jamaica Avenue, 85th Street, a line 150 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 150 feet northerly of Jamaica Avenue, 98th Street, a line 150 feet southerly of Jamaica Avenue, 85th Street, a line 100 feet southerly of Jamaica Avenue, 80th Street, Jamaica Avenue, and 80th Street;
2. eliminating from an existing R3-1 District a C2-2 District bounded by:
 - a. a line 100 feet northerly of Jamaica Avenue, 76th Street, a line 150 feet northerly of Jamaica Avenue, 80th Street, Jamaica Avenue, 80th Street, a line 100 feet southerly of Jamaica Avenue, 78th Street, a line 150 feet southerly of Jamaica Avenue, 75th Street, a line 100 feet southerly of Jamaica Avenue, and Dexter Court and its southerly centerline prolongation;
 - b. a line 150 feet northwesterly of Atlantic Avenue, 112th Street, a line 100 feet northwesterly of Atlantic Avenue, and 108th Street; and
 - c. and a line 150 feet northwesterly of Atlantic Avenue, 121st Street, a line 100 feet northwesterly of Atlantic Avenue, and 114th Street;
3. eliminating from an existing R5 District a C2-2 District bounded by a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, 94th Avenue, 120th Street, a line 150 feet southeasterly of 94th Avenue, Lefferts Boulevard, a line 150 feet southeasterly of Atlantic Avenue, 107th Street, Atlantic Avenue, and 108th Street;
4. changing from an R3-1 District to an R3A District property bounded by:
 - a. a line 100 feet southerly of Jamaica Avenue, a line 80 feet northeasterly of 90th Street, 88th Avenue, a line 100 feet southwesterly of Woodhaven Boulevard, 89th Avenue, Woodhaven Boulevard, 91st Avenue, 88th Street, a line 80 feet northerly of 91st Avenue, and a line midway between 88th Street and 89th Street; and
 - b. Park Lane South, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line 100 feet northerly of Jamaica Avenue, 98th Street, a line 250 feet northerly of Jamaica Avenue, and a line 100 feet easterly of 96th Street;
5. changing from an R3-1 District to an R3X District property bounded by:
 - a. Park Lane South, 89th Street, a line 150 feet southerly of 85th Road, a line midway between 88th Street and 89th Street, a line 100 feet northerly of Jamaica Avenue, 86th Street, 86th Avenue, a line 290 feet northeasterly of Forest Parkway, a line 100 feet northerly of Jamaica Avenue, Forest Parkway, southeasterly street line of 86th Road and its northeasterly prolongation, and a line 100 feet southwesterly of Forest Parkway;
 - b. Park Lane South, a line 100 feet easterly of 96th Street, a line 150 feet northerly of Jamaica Avenue, 96th Street, a line 100 feet southerly of 86th Road, 94th Street, 86th Drive, Woodhaven Boulevard, 86th Road, 91st Street, a line 150 feet northerly of 85th Road, and a line midway between 91st Street and 90th Street; and
 - c. a line 100 feet southerly of Jamaica Avenue, 98th Street, a line 175 feet southerly of Jamaica Avenue, a line 140 feet northeasterly of 98th Street, a line 225 feet southeasterly of 91st Avenue, 98th Street, a line 100 feet northwesterly of Atlantic Avenue, 96th Street, 91st Avenue, 96th Street, 89th Avenue, and Woodhaven Boulevard;
6. changing from an R5 District to an R4-1 District property bounded by:
 - a. 95th Avenue, 104th Street, 94th Avenue, a line 90 feet northeasterly of 104th Street, 95th Avenue, a line midway between 106th Street and 105th Street, a line 100 feet northwesterly of 101st Avenue, and 102nd Street;
 - b. a line 100 feet southeasterly of 101st Avenue, a line midway between 112th Street and 113th Street, a line 100 feet northwesterly of 103rd Avenue, and a line midway between 101st Street and 102nd Street; and
 - c. Atlantic Avenue, 124th Street, a line 100 feet northwesterly of 95th Avenue, and 121st Street;
7. changing from an M1-1 District to an R4-1 District property bounded by 94th Avenue, 104th Street, 95th Avenue, and 102nd Street;
8. changing from an R3-1 District to an R4A District property bounded by a line 100 feet southeasterly of Jamaica Avenue, a line midway between 114th Street and 115th Street, a line perpendicular to the southwesterly street line of 115th Street distant 290 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jamaica Avenue and the southwesterly street line of 115th Street, 115th Street, a line 200 feet southeasterly of Jamaica Avenue, 116th Street, a line 100 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, 89th Avenue, 121st Street, a line 100 feet northwesterly of Atlantic Avenue, 112th Street, 89th Avenue and its southwesterly centerline prolongation, and 113th Street;
9. changing from an R5 District to an R4A District property bounded by:
 - a. Atlantic Avenue, 96th Street, 95th Avenue, and Woodhaven Boulevard;
 - b. 94th Avenue, 106th Street, a line 100 feet southeasterly of Atlantic Avenue, Lefferts Boulevard, a line 200 feet northwesterly of 95th Avenue, 120th Street, a line 150 feet northwesterly of 95th Avenue, 121st Street, a line 100 feet southeasterly of 95th Avenue, 124th Street, 94th Avenue, 125th Street, Atlantic Avenue, 127th Street, 94th Avenue, 129th Street, a line 150 feet southeasterly of Atlantic Avenue, 130th Street, a line 100 feet southeasterly of Atlantic Avenue, a line 100 feet northeasterly of 134th Street, a line 100 feet northwesterly of 95th Avenue, a line 100 feet southwesterly of the Van Wyck Expressway, a line 100 feet northwesterly of 101st Avenue, a line midway between 105th Street and 106th Street, 95th Avenue, and a line 90 feet northeasterly of 104th Street; and
 - c. a line 100 feet southeasterly of 101st Avenue, 135th Street, 102nd Avenue, Van Wyck Expressway, a line 100 feet northwesterly of 103rd Liberty Avenue, 133rd Street, 103rd Avenue, 127th Street, a line 90 feet northwesterly of 103rd Avenue, 114th Street, a line 100 feet northwesterly of 103rd Avenue, and a line midway between 112th Street and 113th Street;
10. changing from an R5 District to an R4B District property bounded by a line 100 feet northwesterly of 95th Avenue, 124th Street, a line 100 feet southeasterly of 95th Avenue, and 121st Street;

11. changing from an R3-1 District to an R6A District property bounded by:
- a line 100 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 100 feet southerly of 86th Road, 96th Street, a line 150 feet northerly of Jamaica Avenue, a line 100 feet easterly of 96th Street, a line 250 feet northerly of Jamaica Avenue, 98th Street, a line 100 feet southerly of Jamaica Avenue, and Dexter Court and its southerly centerline prolongation;
 - a line 150 feet southerly of Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 175 feet southerly of Jamaica Avenue, and 98th Street; and
 - a line 100 feet southeasterly of Jamaica Avenue, 116th Street, a line 200 feet southeasterly of Jamaica Avenue, 115th Street, a line perpendicular to the southwesterly street line of 115th Street distant 290 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jamaica Avenue and the southwesterly street line of 115th Street, and a line midway between 114th Street and 115th Street;
12. changing from an R3-2 District to an R6A District property bounded by a line 130 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue; and Dexter Court;
13. changing from an R5 District to an R6A District property bounded by a line midway between 93rd Avenue and Atlantic Avenue and its northeasterly prolongation, 108th Street, a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 106th Street, 94th Avenue, and a line 100 feet northeasterly of 104th Street;
14. changing from a C8-1 District to an R6A District property bounded by:
- Jamaica Avenue, the southerly prolongation of Dexter Court, a line 100 feet southerly of Jamaica Avenue, and Eldert Lane; and
 - a line 100 feet northerly of Jamaica Avenue, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line perpendicular to the southwesterly street line of 101st Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the northerly street line of Jamaica Avenue to the southwesterly street line of 101st Street, 101st Street, Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 150 feet southerly of Jamaica Avenue, and 98th Street;
15. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, a line 535 feet southeasterly of Jamaica Avenue, and a line midway between Lefferts Boulevard and 118th Street;
16. establishing within an existing R5 District a C2-3 District bounded by:
- 94th Avenue, 120th Street, a line 100 feet southeasterly of 94th Avenue, and Lefferts Boulevard;
 - Atlantic Avenue, a line 100 feet northeasterly of 130th Street, a line 100 feet southeasterly of Atlantic Avenue, 129th Street, 94th Avenue, and 127th Street;
 - Atlantic Avenue, 134th Street, a line 100 feet southeasterly of Atlantic Avenue, and 133rd Street; and
 - a line 100 feet southeasterly of Atlantic Avenue, the southwesterly service road of Van Wyck Expressway, a line 100 feet southeasterly of 95th Avenue, a line 100 feet southwesterly of Van Wyck Expressway, and a line 100 feet northwesterly of 95th Avenue, and a line 100 feet northeasterly of 134th street;
17. establishing within a proposed R6A District a C1-4 District bounded by a line 100 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 100 feet southerly of 86th Road, 96th Street, a line 100 feet northerly of Jamaica Avenue, 98th Street, a line 100 feet southerly of Jamaica Avenue, 80th Street, Jamaica Avenue, and 80th Street;
18. establishing within a proposed R6A District a C2-3 District bounded by a

line midway between 93rd Avenue and Atlantic Avenue and its northeasterly prolongation, 108th Street, a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 106th Street, Atlantic Avenue, and a line 100 feet northeasterly of 104th Street; and

19. establishing within a proposed R6A District a C2-4 District bounded by:
- Jamaica Avenue, Dexter Court, a line 130 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue, 80th Street, Jamaica Avenue, 80th Street, a line 100 feet southerly of Jamaica Avenue, and Eldert Lane; and
 - a line 100 feet northerly of Jamaica Avenue, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line perpendicular to the southwesterly street line of 101st Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the northerly street line of Jamaica Avenue to the southwesterly street line of 101st Street, 101st Street, Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 175 feet southerly of Jamaica Avenue, and 98th Street;

as shown on a diagram (for illustrative purposes only) dated February 27, 2012, modified by the City Council on July 25, 2012, and subject to the conditions of CEQR Declaration E-281, Community District 9, Borough of Queens.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, JAMES SANDERS, Jr., SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DANIEL J. HALLORAN III; Committee on Land Use, July 24, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 632 & Res 1466

Report of the Committee on Land Use in favor of approving Application no. C 120077 MMM submitted by New York University, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map within the New York University Core, Borough of Manhattan, Community Board 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2052), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 02

C 120077 MMM

City Planning Commission decision approving an application submitted by New York University, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- the narrowing, by elimination, discontinuance and closing, of Mercer Street between West Houston Street and West 4th Street, and of LaGuardia Place between Bleecker Street and West 3rd Street;
- the elimination, discontinuance and closing of portions of Mercer Street, West 3rd Street and West 4th Street below an upper limiting plane;
- the establishment of parks west of Mercer Street and east of LaGuardia Place between Bleecker Street and West 3rd Street; and
- the adjustment of legal grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Maps No. 30231 through No. 30233, dated December 22, 2011, Maps No. 30234 and No. 30235, dated December 22, 2011, revised June 6, 2012, and Map No. 30238, dated December 22, 2011, corrected June 6, 2012 (correction to map number), and signed by the Borough President.

INTENT

To facilitate the growth of New York University’s campus within the two NYU-owned blocks in the Washington Square area.

PUBLIC HEARING

DATE: June 29, 2012

Witnesses in Favor: Forty-five
Witnesses Against: Seventy-eight

SUBCOMMITTEE RECOMMENDATION

DATE: July 17, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		
Ignizio		

COMMITTEE ACTION

DATE: July 17, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	Barron	None
Rivera		
Reyna		
Jackson		
Sanders		
Vann		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		
Koo		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1466

Resolution approving the decision of the City Planning Commission on ULURP No. C 120077 MMM, an amendment to the City Map (L.U. No. 632).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on June 7, 2012 its decision dated June 6, 2012 (the "Decision"), on the application submitted by New York University, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the narrowing, by elimination, discontinuance and closing, of Mercer Street between West Houston Street and West 4th Street, and of LaGuardia Place between Bleecker Street and West 3rd Street;
- the elimination, discontinuance and closing of portions of Mercer Street, West 3rd Street and West 4th Street below an upper limiting plane;
- the establishment of parks west of Mercer Street and east of LaGuardia Place between Bleecker Street and West 3rd Street; and
- the adjustment of legal grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Maps No. 30231 through No. 30233, dated December 22, 2011, Maps No. 30234 and No. 30235, dated December 22, 2011, revised June 6, 2012, and Map No. 30238, dated December 22, 2011, corrected June 6, 2012 (correction to map number), and signed by the Borough President (ULURP No. C 120077 MMM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications C 120122 ZMM (L.U. No. 633), a Zoning Map Amendment to change existing R7-2 District to a C1-7 District; N 120123 ZRM (L.U. No. 634), a Zoning Text Amendment relating to special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications); and C 120124 ZSM (L.U. No. 635), a Special Permit pursuant to Section 74-743 to allow the distribution of open space, to modify height and setback and rear yard requirements, and to modify minimum distances between buildings within a Large-Scale General Development;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 29, 2012;

WHEREAS, the City of New York and New York University (the "Applicant") have agreed to the material terms of the construction, access, and utility maintenance easement, the City of New York will grant to Applicant, and to which the proposed parkland areas bordering the eastern and western edges of the block bounded by Mercer Street on the east, LaGuardia Place on the west, West 3rd Street on the north and Bleecker Street on the south (the "North Block") will be subject, in order to facilitate the construction and use and enjoyment of the improvements on the North Block described in the Restrictive Declaration of Large Scale General Development dated July 24, 2012;

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on May 25, 2012, and the CEQR Technical Memoranda dated June 4, 2012 and July 20, 2012 (the "CEQR Technical Memoranda") (CEQR No. 11DCP121M);

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

RESOLVED:

Having considered the FEIS and the CEQR Technical Memoranda, with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the Proposed Action, as modified in the Decision and as further modified by the City Council, such modifications having been analyzed in Chapter 26, "Potential Modifications under Consideration by the CPC," of the FEIS and in the CEQR Technical Memoranda, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant

to the Restrictive Declaration, dated July 24, 2012, those project components related to the environment and mitigation measures that were identified as practicable;

- (4) The Decision together with the FEIS and the CEQR Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the New York City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120077 MMM, incorporated by reference herein, the Council approves the Decision as modified, for the amendment to the City Map involving:

-
- the elimination, discontinuance and closing of portions of Mercer Street, West 3rd Street and West 4th Street below an upper limiting plane;
- the establishment of parks west of Mercer Street and east of LaGuardia Place between Bleecker Street and West 3rd Street; and
- the adjustment of legal grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Maps No. 30231 through No. 30233, dated December 22, 2011, Maps No. 30234 and No. 30235, dated December 22, 2011, revised June 6, 2012, and Map No. 30238, dated December 22, 2011, corrected June 6, 2012 (correction to map number), and signed by the Borough President, more particularly described as follows:

Mercer Street between West Houston Street and Bleecker Street

Beginning at a point on the northerly line of West Houston Street, said point being distant 605.95 feet from the corner formed by the intersection of the northerly line of West Houston Street and the easterly line of LaGuardia Place, as said streets are shown on Map No. 30238;

1. Running thence easterly 39.00 feet along the northerly line of West Houston Street, to a point;
2. Thence northerly 377.10 feet, forming an interior angle of 89 degrees 47 minutes 08 seconds with the last mentioned course, to a point;
3. Thence westerly 39.00 feet, forming an interior angle of 90 degrees 20 minutes 07 seconds with the last mentioned course, to a point;
4. Thence southerly 377.17 feet, forming an interior angle of 89 degrees 39 minutes 53 seconds with the last mentioned course, to the point or place of beginning.

The area described above contains 14,655 square feet (0.336 acres);

Mercer Street between West 3rd Street and West 4th Street

Beginning at a point on the northerly line of West 3rd Street, said point being distant 665.85 feet from the corner formed by the intersection of the northerly line of West 3rd Street and the easterly line of LaGuardia Place, as said streets are shown on Map No. 30231;

1. Running thence easterly 21.00 feet along the northerly line of West Third Street, to a point;
2. Thence northerly 209.20 feet, forming an interior angle of 89 degrees 53 minutes 37 seconds with the last mentioned course, to a point;
3. Thence westerly 21.00 feet, forming an interior angle of 90 degrees 07 minutes 19 seconds with the last mentioned course, to a point;
4. Thence southerly 209.20 feet, forming an interior angle of 89 degrees 52 minutes 41 seconds with the last mentioned course, to the point or place of beginning.

The area described above contains 4,393 square feet (0.101 acres);

Subsurface volume (below elevation 30.0) of Mercer Street, West 3rd Street and West 4th Street

Beginning at a point on the northerly line of West 3rd Street, said point being distant 656.44 feet from the corner formed by the intersection of the northerly line of West 3rd Street and the easterly line of LaGuardia Place, as said streets are shown on Map No. 30231;

1. Running thence easterly 30.41 feet along the northerly line of West Third Street, to a point;
2. Thence northerly 209.20 feet, forming an interior angle of 270 degrees 06 minutes 23 seconds with the last mentioned course, to a point;
3. Thence westerly 32.92 feet, forming an interior angle of 269 degrees 52 minutes 41 seconds with the last mentioned course, to a point;
4. Thence northerly 6.02 feet, forming an interior angle of 90 degrees 06 minutes 23 seconds with the last mentioned course, to the point, ~~the narrowing, by elimination, discontinuance and closing, of Mercer Street between West Houston Street and West 3rd Street;~~
5. Thence easterly 44.51 feet, forming an interior angle of 89 degrees 46 minutes 40 seconds with the last mentioned course, to a point;
6. Thence southerly 220.86 feet, forming an interior angle of 90 degrees 13 minutes 20 seconds with the last mentioned course, to a point;
7. Thence westerly 42.00 feet, forming an interior angle of 89 degrees 53 minutes 37 seconds with the last mentioned course, to a point;
8. Thence northerly 5.64 feet, forming an interior angle of 90 degrees 06 minutes 23 seconds with the last mentioned course, to the point;
9. Thence easterly 44.51 feet, forming an interior angle of 89 degrees 46 minutes 40 seconds with the last mentioned course, to the point or place of beginning.

The area described above contains 2,928 square feet (0.067 acres);

LaGuardia Place between Bleecker Street and West 3rd Street

Beginning at a point on the northerly line of Bleecker Street, said point being distant 605.88 feet from the corner formed by the intersection of the northerly line of Bleecker Street and the westerly line of Mercer Street, as said streets are shown on Map No. 30232, and as the former area of said street is shown as parkland on Map No. 30238;

1. Running thence northerly 474.28 feet along the former easterly line of LaGuardia Place, to a point;
2. Thence westerly 50.00 feet, forming an interior angle of 90 degrees 05 minutes 51 seconds with the last mentioned course, to a point;
3. Thence southerly 474.08 feet, forming an interior angle of 89 degrees 54 minutes 09 seconds with the last mentioned course, to a point;
4. Thence easterly 50.00 feet along the northerly line of Bleecker Street, forming an interior angle of 90 degrees 19 minutes 35 seconds with the last mentioned course, to the point or place of beginning.

The area described above contains 23,709 square feet (0.544 acres);

Mercer Street between Bleecker Street and West 3rd Street

Beginning at a point on the northerly line of Bleecker Street, said point being distant 655.88 feet from the corner formed by the intersection of the northerly line of Bleecker Street and the easterly line of LaGuardia Place, as said streets are shown on Map No. 30233 and as the former area of said street is shown as parkland on Map No. 30238;

1. Running thence easterly 39.00 feet along the northerly line of Bleecker Street, to a point;
2. Thence northerly 476.70 feet, forming an interior angle of 89 degrees 39 minutes 53 seconds with the last mentioned course, to a point;
3. Thence westerly 39.00 feet, forming an interior angle of 90 degrees 06 minutes 23 seconds with the last mentioned course, to a point;
4. Thence southerly 476.70 feet, forming an interior angle of 89 degrees 53 minutes 37 seconds with the last mentioned course, to the point or place of beginning.

The area described above contains 18,594 square feet (0.427 acres);

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1467

Resolution approving the decision of the City Planning Commission on ULURP No. C 120122 ZMM, a Zoning Map amendment (L.U. No. 633).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on June 7, 2012 its decision dated June 6, 2012 (the "Decision"), on the application submitted by New York University, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, along with its related actions, to facilitate the expansion of New York University's campus in the Washington Square area. The proposed action would construct four new buildings (including academic uses, residential units for NYU faculty and students, a new athletic facility, a University-affiliated hotel, and retail uses) and approximately 3 acres of public parks and publicly-accessible open spaces. By 2031, the proposed actions are intended to result in the development of approximately 1.11 million zoning square feet of new uses. NYU also proposes to map a C1-5 overlay on the approximately 6-block area bounded by Mercer Street, West 4th Street, Washington Square East, University Place, and the northern boundary of the existing R7-2 district just south of East 8th Street. The rezoning would allow ground floors to convert to retail use in Community District 2, Borough of Manhattan (ULURP No. C 120122 ZMM) (the "Application");

WHEREAS, the Application is related to Application C 120077 MMM (L.U. No. 632), a City Map Change to narrow, through elimination, discontinuance, and closure, various segments of Mercer Street and LaGuardia Place to enable property disposition to New York University and to establish parkland; N 120123 ZRM (L.U. No. 634), a Zoning Text Amendment relating to special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications); and C 120124 ZSM (L.U. No. 635), a Special Permit pursuant to Section 74-743 to modify height and setback and rear yard requirements, and to modify minimum distances between buildings within a Large-Scale General Development;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 29, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on May 25, 2012 and the CEQR Technical Memoranda dated June 4, 2012 and July 20, 2012 (the "CEQR Technical Memoranda") (CEQR No. 11DCP121M);

RESOLVED:

Having considered the FEIS and the CEQR Technical Memoranda, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein and as analyzed in Chapter 26, "Potential Modifications under Consideration by the CPC," of the FEIS and in the Technical Memoranda (Modified Proposed Action), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration, dated July 24, 2012, those project components related to the environment and mitigation measures that were identified as practicable;
- (4) The Decision together with the FEIS and the CEQR Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120122 ZMM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 1 2c:

1. eliminating from within an existing R7-2 District a C1-5 District bounded by a line 340 feet northerly of Bleecker Street, a line 125 feet easterly of LaGuardia Place, a line 131 feet southerly of Bleecker Street, and LaGuardia Place;
2. changing from an R7-2 District to a C1 -7 District property bounded by West 3rd Street, Mercer Street, West Houston Street, LaGuardia Place, Bleecker Street, and LaGuardia Place;
3. changing from a C6-2 District to an R7-2 District property bounded by West 4th Street, Mercer Street, West 3rd Street, and the former centerline of Mercer Street; and
4. changing from a C6-2 District to a C1-7 District property bounded by West 3rd Street, Mercer Street, West Houston Street, and the former centerline of Mercer Street;

Borough of Manhattan, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 3, 2012, and modified by the City Planning Commission on June 6, 2012.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 17, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 634 & Res 1468

Report of the Committee on Land Use in favor of approving Application no. N 120123 ZRM submitted by New York University pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications) on the zoning lots bounded by West Third Street, Mercer Street, West Houston Street, and LaGuardia Place, Borough of Manhattan, Community Board 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2052), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 02

N 120123 ZRM

City Planning Commission decision approving an application submitted by New York University pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications) on the zoning lots bounded by West Third Street, Mercer Street, West Houston Street, and LaGuardia Place.

INTENT

To facilitate the growth of New York University's campus within the two NYU-owned blocks in the Washington Square area.

PUBLIC HEARING

DATE: June 29, 2012

Witnesses in Favor: Forty-five
eight

Witnesses Against: Seventy-

SUBCOMMITTEE RECOMMENDATION

DATE: July 17, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		
Ignizio		

COMMITTEE ACTION

DATE: July 17, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	Barron	None
Rivera		
Reyna		
Jackson		
Sanders		
Vann		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Lander		
Levin		
Weprin		
<u>Cont'd</u>		
Williams		
Ignizio		
Halloran		
Koo		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1468

Resolution approving the decision of the City Planning Commission on Application No. N 120123 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications) on the zoning lots bounded by West Third Street, Mercer Street, West Houston Street, and LaGuardia Place (L.U. No. 634).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on June 7, 2012 its decision dated June 6, 2012 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by New York University for an amendment of the text of the Zoning Resolution of the City of New York,

concerning special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications) on the zoning lots bounded by West Third Street, Mercer Street, West Houston Street, and LaGuardia Place. This action along with other related actions would facilitate the expansion of New York University's campus in the Washington Square area (Application No. N 120123 ZRM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120077 MMM (L.U. No. 632), a City Map Change to narrow, through elimination, discontinuance, and closure, various segments of Mercer Street and LaGuardia Place to enable property disposition to New York University and to establish parkland; C 120122 ZMM (L.U. No. 633), a Zoning Map Amendment to change existing R7-2 District to a C1-7 District; and C 120124 ZSM (L.U. No. 635), a Special Permit pursuant to Section 74-743 to allow the distribution of open space, to modify height and setback and rear yard requirements, and to modify minimum distances between buildings within a Large-Scale General Development;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 29, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on May 25, 2012, and the CEQR Technical Memoranda dated June 4, 2012 and July 20, 2012 (the "CEQR Technical Memoranda") (CEQR No. 11DCP121M);

RESOLVED:

Having considered the FEIS and the CEQR Technical Memoranda, with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the Proposed Action, as modified in the Decision and as further modified by the City Council, such modifications having been analyzed in Chapter 26, "Potential Modifications under Consideration by the CPC," of the FEIS and in the CEQR Technical Memoranda, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration, dated July 24, 2012, those project components related to the environment and mitigation measures that were identified as practicable;
- (4) The Decision together with the FEIS and the CEQR Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120123 ZRM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

- Matter Underlined is new, to be added;
- Matter in ~~Strikeout~~ is old, to be deleted;
- Matter within # # is defined in Section 12-10;

Article 7

-
Administrati
on

* * *

Chapter 4
Special Permits by the City
Planning Commission

* * *

74-742
Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large- Scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

When a #large-scale general development# is located within a designated urban renewal area, the City's urban renewal agency, or a person authorized by such agency, may apply for and be granted a special permit under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section. All parcels comprising such #large-scale general development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

~~When a #large-scale general development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, a special permit may be applied for and granted under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section.~~

A special permit may be applied for and granted under the provisions of Section 74-74, even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section, when the site of such #large-scale general development# is:

(a) to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, or

(b) partially under city ownership, within the former Washington Square Southeast Urban Renewal Area, within Community District 2 in the Borough of Manhattan provided that the exception to the ownership requirements set forth herein shall apply only to tracts of land in city ownership.

* * *

74-743
Special provisions for bulk modification

(a) For a #large-scale general development#, the City Planning Commission may permit:

* * *

Within the former Washington Square Southeast Urban Renewal Area, within Community District 2 in the Borough of Manhattan, where the Commission has approved a #large-scale general development#, and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street # for the purposes of applying all #use# and #bulk# regulations of this Resolution.

* * *

* * * * *

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO,

BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 17, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 635 & Res 1469

Report of the Committee on Land Use in favor of approving Application no. C 120124 ZSM submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution to allow the distribution of total allowable floor area without regard for zoning lot lines; and to allow the location of buildings without regard for the applicable height and setback, yards and distance between buildings to facilitate the development of four new buildings, within a Large-Scale General Development generally bounded by West 3rd Street, Mercer Street, West Houston Street, and LaGuardia Place (Block 533, Lots 1 & 10, and Block 524, Lots 9 & 66), in a C1-7 District, Borough of Manhattan, Community Board 2, Council District 1 .

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 13, 2012 (Minutes, page 2052), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 02

C 120124 ZSM

City Planning Commission decision approving an application submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution:

to allow the location of buildings without regard for the applicable height and setback, yards and distance between buildings; to facilitate the development of four new buildings, within a Large-Scale General Development generally bounded by West 3rd Street, Mercer Street, West Houston Street, and LaGuardia Place (Block 533, Lots 1 & 10, and Block 524, Lots 9 & 66), in a C1-7 District, is approved, subject to conditions.

INTENT

To facilitate the growth of New York University's campus within the two NYU-owned blocks in the Washington Square area.

PUBLIC HEARING

DATE: June 29, 2012

Witnesses in Favor: Forty-five
Witnesses Against: Seventy-eight

SUBCOMMITTEE RECOMMENDATION

DATE: July 17, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission with modifications.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		
Ignizio		

COMMITTEE ACTION

DATE: July 17, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	Barron	None
Rivera		
Reyna		
Jackson		
Sanders		
Vann		
Palma		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Lander		
Levin		

Cont'd

Weprin
Williams
Ignizio
Halloran
Koo

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on July 18, 2012. The City Planning Commission filed a letter with the Council dated July 20, 2012, referring to its July 23, 2012 Review Session, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1469

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 120124 ZSM (L.U. No. 635), for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to allow the location of buildings without regard for the applicable height and setback, yards and distance between buildings to facilitate the development of four new buildings, within a Large-Scale General Development generally bounded by West 3rd Street, Mercer Street, West Houston Street, and LaGuardia Place (Block 533, Lots 1 and 10; and Block 524, Lots 9 and 66), in a C1-7 District, Borough of Manhattan, Community District 2.

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on June 7, 2012 its decision dated June 6, 2012 (the "Decision"), on the application submitted by New York University, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution of the City of New York to allow location of buildings without regard for the applicable height and setback, yards and distance between buildings to facilitate the development of four new buildings, within a Large-Scale General Development generally bounded by West 3rd Street, Mercer Street, West Houston Street, and LaGuardia Place (Block 533, Lots 1 and 10; and Block 524, Lots 9 and 66), in a C1-7 District (ULURP No. C 120124 ZSM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications C 120077 MMM (L.U. No. 632), a City Map Change to narrow, through elimination, discontinuance, and closure, various segments of Mercer Street and LaGuardia Place to enable property disposition to New York University and to establish parkland; C 120122 ZMM (L.U. No. 633), a Zoning Map Amendment to eliminate an existing C1-5 District, to

change existing R7-2 and C6-2 Districts to a C1-7 District and to change an existing C6-2 District to an R7-2 District; and N 120123 ZRM (L.U. No. 634), a Zoning Text Amendment relating to special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions for bulk modifications);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 29, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

WHEREAS, the restrictive declaration of June 6, 2012 has been further amended and attached hereto; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on May 25, 2012 and the CEQR Technical Memoranda dated June 4, 2012 and July 20, 2012 (the "CEQR Technical Memoranda") (CEQR No. 11DCP121M);

RESOLVED:

Having considered the FEIS and the CEQR Technical Memoranda, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein and as analyzed in Chapter 26, "Potential Modifications under Consideration by the CPC," of the FEIS and in the Technical Memoranda (Modified Proposed Action), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration, dated July 24, 2012, those project components related to the environment and mitigation measures that were identified as practicable;
- (4) The Decision together with the FEIS and the CEQR Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120124 ZSM, incorporated by reference herein, the Council approves the Decision with the following modifications:

Matter in [Brackets] is old, to be deleted;
Matter underlined is new, to be added.

1. The property that is the subject of this application (C 120124 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, filed with this application and incorporated in this resolution:

Prepared by Grimshaw Architects PC:

<u>Drawing Number and Title</u>	<u>Date</u>	<u>Revised</u>
Z-004 Zoning Calculations and Zoning Actions	[June 4, 2012]	<u>July 23, 2012</u>
Z-100 Site Plan	[June 4, 2012]	<u>July 23, 2012</u>
Z-101 North Block: Site Plan	[June 4, 2012]	<u>July 23, 2012</u>
Z-102 South Block : Site Plan	[June 4, 2012]	<u>July 23, 2012</u>
Z-110 Ground Floor Site Plan	[June 4, 2012]	<u>July 23, 2012</u>
Z-111 North Block : Ground Floor Site Plan	[June 4, 2012]	<u>July 23, 2012</u>
Z-112 South Block : Ground Floor Site Plan	[June 4, 2012]	<u>July 23, 2012</u>
Z-120 Building Envelope : Mercer Building	[June 4, 2012]	<u>July 23, 2012</u>

Z-121	Building Envelope : LaGuardia Building	[June 4, 2012] July 23, 2012
Z-122	Building Envelope : Zipper and Bleecker Buildings	[June 4, 2012] July 23, 2012
Z-125	North Block : Average Curb Level Diagram	[June 4, 2012] July 23, 2012
Z-126	South Block : Average Curb Level Diagram	[June 4, 2012] July 23, 2012
Z-127	North Block : Open Space Diagram	[June 4, 2012] July 23, 2012
Z-128	South Block : Open Space Diagram	[June 4, 2012] July 23, 2012
Z-130	North Block : Zoning Actions Plan Diagram	[June 4, 2012] July 23, 2012
Z-131	North Block : Building Sections	[June 4, 2012] July 23, 2012
Z-133	South Block : Zoning Actions Plan Diagram	[June 4, 2012] July 23, 2012
Z-134	South Block : Interim Zoning Action Diagram	June 4, 2012
Z-135	South Block : Building Sections 1	[June 4, 2012] July 23, 2012
Z-136	South Block : Building Sections 2	June 4, 2012
Z-137	South Block : Building Sections 3	[June 4, 2012] July 23, 2012
Z-138	South Block : Building Sections 4	[June 4, 2012] July 23, 2012
Z-140	North Block : Pedestrian Elevations 1	June 4, 2012
Z-141	North Block : Pedestrian Elevations 2	[June 4, 2012] July 23, 2012
Z-142	South Block : Pedestrian Elevations	[June 4, 2012] July 23, 2012
Z-201	North Block : Site Plan End of Phase 1	June 4, 2012
Z-202	South Block : Site Plan End of Phase 1	[June 4, 2012] July 23, 2012
Z-203	North Block : Site Plan End of Phase 2	June 4, 2012
Z-204	South Block : Site Plan End of Phase 2	[June 4, 2012] July 23, 2012
Z-205	North Block : Site Plan End of Phase 3	[June 4, 2012] July 23, 2012
Z-206	South Block : Site Plan End of Phase 3	[June 4, 2012] July 23, 2012
Z-207	North Block : Site Plan End of Phase 4	[June 4, 2012] July 23, 2012
Z-208	South Block : Site Plan End of Phase 4	[June 4, 2012] July 23, 2012

Prepared by Michael Van Valkenburg Associates Inc., Landscape Architects, PC

<u>Drawing Number and Title</u>	<u>Date Last Revised Date</u>
Z-300 Overall Open Space Plan	[June 4, 2012] July 23, 2012
Z-301 Open Space Amenities Calculation	[June 4, 2012] July 23, 2012
Z-302 North Block : Open Space Plan	[June 4, 2012] July 23, 2012
Z-303 South Block : Open Space Plan	June 4, 2012
Z-310 North Block : Materials Plan	[June 4, 2012] July 23, 2012
Z-311 South Block : Materials Plan	June 4, 2012
Z-312 North Block : Grading Plan	[June 4, 2012] July 23, 2012
Z-313 South Block: Grading Plan	June 4, 2012
Z-314 North Block : Planting Plan	[June 4, 2012] July 23, 2012
Z-315 South Block : Planting Plan	June 4, 2012
Z-316 North Block : Site Furnishing Plan	[June 4, 2012] July 23, 2012
Z-317 South Block : Site Furnishing Plan	June 4, 2012
Z-318 North Block : Lighting Plan	[June 4, 2012] July 23, 2012
Z-319 South Block : Lighting Plan	June 4, 2012
Z-320 Site Lighting Details	[June 4, 2012] July 23, 2012
Z-321 Public Space Signage Plan	[June 4, 2012] July 23, 2012
Z-330 Overall Section Key	June 4, 2012
Z-331 North Block : Sections	June 4, 2012
Z-332 North Block : Sections	[June 4, 2012] July 23, 2012
Z-333 North Block : Sections	[June 4, 2012] July 23, 2012
Z-334 North Block : Sections	[June 4, 2012] July 23, 2012
Z-335 North Block : Sections	[June 4, 2012] July 23, 2012
Z-336 South Block : Sections	June 4, 2012
Z-340 Pavement Details	June 4, 2012
Z-341 Seatwall Details	June 4, 2012
Z-342 Seatwall Details	June 4, 2012
Z-343 Railing Details	June 4, 2012
Z-344 Fencing Details	June 4, 2012
Z-345 Trash Receptical and Bike Rack Details	June 4, 2012
Z-346 Bench and Moveable Chair Details	June 4, 2012

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration dated June 6, 2012, executed by New York University, as amended through July 24, 2012, the terms of which are hereby incorporated into this resolution, shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke

any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, July 17, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

Approved New Applicant's Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Erza Pula	220 East 63 rd Street #12E New York, N.Y. 10065	4
Leanne Fornelli	610 West 143 rd Street #5G New York, N.Y. 10031	7
Owen Christopher Godshall	30-74 23 rd Street #1 Queens, N.Y. 11102	22
Ashton Thomas	167-48 145 th Avenue Queens, N.Y. 11434	31
Jeff Koklski	235 Adams Street #12H Brooklyn, N.Y. 11201	33
Adrian Legaspi	124 Seigel Street #3E Brooklyn, N.Y. 11206	34
Victor G. Thomas II	341 Washington Avenue Brooklyn, N.Y. 11205	35
Shevani Patel	453 Washington Avenue #3A Brooklyn, N.Y. 11238	35
Shania T. Roach	1185 East 55 th Street Brooklyn, N.Y. 11234	46
Lucia Verdejo-Sanchez	220 Elm Street Staten Island, N.Y. 10310	49
Vladimir Adustiev	38 Cranberry Court Staten Island, N.Y. 10309	51

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>			
Mary M. Iacono	529 Second Avenue New York, N.Y. 10016	2	Sheila J. Saleem	Queens, N.Y. 11434 168-34 127 th Avenue #4D	28
Nina L. Iacono	529 Second Avenue New York, N.Y. 10016	2	Patricia Schaeffer	Jamaica, N.Y. 11434 91-27 112 th Street	28
Lavern P. Derespino	484 West 43 rd Street #39N New York, N.Y. 10036	3	Shaneza Shinath	Richmond Hill, N.Y. 11417 127-02 Sutter Avenue	28
Eugene R. Daniels 3 rd J.D.	408 West 145 th Street New York, N.Y. 10031	7	Koyen Aminov	South Ozone Park, N.Y. 11420 95-17 67 th Avenue	29
Ezra M. Hes	160 Bennett Avenue #2G New York, N.Y. 10040	7	Karen Koslowitz	Queens, N.Y. 11374 69-39 Yellow Stone Blvd	29
Liliana Billini	2253 3 rd Avenue #2103 New York, N.Y. 10035	8	Kettlie Louis	Queens, N.Y. 11375 145-78 222 nd Street	31
Danette Moody	1274 5 th Avenue #404 New York, N.Y. 10029	8	Diego F. Mejia	Springfield Gardens, N.Y. 11413 6422 Ocean Avenue South #1	31
Sharmaine Bratcher	2070 7 th Avenue #4F New York, N.Y. 10027	9	Edey Fernandez	Arveme, N.Y. 11432 86-05 89 th Avenue	32
Alan Flacks	313 West 100 th Street New York, N.Y. 10025	9	Brenton L. Greenwood	Woodhaven, N.Y. 11421 214 Beach 96 th Street #7G	32
James Harrell	272 Manhattan Avenue New York, N.Y. 10026	9	Jazmin Patino	Rockaway, N.Y. 11693 95-19 149 th Avenue	32
Cherry Paulin	2123 Frederick Douglas Blvd #2A New York, N.Y. 10026	9	Carmen X. Perez	Ozone Park, N.Y. 11417 87 Java Street #3	33
Deborah F. White	130 Lenox Avenue #213 New York, N.Y. 10026	9	Jeanette M. Cruz	Brooklyn, N.Y. 11222 284 Willoughby Avenue	35
Naomi Pacheco	120 Elgar Place #3B Bronx, N.Y. 10475	12	Elaine A. Reid	Brooklyn, N.Y. 11205 500 St. Johns Place #1T	35
Armando Diaz	2864 Roosevelt Avenue Bronx, N.Y. 10465	13	Claribel Arroyo	Brooklyn, N.Y. 11238 224 Fountain Avenue	37
Allison Mareyev	2019 Colden Avenue Bronx, N.Y. 10462	13	Ramon E. Guerrero	Brooklyn, N.Y. 11208 48 Hemix Street	37
Cherylyn Allen-Freeman	150 West Burnside Avenue #4A Bronx, N.Y. 10453	14	Charles W. Davis	Brooklyn, N.Y. 11207 385 Argylue Road #5E	40
Jaime Ciprian	1550 Watson Avenue #1 Bronx, N.Y. 10472	14	Batya Levy	Brooklyn, N.Y. 11218 1628 East 7 th Street	44
Richard Soto	300 East Tremont Avenue Bronx, N.Y. 10457	14	Honora Jack	Brooklyn, N.Y. 11230 1406 New York Avenue #10	45
Angel Caballero	1265 College Avenue #2A Bronx, N.Y. 10456	16	James M. Kruger	Brooklyn, N.Y. 11210 1146 East 37 th Street	45
Drucilla Mack	164 West 174 th Street #4D Bronx, N.Y. 10453	16	Marie A. Menard	Brooklyn, N.Y. 11210 2065 East 57 th Street #2C	46
Mary R. Sailerno	285 East 138 th Street #2M Bronx, N.Y. 10454	17	Joan Gonzalez	Brooklyn, N.Y. 11234 8200 Bay Parkway #D3	47
Herminia Estela	2350 Quimby Avenue #2 Bronx, N.Y. 10473	18	Evelyn Hernandez	Brooklyn, N.Y. 11214 2249 Stillwell Avenue #4C	47
Jacqueline Hernandez	2072 Virgil Place Bronx, N.Y. 10473	18	Marlo Sullivan	Brooklyn, N.Y. 11223 30 Lake Street	47
Josephine A. Falci	21-26 154 th Street Queens, N.Y. 11357	19	Yana Faydysh	Brooklyn, N.Y. 11223 1520 Ocean Avenue #2C	48
Hector Rodriguez	20-12 Crescent Street #1B Queens, N.Y. 11105	22	Luis S. Valentin II	Brooklyn, N.Y. 11230 302 Oceanview Avenue	48
Angela D. Ferrell	87-19204 th Street Queens, N.Y. 11423	23	Iris Huertas	Brooklyn, N.Y. 11235 150 Cebra Avenue	49
Laura Slabinsky	193-01 Keno Avenue Queens, N.Y. 11423	23	Jillian Marra	Staten Island, N.Y. 10304 164 Springfield Avenue	49
Michael Side	147-26B 72 nd Avenue #2 Queens, N.Y. 11367	24	Andrea DeRosa	Staten Island, N.Y. 10314 69 Hickory Avenue	50
Linda S. Weeks-Darby	98-15 Horace Harding Expressway Corona, N.Y. 11368	25	Jessica S. Gaeta-Crupi	Staten Island, N.Y. 10305 11 Alberta Avenue	50
Suela Asameni	44-15 43 rd Avenue #L1 Queens, N.Y. 11104	26	Theresa Molinelli	Staten Island, N.Y. 10314 10 Mason Blvd	50
Audrey Marie Sparks-Fussa	100-50 200 th Street Queens, N.Y. 11423	27	Anna Nesvizhsky	Staten Island, N.Y. 10309 33 Portage Avenue	50
Yvette Bonds	133-31 127 th Street Queens, N.Y. 11420	28	Carina Amato	Staten Island, N.Y. 10314 45 Leonello Lane	51
Delores Peters	168-44 127 th Avenue #8A Queens, N.Y. 11434	28	Marie L. Cipriano	Staten Island, N.Y. 10307 931 Carlton Blvd.	51
Shirley Richardson	172-20 133 rd Avenue #6A Queens, N.Y. 11434	28	James Mitchell	Staten Island, N.Y. 10312 27 Osborn Avenue	51
			Julianna Tramontana	Staten Island, N.Y. 10308 61 Delmar Avenue	51
			Joseph T. Yacca	Staten Island, N.Y. 10312 128 Tanglewood Drive	51
				Staten Island, N.Y. 10308	

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

ROLL CALL ON GENERAL ORDERS FOR THE DAY
(Items Coupled on General Order Calendar)

- (1) **M 851 & Res 1463 --** **Richard Stabile** - reappointment to the New York City Tax Commission.
- (2) **M 852 & Res 1464 --** **Kyriakos P. Tzanides** - reappointment to the New York City Tax Commission.
- (3) **Int 730-A --** Disclosure of information regarding certain construction projects.
- (4) **Int 807-A --** Plumbing Code.
- (5) **Res 1438 --** Designation funding in the Expense Budget (**Transparency Resolution**).
- (6) **L.U. 621 & Res 1465 --** App. **C 120195 ZMQ**, Zoning Map, Sections Nos. 14b, 14d, 17c, 18a & 18c. Council Districts 29 and 30.
- (7) **L.U. 622 & Res 1444 --** App. **20125554 HKM (N 120263 HKM)**, 32 Dominick Street (Block 578, Lot 64) (List No.453, LP-2480), Borough of Manhattan, Community District 2, Council District 3.
- (8) **L.U. 623 & Res 1445 --** App. **20125555 HKM (N 120264 HKM)**, 34 Dominick Street (Block 578, Lot 63) (List No.453, LP-2481), Borough of Manhattan, Community District 2, Council District 3.
- (9) **L.U. 624 & Res 1446 --** App. **20125556 HKM (N 120265 HKM)**, 36 Dominick Street (Block 578, Lot 62) (List No.453, LP-2482), Borough of Manhattan, Community District 2, Council District 3.
- (10) **L.U. 625 & Res 1447 --** App. **20125557 HKM (N 120266 HKM)**, 310 Spring Street (Block 594, Lot 34) (List No.453, LP-2486), Borough of Manhattan, Community District 2, Council District 3.
- (11) **L.U. 629 & Res 1448 --** App. **20125206 TCM**, 130-138 Seventh Avenue South, Borough of Manhattan, Council District 3 (**Coupled to be Filed pursuant to a Letter of Withdrawal**).
- (12) **L.U. 630 & Res 1449 --** App. **20125400 TCM**, 92 Seventh Avenue South, Borough of Manhattan, Council District 3.
- (13) **L.U. 631 & Res 1450 --** App. **20125766 TCM**, 87 MacDougal Street, Borough of Manhattan, Council District 3.
- (14) **L.U. 632 & Res 1466 --** App. **C 120077 MMM**, Submitted by New York University, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map within the New York University Core.
- (15) **L.U. 633 & Res 1467 --** App. **C 120122 ZMM** submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No.12c, Borough of Manhattan, Community Board 2, Council District 1.
- (16) **L.U. 634 & Res 1468 --** App. **N 120123 ZRM**, New York University, Zoning Resolution of the City of New York, West Third Street, Mercer Street, West Houston Street, and LaGuardia Place, Borough of Manhattan, Community Board 2, Council District 1.
- (17) **L.U. 635 & Res 1469 --** App. **C 120124 ZSM**, West 3rd Street, Mercer Street, West Houston Street, and LaGuardia Place (Block 533, Lots 1 & 10, and Block 524, Lots 9 & 66), in a C1-7 District, Borough of Manhattan, Community Board 2, Council District 1.
- (18) **L.U. 636 & Res 1451 --** App. **20125694 HKK (N 120297 HKK)**, Park Slope Historic District Extension (List No.454, LP-2443), Borough of Brooklyn, Community Districts 6 and 7, Council District 39.
- (19) **L.U. 637 & Res 1452 --** App. **20125770 TCM**, 212 Lafayette

- (20) **L.U. 642 & Res 1453 --** Street, Borough of Manhattan, Council District 1.
App. **20125568 TCK**, 442 Court Street, Borough of Brooklyn, Council District no.39.
- (21) **L.U. 643 & Res 1454 --** App. **20125449 TCM**, 350 West 49th Street, Borough of Manhattan, Council District no. 3.
- (22) **L.U. 644 & Res 1455 --** App. **20125561 TCM**, 283 West 12th Street, Borough of Manhattan, Council District no.3.
- (23) **L.U. 645 & Res 1456 --** App. **20125646 TCM**, 223 Dyckman Street, Borough of Manhattan, Council District no.7.
- (24) **L.U. 646 & Res 1457 --** App. **20125668 TCM**, 53 Gansevoort Street Borough of Manhattan, Council District no.3.
- (25) **L.U. 649 & Res 1458 --** App. **20125693 HKM (N 120298 HKM)**, 140 East 63rd Street (Block 1397 Lot 1501-1588) (List No.454 LP-2495), Council District no. 4, as an historic landmark.
- (26) **L.U. 650 & Res 1459 --** App. **C 120161 HAX**, 439 Brook Avenue (Block 2292, Lot 49) and 457-467 East 147th Street (Block 2992, Lot 50), and the disposition of city owned property, Borough of the Bronx, Council District no. 17.
- (27) **L.U. 651 & Res 1460 --** App. **20125705 HAK**, Council Districts 35, 36, 39, 40, 41, and 42, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 3, 5, 6, 8, 9 and 17.
- (28) **L.U. 652 & Res 1461 --** App. **20125706 HAK**, Council Districts 35, 36 and 41, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 2 and
- (29) **L.U. 653 & Res 1462 --** App. **20125707 HAK** Council District 36, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 3.
- (30) **Resolution approving various persons Commissioners of Deeds.**

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Barron, Brewer, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Palma, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone, Jr., Van Bramer, Weprin, Williams, Oddo, Rivera, and the Speaker (Council Member Quinn) – **45**.

The General Order vote recorded for this Stated Meeting was 45-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **LU Nos. 622 & Res No. 1444**:

Affirmative – Barron, Brewer, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Palma, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone, Jr., Van Bramer, Weprin, Williams, Oddo, Rivera, and the Speaker (Council Member Quinn) – **44**.

Negative – Ignizio – **1**.

The following was the vote recorded for **LU Nos. 623 & Res Nos. 1445 and LU No. 624 & Res No. 1446**:

Affirmative – Barron, Brewer, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Palma, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone, Jr., Van Bramer, Weprin, Oddo, Rivera, and the Speaker (Council Member Quinn) – **42**.

Negative – Halloran and Ignizio – **2**.

Abstention – Williams – **1**.

The following was the vote recorded for **LU Nos. 632 & Res No. 1466, LU No. 633 & Res No. 1467, LU No. 634 & Res No. 1468, and LU No. 635 & Res 1469**:

Affirmative – Brewer, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Palma, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone, Jr., Van Bramer, Weprin, Williams, Oddo, Rivera, and the Speaker (Council Member Quinn) – **44**.

Negative – Barron – **1**.

The following Introductions were sent to the Mayor for his consideration and approval: *Int Nos. 834-A and 918*.

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

RESOLUTIONS

Presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote Res. No. 1390

Report of the Committee on Civil Rights in favor of approving a Resolution authorizing the Speaker to file or join amicus briefs on behalf of the Council in the litigation captioned *Windsor v. United States*, currently on appeal in the United States Court of Appeals for the Second Circuit, for the purpose of supporting the plaintiff's position that section 3 of the Defense of Marriage Act, which defines the terms "marriage" and "spouse" under federal law to mean only heterosexual unions and individuals, is unconstitutional.

The Committee on Civil Rights, to which the annexed resolution was referred on June 28, 2012 (Minutes, page 2587), respectfully

REPORTS:

I. Introduction

On Tuesday, July 24, 2012, the Committee on Civil Rights, chaired by Council Member Deborah Rose, will hear and vote on Resolution Number 1390 ("Res. No. 1390"), a resolution authorizing the Speaker to file or join amicus briefs on behalf of the Council in the litigation captioned *Windsor v. United States*, currently on appeal in the United States Court of Appeals for the Second Circuit, for the purpose of supporting the plaintiff's position that section 3 of the Defense of Marriage Act, which defines the terms "marriage" and "spouse" under federal law to mean only heterosexual unions and individuals, is constitutional.

II. Background

In 1996, the United States Congress passed, and the President signed into law, the Defense of Marriage Act ("DOMA"), a law that precludes the federal government from recognizing legally married same-sex couples and permits states to refuse to recognize same-sex marriages legally sanctioned in other jurisdictions.¹ Though no states recognized same-sex marriages in 1996, the Republican-controlled Congress passed DOMA when it appeared that Hawaii was moving towards recognizing such

unions.² Since that time, however, public support for marriage equality has changed and many states have extended civil marriage rights to same-sex couples. Currently, New York, Connecticut, Iowa, Massachusetts, New Hampshire, Vermont, and the District of Columbia permit same-sex marriage; Maryland, New Mexico, and Rhode Island recognize same-sex marriages legally performed in other jurisdictions.³ Former Congressman Bob Barr, DOMA's author, and former President Bill Clinton, who signed it into law, have publicly stated that the law should be repealed.⁴ In a June 2012 poll conducted by CNN/ORC International, 54 percent of respondents expressed their belief that marriage rights should be extended to same-sex couples.⁵

Despite growing public support for marriage equality and an increasing number of states that recognize marriage between same-sex couples, DOMA remains law and its profound negative consequences endure. According to the United States General Accounting Office, DOMA denies married same-sex couples access to "a total of 1,138 federal statutory provisions classified to the United States Code in which marital status is a factor in determining or receiving benefits, rights and privileges."⁶ This unequal treatment is particularly evident every April when married same-sex couples file their taxes. Because DOMA precludes the Internal Revenue Service from recognizing same-sex unions, legally married same-sex couples must file their federal taxes separately, thus denying themselves a lowered tax burden enjoyed by many of their heterosexual peers.⁷ Additionally, if one same-sex spouse is currently enrolled in his or her partner's health insurance, the benefit is treated as taxable income.⁸ According to the Williams Institute, gays and lesbians who enroll their spouses in their insurance programs pay an average of \$1,070 more per year in taxes.⁹ Unlike opposite-sex couples, same-sex couples are also subject to gift and estate taxes. For example, while a living partner in an opposite-sex marriage can give gifts to his or her partner without being taxed; same-sex spouses are burdened with a lifetime limit of just \$1 million before they will be taxed.¹⁰ Furthermore, when one partner in a same-sex marriage passes away, his or her survivor can be taxed if the estate is worth of \$3.5 million or more, a penalty from which spouses in opposite-sex marriages are exempt.¹¹

On February 23, 2011, U.S. Attorney General Eric Holder announced that, at the direction of President Obama, the Department of Justice would no longer defend the constitutionality of Section 3 of DOMA, the section that precludes the federal government from recognizing marriages between two people of the same sex.¹² Shortly after this announcement, U.S. House of Representatives Speaker John Boehner announced that he would convene the Bipartisan Legal Advisory Group (BLAG), a group composed of the Speaker of the House, the majority leader and whip, and the minority leader and whip, to make a decision about the defense of DOMA going forward.¹³ On March 9, 2011, Speaker Boehner announced that BLAG directed the House General Counsel to take over the legal defense of the law.¹⁴ The following month, the Republican-controlled House hired Paul Clement, a former U.S. Solicitor General under the George W. Bush administration, to defend the law.¹⁵

III. Windsor v. The United States of America

Edith Windsor and Thea Spyer, residents of New York City for more than 40 years, married in Canada in 2007.¹⁶ Although Ms. Windsor and Ms. Spyer's marriage was recognized in New York State in 2009, at the time of Ms. Spyer's death, the federal government was, and continues to be, precluded by DOMA from recognizing their marriage.¹⁷ As such, Ms. Windsor was not able to enjoy the federal estate tax exemptions granted to opposite-sex couples upon the death of her spouse and was taxed \$353,000 when she inherited the estate of her wife.¹⁸ In response to the high estate tax, Ms. Windsor sued the federal government seeking a refund of the federal estate tax levied on Ms. Spyer's estate and a declaration that section 3 of DOMA is unconstitutional.¹⁹

On June 6, 2012, a federal judge for the Southern District of New York ruled that DOMA is unconstitutional because it infringes "upon the states' business of regulating domestic relations" and ordered that Ms. Windsor be refunded the money she paid in estate tax.²⁰ BLAG, which has defended the constitutionality of DOMA since March 2011, appealed the ruling shortly after the decision was made.²¹ The United States Court of Appeals for the Second Circuit will hear the case later this year.²²

IV. Res. No. 1390

Res. No. 1390 supports the plaintiff, Ms. Windsor, in the litigation captioned *Windsor v. United States*, currently on appeal. The resolution authorizes the Speaker of the City Council to file or join amicus briefs on behalf of the Council, for the purpose of supporting the plaintiff's position that section 3 of DOMA is unconstitutional. Section 3 of DOMA defines the terms "marriage" and "spouse" under federal law to mean only heterosexual unions and individuals. The resolution discusses the history of DOMA as well as its impact on Ms. Windsor in the wake of her wife's death.

¹ Defense of Marriage Act, Pub. L. No. 104-199, 110 Stat. 2419 (1996).

² Katherine Q. Seelye and Ethan Bronner, *U.S. Appeals Court Turns Back Marriage Act as Unfair to Gays*, N.Y. Times, June 1, 2012.

³ Freedom to Marry, States, at <http://www.freedomtomarry.org/states/> (last updated May 9, 2012) (last visited July 18, 2012).

⁴ Anne Stanback, *Same Sex Marriage? Not in the eyes of the feds*, The Hartford Courant, Feb. 13, 2011, at C1.

⁵ CNN Political Unit, *CNN Poll: Americans' attitudes towards gay community changing*, June 6, 2012, <http://politicalticker.blogs.cnn.com/2012/06/06/cnn-poll-americans-attitudes-toward-gay-community-changing/> (last visited July 23, 2012).

⁶ Letter from Dayna K. Shah, Associate General Counsel, U.S. General Accounting Office, to the Honorable Bill Frist, Majority Leader, U.S. Senate, *Defense of Marriage Act: Update to Prior Report*, 1, Jan. 23, 2004, <http://www.gao.gov/new.items/d04353r.pdf> (last visited July 23, 2012).

⁷ Naomi G. Goldberg and M.V. Lee Badgett, *Tax Implications for Same-Sex Couples*, The Williams Institute, 1, April 2009, <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Goldberg-Badgett-Tax-Implications-Apr-2009.pdf> (last visited July 23, 2012).

⁸ *Id.*

⁹ *Id.*

¹⁰ Frederick Hertz, *Tax Issues for Same-Sex Couples*, Nolo, <http://www.nolo.com/legal-encyclopedia/tax-issues-same-sex-gay-couples-32290.html> (last visited July 23, 2012).

¹¹ *Id.*

¹² Press Release, U.S. Department of Justice, *Statement of the Attorney General on Litigation Involving the Defense of Marriage Act*, Feb. 23, 2011, <http://www.justice.gov/opa/pr/2011/February/11-ag-222.html> (last visited July 23, 2012).

¹³ Press Release, Office of Congressman John A. Boehner, *Statement by Congressman John Boehner (R-West Chester) Regarding the Defense of Marriage Act*, Mar. 4, 2011, <http://boehner.house.gov/news/documentsingle.aspx?DocumentID=227399> (last visited July 23, 2012).

¹⁴ Press Release, Office of Congressman John A. Boehner, *House Will Ensure DOMA Constitutionality Is Determined By The Court*, Mar. 9, 2012, <http://boehner.house.gov/news/documentsingle.aspx?DocumentID=228585> (last visited July 23, 2012).

¹⁵ James Oliphant, *GOP's attorney leaves firm that dropped gay marriage case*, Charlotte Observer, Apr. 26, 2011.

¹⁶ Robert Gearty, *Judge hits fed marriage act*, N.Y. Daily News, June 7, 2012, at 16, available at http://articles.nydailynews.com/2012-06-07/news/32084590_1_federal-courts-defense-of-marriage-act-gay-rights-activist (last visited July 23, 2012).

¹⁷ Chris Palmer, *City Backing Widow's Suit Over U.S. Law On Marriage*, N.Y. Times, at A21, available at <http://cityroom.blogs.nytimes.com/2012/06/20/city-backs-widows-suit-against-u-s-defense-of-marriage-act/> (last visited July 23, 2012).

¹⁸ *Id.*

¹⁹ Gearty, *supra* note 16.

²⁰ Basil Katz, *Defense of Marriage Act unconstitutional: judge*, Chicago Tribune, June 6, 2012, http://articles.chicagotribune.com/2012-06-06/news/sns-rt-us-usa-gaymarriagebre8551jw-20120606_1_gay-marriage-defense-of-marriage-act-thea-spyer (last visited July 23, 2012).

²¹ Palmer, *supra* note 17.

²² *Id.*

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1390:)

Res. No. 1390

Resolution authorizing the Speaker to file or join amicus briefs on behalf of the Council in the litigation captioned *Windsor v. United States*, currently on appeal in the United States Court of Appeals for the Second Circuit, for the purpose of supporting the plaintiff's position that section 3 of the Defense of Marriage Act, which defines the terms "marriage" and "spouse" under federal law to mean only heterosexual unions and individuals, is unconstitutional.

By The Speaker (Council Member Quinn) and Council Members Dromm, Mendez, Palma, Rose, Van Bramer, Brewer, Chin, Comrie, Ferreras, James, Koppell, Koslowitz, Lander, Mark-Viverito, Lappin and Garodnick.

Whereas, In 1996, President Bill Clinton signed into law the Defense of Marriage Act (DOMA), which precludes recognition of legally married same-sex couples for purposes of federal law and which purports to allow states to refuse to recognize marriages between same-sex partners performed in other jurisdictions; and

Whereas, DOMA denies legally married same-sex couples over 1,100 federal benefits associated with marriage, including the ability to file taxes jointly, sponsor one's spouse for immigration purposes, receive a spouse's healthcare and retirement benefits, and the right to visit a spouse who has been hospitalized; and

Whereas, In November 2010, Edith Schlain Windsor filed a complaint, *Windsor v. United States*, No. 10 Civ. 8435 (S.D.N.Y.), arguing that section 3 of DOMA, which defines the terms "marriage" and "spouse" under federal law to refer only to heterosexual unions and individuals, violates the Equal Protection Clause of the Fifth Amendment to the U.S. Constitution; and

Whereas, Ms. Windsor met her late wife, Thea Spyer, in 1963 in New York City, and the couple lived in a committed union for the next forty-four years, registering as domestic partners in New York City in 1993 and marrying in 2007 in Toronto; and

Whereas, Ms. Spyer, gravely ill with multiple sclerosis when they wed, died less than two years later, naming Ms. Windsor as her sole executor and beneficiary; and

Whereas, Solely because of DOMA, which requires the federal government to disregard state-recognized marriages between same-sex couples, the Internal Revenue Service charged the Spyer estate over \$363,000 in taxes that would not have applied to a heterosexual widow; and

Whereas, In February 2011, Attorney General Eric Holder announced that the U.S. Department of Justice would no longer defend DOMA's constitutionality, and as a result, the Bipartisan Legal Advisory Group of the U.S. House of Representatives (BLAG) is currently defending the constitutionality of DOMA; and

Whereas, On June 6, 2012, District Court Judge Barbara Jones granted Ms. Windsor's motion for summary judgment and declared DOMA to be unconstitutional; and

Whereas, BLAG has appealed the district court's ruling to the Second Circuit Court of Appeals; and

Whereas, The Second Circuit should assure that Ms. Windsor's rights are vindicated, not to mention those of countless other same-sex couples within New York, Connecticut, and Vermont; now, therefore, be it

Resolved, That the Council of the City of New York authorizes the Speaker to file or join amicus briefs on behalf of the Council in the litigation captioned *Windsor v. United States*, currently on appeal in the United States Court of Appeals for the Second Circuit, for the purpose of supporting the plaintiff's position that section 3 of the Defense of Marriage Act, which defines the terms "marriage" and "spouse" under federal law to mean only heterosexual unions and individuals, is unconstitutional.

DEBORAH L. ROSE Chairperson; JULISSA FERRERAS, MARGARET S. CHIN, JAMES G. VAN BRAMER; Committee on Civil Rights, July 24, 2012.

Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice-vote. Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.

The following Council Member formally voted against this item: Council Member Greenfield.

The following 6 Council Members formally abstained to vote on this item: Council Members Halloran, Ignizio, Sanders, Ulrich, Vallone, Jr., and Oddo.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Res. No. 1430

Resolution urging the City of New York to take immediate action to address the unacceptable amount of violence that takes places in our neighborhoods, and to allocate more funding and resources for employment, cultural, recreational and anti-violence programs for New York City youth.

By Council Members Barron, Wills, Fidler, James, Mendez, Rose, Sanders Jr. and Williams.

Whereas, The New York City Police Department's (NYPD) CompStat crime reporting system confirms that while overall, the incidence of crime is significantly lower than it was in 1993, some crimes, including rape, robbery, felonious assault and burglary have crept up over the last two years, which raises concerns; and

Whereas, Despite anti-violence efforts such as the New York City Department of Education's Gang Prevention & Intervention Unit, which works to promote student safety and awareness about youth and gang violence and other unlawful behavior, recent media reports document sad tales of youth and gang violence, and their impact on New Yorkers; and

Whereas, For example, a June 18, 2012 *New York Post* article describes how the NYPD had closed a two block stretch of Harlem to everyone except residents after gang-related violence killed a 25-year-old man and wounded 4 others; and

Whereas, As reported on March 12, 2012 by the New School for Public Engagement's Milano School of International Affairs, Management and Urban Policy: "[y]outh violence has declined sharply over two decades-more than 70 percent in New York State, according to the Centers for Disease Control & Prevention...[y]et in some neighborhoods there are now increasing reports of gang activity and violence...tensions and distrust remain high between law enforcement officials and community members - especially young people"; and

Whereas, As reported in *The New York Times* in November 2009, Mayor Bloomberg, expressing alarm over a gang-related shooting that critically injured a 15-year-old bystander, said at a meeting with community leaders to discuss the problem of youth violence, "[t]he question we really want to talk about is how we create an understanding of how big the problem is"; and

Whereas, At that meeting, the Mayor also discussed the case of a 66-year-old Harlem grandmother who was struck in the leg by a stray bullet, and said "[w]e can all be proud that we are bringing crime down,... [b]ut that doesn't mean we are bringing crime down everywhere"; and

Whereas, Furthermore, the Mayor noted that the City needed to examine influences on young people in order to connect with them; and

Whereas, "Latchkey" kids, who have no caregiver at home and no after-school programs to attend, do not always make wise choices; and

Whereas, As *The New York Daily News* reported in November 2011, in New York, "779,281 children in grades K-12 are responsible for taking care of themselves after school", "[t]eens who don't participate in afterschool programs are nearly three times more likely to skip class" and "use drugs, drink, smoke and have sex", and "[on] school days, peak time for youths to either commit a crime or be a victim of a crime is between 3 and 6 p.m."; and

Whereas, A 2005 report entitled *Hours that Count: Using After-School Programs To Help Prevent Risky Behaviors And Keep Kids Safe*, published by The After-School Corporation states that “[b]esides recognizing the potential of after-school programs to contribute to academic achievement, it is important to take into account their capacity to contribute to students’ social and emotional growth-with one sign of that growth being students’ willingness to engage in constructive, rather than self-destructive, behaviors”; and

Whereas, Evidence reveals that after-school programs play a vital role in helping children make wise choices, and investing in children is investing in the future for all of us; now, therefore, be it

Resolved, That the Council of the City of New York urges the City of New York to take immediate action to address the unacceptable amount of violence that takes place in our neighborhoods, and to allocate more funding and resources for employment, cultural, recreational and anti-violence programs for New York City youth.

Referred to the Committee on Youth Services.

Int. No. 896

By Council Members Brewer, Vacca, Garodnick, Lappin, Chin, Comrie, Gentile, Koo, Koppell, Koslowitz and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to the enforcement of commercial bicycle provisions.

Be it enacted by the Council as follows:

Section 1. Subchapter three of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-189.2 to read as follows:

§ 19-189.2 *Enforcement of commercial bicycle provisions. The provisions of sections 19-189 and 19-189.1 of this subchapter shall be enforceable by any employee of the department authorized by the commissioner to enforce this section or any police officer or other person designated by the police commissioner to enforce this section.*

§ 2. Paragraph 1 of subdivision c of section 1049-a of the charter of the city of New York is amended by adding a new subparagraph o to read as follows:

(o) *the use and regulation of bicycles used for commercial purposes pursuant to sections 19-189 and 19-189.1 of the administrative code of the city of New York.*

§ 3. This local law shall take effect one hundred and twenty days after it shall have become law.

Referred to the Committee on Transportation.

Int. No. 897

By Council Members Brewer, Koppell, Lander, Mendez and Palma.

A Local Law to amend the administrative code of the city of New York, in relation to foldable bicycle access in passenger elevators.

Be it enacted by the Council as follows:

Section 1. Section 28-504.1 of the administrative code of the city of New York is amended to read as follows:

§ 28-504.1 *Applicability. This article shall apply to buildings, the main occupancy of which is offices, that (i) are in existence on the effective date of this article, or for which a permit has been issued but which have not yet been completed, and (ii) have a freight elevator that either complies with ASME 17.1 with regard to the carrying of passengers on freight elevators, as referenced in chapter thirty-five of the New York city building code, or is operated by a freight elevator operator, and (iii) have a passenger elevator, and (iii)iv) are not subject to the bicycle parking provisions of sections 25-80, 36-70 and 44-60 of the zoning resolution of the city of New York. It shall be presumed that if a freight elevator is available for carrying freight, it is available for carrying bicycles. It shall also be presumed that if a passenger elevator is available for carrying passengers, it is available for carrying bicycles specifically designed to fold up into a compact assembly that are fully folded.*

§2. Subdivision 2 of section 28-504.3 of the administrative code of the city of New York is amended to read as follows:

2. A plan shall be completed on a form provided by the department of transportation and shall include, at a minimum: the location of entrances; route to freight elevators that accommodate bicycle access; the route to a designated area for bicycle parking on an accessible level if such bicycle parking is made available; and such other information as the department may require. The plan shall provide that bicycle access is available, at a minimum, during the regular operating hours of the

freight elevator, if such freight elevator is used for bicycle access in such building. *All plans shall also provide that access is available to passenger elevators for bicycles specifically designed to fold up into a compact assembly that are fully folded.* Bicycle access shall be granted to the requesting tenant or subtenant and its employees in accordance with such plan.

§3. Section 28-504.3 of the administrative code of the city of New York is amended to add a new subdivision four to read as follows:

4. *All plans filed subsequent to January 1, 2013 shall include the minimum requirements in subdivision 2 of this section upon filing; all plans filed prior to January 1, 2013 shall be amended to include the minimum requirements in subdivision 2 of this section as applicable and such amended plan shall be filed on or before July 1, 2013.*

§4. This local law shall take effect immediately upon enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 898

By Council Members Brewer, Chin, James, Koppell, Mendez, Palma and Lappin.

A Local Law to amend the administrative code of the city of New York, in relation to the sound level of food vendor vehicles, pushcarts and green carts.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-315.1 to read as follows:

§ 17-315.1 *Restrictions on the sound level of food vending vehicles, pushcarts and green carts. No vending vehicle, pushcart or green cart used in the operation of a food vending business shall create a sound level in excess of 65 dB(A) when measured at a distance of one meter or more from the nearest major surface of such food vending vehicle, pushcart or green cart.*

§ 2. Subchapter 5 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-227.1, to read as follows:

§ 24-227.1 *Vending vehicles, pushcarts and green carts. No person shall operate or cause to be operated a vending vehicle, pushcart or green cart used in the operation of a food vendor’s business in such a manner as to create a sound level in excess of 65 dB(A) when measured at a distance of one meter or more from the nearest major surface of such vending vehicle, pushcart or green cart.*

§ 3. This local law shall take effect one hundred eighty days after its enactment.

Referred to the Committee on Environmental Protection.

Res. No. 1431

Resolution calling on the New York City Board of Health to refrain from passing and implementing a regulation restricting the size of sugary drinks sold at food service establishments in New York City.

By Council Members Cabrera, James, Comrie, Gentile, Koppell, Mark-Viverito, Mendez, Palma, Rose and Halloran.

Whereas, On May 30, 2012, Mayor Bloomberg and the New York City Department of Health and Mental Hygiene (“DOHMH”) announced a proposal to limit the size of sugary drinks sold at food service establishments, including restaurants, movie theaters, stadiums and mobile food vendors, as part of a new City-wide anti-obesity initiative; and

Whereas, According to materials prepared by the New York City Obesity Task Force (“Task Force”), obesity rates in New York City have been steadily increasing over the past ten years and are disproportionately higher in black, Latino and low-income communities; and

Whereas, Obesity can lead to numerous health problems, including Type II diabetes, cancer, heart disease, arthritis, and asthma; and

Whereas, The Task Force also reported that, “Americans consume about 200-300 more calories per day than 30 years ago, with the largest single increase due to sugar-sweetened drinks,” and almost half of the added sugar Americans consume is from sugar-sweetened drinks; and

Whereas, The Task Force found that the portion sizes of sugary drinks have grown exponentially in recent years, noting that McDonald’s cup size has increased 457% since 1955; and

Whereas, The Mayor’s proposed regulation to limit portion sizes of sugary drinks aims to decrease obesity rates in New York City by reducing the amount of excess calories consumed by New Yorkers; and

Whereas, Such proposed regulation must be approved by the New York City Board of Health; and

Whereas, The proposed regulation defines a sugary drink as any non-alcoholic beverage that is sweetened with sugar or another caloric sweetener that has more than twenty-five calories per eight ounces and contains fifty percent or less of milk or milk substitute; and

Whereas, The proposed regulation would prohibit food service establishments from selling sugary drinks in cups or containers larger than sixteen fluid ounces and would limit the size of cups for self-service to sixteen fluid ounces; and

Whereas, Food service establishments found in violation of the proposed regulation would be fined up to \$200, but such violation would not be considered when determining the establishment's letter grade; and

Whereas, The Board of Health held a public hearing on the proposed regulation on July 24, 2012 and is expected to vote on the proposal at its September meeting; and

Whereas, The proposed regulation would become effective six months after adoption by the Board of Health; and

Whereas, The proposed restriction would not apply to food establishments not regulated by the DOHMH, including supermarkets and bodegas; and

Whereas, The proposed restriction would not prevent consumers from purchasing more than one sugary drink; and

Whereas, The proposed restriction would limit the size of self-service cups regardless of the type of beverage a consumer chose to drink; and

Whereas, According to the Centers for Disease Control ("CDC") data examining the consumption of sugary drinks in the United States from 2005-2008, calories from sugar sweetened drinks account for between five to eight percent of an average American diet, with the vast majority of calories coming from other foods and beverages; and

Whereas, The same CDC data also shows that more than half of sugary drinks consumed are consumed at home, and approximately two-thirds of the sugary drinks not consumed at home are from sources other than a restaurant; and

Whereas, It is questionable that restricting the size of sugary drinks consumed at food service establishments will impact obesity rates in New York City, since consumers would still be free to purchase such drinks at supermarkets and bodegas or purchase several drinks at one time; and

Whereas, According to a July 2012 article in The New York Times, more than twenty percent of City students reported having no physical education classes in an average week during the school year- an increase of nearly six percentage points since 2002; and

Whereas, The New York Times article also noted that the City has not submitted a physical education plan to the State since 1982, even though it is recommended that a new plan be submitted every seven years; and

Whereas, A 2011 national study published in the American Journal of Clinic Nutrition found that the intake of added sugars decreased between 1999 and 2008, primarily due to a decrease in the amount of soda consumed; and

Whereas, However, figures from the American Medical Association show an increase in obesity rates during the same period; and

Whereas, Many New Yorkers are opposed to any governmental restriction on portion sizes, arguing that the amount one eats or drinks is a personal decision; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Board of Health to refrain from passing and implementing a regulation restricting the size of sugary drinks sold at food service establishments in New York City.

Referred to the Committee on Health.

Int. No. 899

By Council Members Dromm, Chin, Comrie, Dickens, Eugene, Fidler, Gonzalez, Koslowitz, Lander, Mark-Viverito, Mendez, Palma, Rose, Williams, Wills, Lappin, Brewer and Ferreras.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of youth and community development to review strategies and create a plan of action to protect children who qualify for special immigrant juvenile status.

Be it enacted by the Council as follows:

Section 1. Section 21-401 of the administrative code of the city of New York is amended by adding new subdivisions c, d, e, f, and g to read as follows:

c. "Department-administered crisis shelters" shall mean city-administered facilities that provide short-term emergency housing for runaway and homeless youth and are managed by a provider under contract or similar agreement with the department.

d. "Department-administered transitional independent living facilities" shall mean city-administered facilities that provide long-term residential services to runaway and homeless youth for up to 18 months and are managed by a provider under contract or similar agreement with the department.

e. "Homeless youth" shall have the same meaning as provided in subdivision

two of section 532-a of the New York state executive law.

f. "Runaway and homeless youth providers" shall mean department-administered crisis shelters and department-administered transitional independent living facilities

g. "Runaway youth" shall have the same meaning as provided in subdivision one of section 532-a of the New York state executive law.

§2. Chapter four of title 21 of the administrative code of the city of New York is amended by adding a new section 21-403 to read as follows:

§ 21-403 Special immigrant juvenile status plan. a. The department shall designate an individual or individuals responsible for creating and implementing a comprehensive plan to provide services to runaway and homeless youth in contact with runaway and homeless youth providers who may be deemed eligible for special immigrant juvenile status or other immigration benefits. Such plan shall, at a minimum, describe how the department and the runaway and homeless youth providers will achieve the following goals: 1. identify the country of birth, to the extent practicable, of runaway and homeless youth in contact with the runaway and homeless youth providers; 2. identify such runaway and homeless youth, as early as possible, who may qualify for special immigrant juvenile status or other immigration benefits; 3. track such runaway and homeless youth, to the extent practicable and consistent with confidentiality requirements, until the completion of their special immigrant juvenile status or other immigration relief; 4. assist such runaway and homeless youth, as soon as they are identified, in obtaining the immigration services they need, including birth certificates if they do not possess them; and 5. provide mandatory training programs on immigration benefits, including special immigrant juvenile status, for runaway and homeless youth provider staff. Such plan shall also include detailed descriptions of (i) program standards for runaway and homeless youth provider staff regarding special immigrant juvenile status identification and coordination of immigration services; (ii) the department's mechanisms and indicators for monitoring the runaway and homeless youth providers' compliance with and achievements under the plan; and (iii) the department's method(s) for collecting data and evaluating outcomes for immigrant runaway and homeless youth under the plan. On or before April 1, 2013 the department shall submit the plan to the city council.

b. Reporting. No later than one year after completion and submission of the plan required by subdivision a of this section, and annually thereafter, the department shall prepare and submit to the city council a report containing (i) an assessment of its ability to identify, track and coordinate immigration services for runaway and homeless youth in contact with runaway and homeless youth providers; (ii) indicators sufficient to show the department's progress towards achieving the goals of the plan; and (iii) such programs, procedures, memoranda, or training materials as concern the implementation and goals of the plan.

§3. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Youth Services.

Res. No. 1432

Resolution calling on Congress to pass and the President to sign the Filipino Veterans Fairness Act of 2011 (H.R. 210), which would grant full benefits to Filipino veterans who fought alongside United States soldiers during World War II.

By Council Members Dromm, Chin, Comrie, Dickens, Eugene, Fidler, Gentile, James, Koppell, Lander, Mark-Viverito, Mendez, Palma, Rose, Sanders and Williams.

Whereas, During World War II, the Philippines was a commonwealth of the United States and so, during that time, Filipinos were legally American nationals; and

Whereas, More than 250,000 Filipinos put their lives at risk to fight in defense of the United States against the Japanese land and naval forces; and

Whereas, More than half of those 250,000 sacrificed their lives in defense of the United States in that global conflict; and

Whereas, The New York City Department of City Planning has estimated, based on 2000 Census data, that there were roughly 55,000 Filipinos in New York City; and

Whereas, The benefits that would normally accrue to an American national at war for the United States were promised to the Filipino soldiers and their families; and

Whereas, Those health, pension, and burial benefits are critical to restoring normality to the lives of soldiers and their families damaged or destroyed by combat in war; and

Whereas, The Rescission Act of 1946 denied full benefits to Filipino soldiers and their families, stating in relevant part that the service of Filipinos "shall not be deemed to have been active military, naval, or air service for the purposes of any law of the United States conferring rights, privileges, or benefits"; and

Whereas, The Filipino Veterans Fairness Act of 2011 would recognize these veterans and their families by providing full benefits for fighting in defense of the United States and its interests; and

Whereas, The Filipino Veterans Fairness Act of 2011 would provide the average monthly pension of \$1,500 and provide medical care, burial services, and all other benefits that are available to similarly situated American citizens; and

Whereas, The Filipino Veterans Fairness Act of 2011 would also allow for veterans' widows to receive, for the first time, the benefits their husbands bravely earned; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign the Filipino Veterans Fairness Act of 2011 (H.R. 210), which would grant full benefits to Filipino veterans who fought alongside United States soldiers during World War II.

Referred to the Committee on Veterans.

Res. No. 1433

Resolution calling upon the New York State Legislature to pass and the Governor to sign into law, A.0641 and S.4528, an act to amend the Public Authorities Law, in relation to creating a New York City Transit Authority safety advisory panel to study and report on safety from terrorist acts and to provide a moratorium on the closing of token booths and minimum staffing levels on trains operated for passenger service in the New York City transit system.

By Council Members Jackson, Chin, Dickens, James, Lander, Mendez, Palma, Rose, Williams and Ulrich.

Whereas, The need to access and review the safety of our public transportation systems was apparent after several overseas terrorist attacks, including the attack on Madrid's commuter train system on March 11, 2004, attacks on London's mass transportation system in July 2005, and the attacks at two of Moscow's subway stations on March 29, 2010; and

Whereas, The Metropolitan Transportation Authority ("MTA") which operates New York City's subway system, one of the largest and oldest in the world, is responsible for upgrading the subway system's infrastructure in order to minimize its vulnerability to attack; and

Whereas, Since the September 11th attacks, the MTA has taken several measures to better protect the subway system from attack, including installing an electronic security system, installing perimeter protection at MTA facilities and improving the ability of its facilities to withstand the impact of an explosive device; and

Whereas, The MTA also partners with the New York City Police Department ("NYPD") to allow NYPD officers to regularly patrol the system and serve as an important physical security presence; and

Whereas, For the past ten years, due to the increasing number of Metrocard sales taking place at kiosks, the MTA has been reorienting the role of station agents, from selling tokens to providing customer service; and

Whereas, Nevertheless, in September of 2009, the MTA removed 300 agents from their posts and removed an additional 478 station agents in May of 2010 because of budget cuts; and

Whereas, These reductions have heightened the need for a physical presence at MTA subway stations, primarily due to the assistance that station agents can provide the public and first responders during emergencies underground; and

Whereas, To bolster the issue of MTA's preparedness for and ability to address a terrorist attack, A.0641 and S.4528 were introduced to amend the Public Authorities Law, in relation to creating a New York City Transit Authority safety advisory panel; and

Whereas, This safety advisory panel would study and report on MTA New York City Transit's ("NYCT") efforts to protect the subway system from terrorist attacks, and would make recommendations to decrease the risk that the public could face potential terrorist threats and criminal mischief in the subway system; and

Whereas, A.0641 and S.4528 also would impose a moratorium on the closing of token booths and set minimum staffing levels on trains operated for passenger service by NYCT until the safety advisory panel releases its findings; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign into law, A.0641 and S.4528, an act to amend the Public Authorities Law, in relation to creating a New York City Transit Authority safety advisory panel to study and report on safety from terrorist acts and to provide a moratorium on the closing of token booths and minimum staffing levels on trains operated for passenger service in the New York City transit system.

Referred to the Committee on Transportation.

Int. No. 900

By Council Members Lander, Vacca, Vallone Jr., Levin, James, Chin, Eugene, Gentile, Koo, Koppell, Palma, Rose, Williams, Wills, Lappin and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a traffic crash investigation task force.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended to add a new section 10-171 to read as follows:

§10-171. *Traffic crash investigation task force.* a. *There is hereby established a task force to analyze traffic data, traffic laws, and traffic crash investigation policies and procedures.*

b. *Such task force shall consist of fifteen members as follows:*

(i) *Four members shall be appointed by the mayor, provided that: (1) one member shall be a representative of the police department with experience in traffic enforcement and crash investigations; (2) one member shall be a representative of the department of transportation with experience in traffic planning, patterns, and crash data; (3) one member shall be a representative of the department of health and mental hygiene; and (4) one member shall be a representative of the Mayor's office of management and budget with experience in traffic related issues;*

(ii) *Two members shall be appointed by the speaker of the council, provided that: (1) one member shall be a person familiar with the work performed by the council's transportation committee; and (2) one member shall be a person familiar with the work performed by the council's public safety committee;*

(iii) *One member shall be a representative of the new york county district attorney's office;*

(iv) *One member shall be a representative of the kings county district attorney's office;*

(v) *One member shall be a representative of the queens county district attorney's office;*

(vi) *One member shall be a representative of the bronx county district attorney's office;*

(vii) *One member shall be a representative of the richmond county district attorney's office;*

(viii) *One member shall be a representative from the law department with experience in traffic crash litigation; and*

(ix) *Three members shall be transportation safety advocates, appointed jointly by the council and the mayor, provided that: (1) at least one such member is a representative of a traffic crash victim's advocacy group; and (2) at least one such member is a traffic safety expert.*

c. *Membership on the traffic crash investigation task force shall not constitute the holding of a public office, and members of the task force shall not be required to take and file oaths of office before serving on the task force.*

d. *Members of the task force shall serve without compensation and meet quarterly, with the first meeting to take place 3 weeks after the final member of the task force is appointed. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.*

e. *The task force may establish its own rules and procedures with respect to the conduct of its meetings and other affairs not inconsistent with law.*

f. *Each member shall serve for a term of twelve months, to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force occurring other than by expiration of term shall be filled in the same manner as the original position was filled for the unexpired portion of the term. The members of the task force shall be appointed within sixty days of the effective date of the local law that added this section.*

g. *No member of the task force shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.*

h. *The task force may request and shall receive all possible cooperation from any department, division, board, bureau, commission, borough president, agency or public authority of the city of New York, for such assistance, information, and data as will enable the task force to properly carry out its functions.*

i. *The task force shall issue a report to the mayor and council no later than twelve months after the final member of the task force is appointed. Such report shall include the following:*

(i) *An analysis of the NYPD's definition of "serious injury" and how it affects traffic crash investigations, specifically including a recommendation of whether or not the definition of "serious injury" used by the NYPD ought to be changed so that the accident investigation squad responds to more traffic crashes;*

(ii) *A comprehensive review of techniques and actions that are necessary for effective investigation of serious traffic crashes that result in serious injuries, including but not limited to: (a) an analysis of the sufficiency of NYPD's MV-104 form; (b) a recommendation as to the value of requiring the scene of all traffic crashes to be photographed by responding officers; and (c) a summary of other protocols that the task force determines are necessary for proper and thorough traffic crash responses and investigations;*

(iii) *An analysis of the sufficiency of the current laws upon which law enforcement may rely to hold dangerous motor vehicle operators, bicyclists, and non-law-abiding pedestrians accountable for traffic crashes caused by their actions;*

(iv) *Recommendations for state or local legislative or policy changes that would help the City increase accountability for dangerous motor vehicle operators, bicyclists, and non-law-abiding pedestrians;*

(v) *A discussion about the rise or decline in bicycle usage throughout the city and recommendations for maintaining street safety within this context; and*

(vi) *A financial analysis identifying: (a) potential cost savings associated with reductions in traffic crash rates; and (b) the costs associated with thorough traffic crash scene investigations as they are conducted by the NYPD's accident investigation squad;*

j. *The task force shall terminate upon the publication of the report.*

§2. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Int. No. 901

By Council Members Lander, James and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the temporary closing of sidewalks.

Be it enacted by the Council as follows:

Section 1. Section 19-103 of the administrative code of the city of New York is amended by adding a new subsection j to read as follows:

j. Expiration of a permit to temporarily close a sidewalk. 1. When a permit to temporarily close a sidewalk expires, and the permittee has not requested a new permit, the department must communicate with the department of buildings in order to determine whether the construction permit(s) associated with the sidewalk obstruction have expired. If the construction permit(s) associated with the sidewalk obstruction have expired, or if the construction site is enrolled in a program to maintain the safety of construction sites where permitted work is temporarily suspended or has not commenced in accordance with section 28-105.9 of this code, and the removal of such obstruction would not create an unsafe condition, the department shall order the removal of the obstruction associated with the expired permit to temporarily close a sidewalk.

2. When a construction site is enrolled in a program to maintain the safety of construction sites where permitted work is temporarily suspended or has not commenced in accordance with section 28-105.9 of this code, and when a permit to temporarily close a sidewalk associated with such site has expired and the permittee has requested a new permit or an extension of the original permit, notice shall be provided by the department to the community board in whose district such new or extended permit has been sought.

§2. This local law shall take effect ninety days after its enactment.

Referred to the Committee on Transportation.

Int. No. 902

By Council Members Lappin, James, Koo, Koslowitz, Rose and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to reporting data about electric bicycles.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-153 of the administrative code of the city of New York, is amended to read as follows:

a. The department shall publish on its website the following traffic-related data: (1) the number of moving violation summonses issued, disaggregated by type of summons; (2) the number of traffic crashes, disaggregated by (i) the type of vehicle or vehicles involved; (ii) the number of motorists and/or injured passengers, bicyclists and pedestrians involved; and (3) the number of traffic-related fatalities and injuries disaggregated by (i) the number of motorists and/or injured passengers, bicyclists and pedestrians involved; and (ii) the apparent human contributing factor or factors involved in the crash, including, but not limited to alcohol, driver inattention/distraction, speeding, failure to yield and use of cell phones or other mobile devices. *For purposes of the above, bicyclists shall be further disaggregated by the number of bicyclists using bicycles that run exclusively on human power and by the number of bicyclists using bicycles that are capable of running on human power that may also be powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York state department of motor vehicles.*

§2. Section 19-186 of the administrative code of the city of New York is amended to add a new subdivision c to read as follows:

c. Commencing on the effective date of this subdivision, all compilation of information and all reporting required by this section shall disaggregate bicycles by the number of bicycles that run exclusively on human power and by the number of bicycles that are capable of running on human power that may also be powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York state department of motor vehicles.

§3. This local law shall take effect one hundred twenty days after it is enacted into law.

Referred to the Committee on Transportation.

Int. No. 903

By Council Members Levin, Lander, Vacca, Comrie, Dromm, Fidler, Koo, Koppell, Mark-Viverito, Rose, Williams, Lappin and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to post certain precinct-related information on the department's website.

Be it enacted by the Council as follows:

Section 1. The administrative code of the City of New York is amended to add a new section 14-154 as follows:

§14-154. Precinct-related information online. The department shall create and maintain individual webpages for each police precinct and make each easily accessible via the department's main webpage. On each precinct webpage the department shall clearly and conspicuously post information for each precinct, including but not limited to:

a. the precinct's address, boundaries, and a general contact telephone number for the front desk of the precinct, including a telephone number that accommodates those who are hearing impaired;

b. contact information, including name, telephone numbers, and email addresses if available and practicable, for the commanding officer of the precinct and his or her deputies;

c. contact information, including name, telephone numbers, and email addresses if available and practicable, for those in charge of the following areas at each precinct:

i. community affairs and community policing;

ii. traffic or transportation issues;

iii. crime prevention;

iv. domestic violence issues;

v. youth issues;

vi. auxiliary force;

vii. detective squad;

viii. gang violence issues;

ix. graffiti and other quality of life issues;

x. drug and other vice enforcement issues;

xi. property office; and

xii. records office.

This list shall include information about the work handled by each contact listed along with an explanation of when this person should be contacted for assistance;

d. precinct community council information, including, but not limited to, the community council president's name and contact information, dates, times, and locations for community council meetings, and a link to the community council's webpage if available;

e. a link to weekly compstat crime statistic information for the precinct along with a link to the mayor's office of operations' my neighborhood statistics webpage, or any successor webpage that serves substantially the same purpose;

f. the precinct's traffic safety plans along with a link to the city's online street closure mapping system;

g. a link to the state's sex offender registry with explanatory information; and

h. information regarding the days and times that copies of motor vehicle accident reports are available for pickup and the documentation necessary to obtain them.

§2. This local law shall become effective 30 days after its enactment into law.

Referred to the Committee on Public Safety.

Int. No. 904

By Council Members Levin, Lappin, Lander, Vacca, Chin, Comrie, Dromm, Eugene, Fidler, Gentile, James, Koo, Koppell, Koslowitz, Rose, Williams and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to reporting about traffic crashes.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-153 of the administrative code of the city of New York, is amended to read as follows:

a. The department shall publish on its website the following traffic-related data: (1) the number of moving violation summonses issued, disaggregated by type of summons; (2) the number of traffic crashes, disaggregated by (i) the type of vehicle or vehicles involved; [and] (ii) the number of motorists and/or injured passengers, bicyclists and pedestrians involved; (iii) *the number of times an employee of the department was present at the crash site following such crash, disaggregated by type of employee, including accident investigation squad member, patrol supervisor, detective, or highway unit member; and (iv) the number of times a sobriety test was*

administered at the crash site and the number of times such test indicated a motorist was legally intoxicated or impaired; and (3) the number of traffic-related fatalities and injuries disaggregated by (i) the number of motorists and/or injured passengers, bicyclists and pedestrians involved; [and] (ii) the apparent human contributing factor or factors involved in the crash, including, but not limited to alcohol, driver inattention/distraction, speeding, failure to yield and use of cell phones or other mobile devices; and (iii) the number of summonses issued for such crashes, disaggregated by the type of summons.

§2. Subdivision b of section 14-153 of the administrative code of the city of New York is amended to read as follows:

b. The data required pursuant to this section shall be published on the department's website for the whole city and disaggregated by borough and police precinct, and shall be searchable by intersection, except for the data required under paragraph one of subdivision a, which shall be disaggregated by borough and police precinct only. Such data shall be updated at least once every month, and shall remain on the department's website for five years following the date such data was first published.

§3. Section 19-184 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. Such plan shall be updated every five years and the first such updated plan shall be presented to the mayor and council no later than May 31, 2016 and every five years thereafter no later than May 31. Such updated plan shall include but not be limited to actions that have been taken to implement the prior plans submitted pursuant to this section, and an explanation of why actions that were recommended by prior such plans were not taken.

§4. This local law shall take effect one hundred twenty days after it is enacted into law.

Referred to the Committee on Transportation.

Res. No. 1434

Resolution calling on the Commissioner of the New York City Police Department to train at least five police officers, including a traffic enforcement officer, in each precinct to conduct thorough investigations of vehicle accidents resulting in serious injuries.

By Council Members Levin, Lander, Mark-Viverito, Vacca, Chin, Comrie, Dickens, Eugene, Gentile, James, Koo, Koppell, Mendez, Rose, Williams, Wills and Lappin.

Whereas, The New York City Police Department (“NYPD”) is responsible for investigating motor vehicle accidents in New York City; and

Whereas, Within the NYPD, the Highway Unit’s Accident Investigation Squad (“AIS”) specializes in investigating vehicle accidents; however, AIS only investigates accidents that result in death or a serious injury likely to result in a death; and

Whereas, AIS is a specialized unit comprised of, among others, detectives who conduct a comprehensive investigation at the accident scene including interviewing witnesses, preparing crash scene diagrams, and analyzing physical evidence; and

Whereas, AIS officers are currently the only NYPD members trained to conduct these types of investigations, which can help determine criminality or wrongdoing; and

Whereas, According to the NYPD, in 2011, AIS was deployed 304 times, including to 241 accidents that resulted in a death and 63 classified as having a victim that was likely to die; and

Whereas, Despite the high number of investigations conducted by AIS in 2011, the AIS unit headcount has declined over the past few years; and

Whereas, In 2000, AIS had 1 lieutenant, 4 sergeants, and 24 detectives and in 2011 had 1 lieutenant, 3 sergeants and 19 detectives; and

Whereas, All accidents resulting in serious injury deserve a thorough investigation; and

Whereas, To ensure that there are enough officers to conduct thorough investigations of vehicle accidents resulting in serious injury; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Commissioner of the New York City Police Department to train at least five police officers, including a traffic enforcement officer, in each precinct to conduct thorough investigations of vehicle accidents resulting in serious injuries.

Referred to the Committee on Public Safety.

Res. No. 1435

Resolution calling on the Commissioner of the New York City Police Department to revise the Department’s patrol guide section regarding police response to motor vehicle accidents that result in death or serious injury likely to result in death to reflect the New York State Vehicle and

Traffic Law requirement that police investigate all accidents involving serious physical injury or death, as defined by the Penal Law.

By Council Members Levin, Lander, Vacca, Chin, Comrie, Dickens, Gentile, James, Koppell, Mendez, Rose, Williams, Wills and Ulrich.

Whereas, The New York City Police Department (“NYPD”) is responsible for enforcing traffic laws and investigating motor vehicle accidents in New York City; and

Whereas, Upon arriving at the scene of an accident, the NYPD determines whether anyone has been injured; and

Whereas, The NYPD’s level of response to vehicle accidents depends on the severity of injuries that have been sustained; and

Whereas, For accidents that result in an injury, regardless of the severity of the injury, the NYPD deploys patrol officers to the scene who complete a police accident report, request ambulance service, determine the cause of the accident, and direct traffic, among other duties; and

Whereas, In addition to deploying patrol officers to accident scenes, the NYPD sends the Highway Unit’s Accident Investigation Squad (“AIS”) if a person dies or is “likely to die” as a result of the accident; and

Whereas, AIS is a specialized unit comprised of, among others, detectives who conduct a comprehensive investigation at the accident scene, including interviewing witnesses, preparing crash scene diagrams, and analyzing physical evidence; and

Whereas, According to the NYPD, in 2011, AIS was deployed 304 times, including to 241 accidents that resulted in a death and 63 classified as having a victim that was likely to die; and

Whereas, However, while death is apparent, whether or not an injury is “likely to result in death” might not always be so clear; and

Whereas, In fact, authorities may not always know how severe an injury is until the individual arrives at the hospital, at which point it may be too late for the NYPD to deploy the AIS; and

Whereas, Furthermore, while death and injuries likely to result in death are “serious injuries,” many other injuries, while not life threatening, are serious as well; and

Whereas, Many accidents result in life altering injuries such as multiple broken bones, dismemberment, head trauma and paralysis; and

Whereas, One such accident occurred on July 10, 2011 when Clara Heyworth was hit by a motor vehicle as she was crossing a street in Brooklyn; and

Whereas, The AIS allegedly began an investigation shortly after the accident took place that was put on hold because Ms. Heyworth initially survived the accident; and

Whereas, Unfortunately, Ms. Heyworth never regained consciousness and passed away the day after the accident; and

Whereas, Three days after the accident the AIS reportedly resumed the investigation into the crash; and

Whereas, The decision to postpone the investigation allegedly compromised some evidence from the crash; and

Whereas, Ms. Heyworth’s case demonstrates the difficulties of assessing the seriousness of someone’s injuries and how it effects the accessibility and integrity of crash scene evidence; and

Whereas, Yet another example occurred in October 2010, when a driver who was allegedly speeding hit James Paz and Michelle Matson and fled the scene; and

Whereas, Mr. Paz suffered a broken rib while Ms. Matson suffered a fractured skull, a broken neck and a broken leg; and

Whereas, Despite witnesses who saw the car hit Ms. Matson and send her down the street, the NYPD was never able to identify the driver; and

Whereas, The NYPD allegedly treated this accident as a non-AIS type since no person died or was deemed “likely to die”; and

Whereas, In order to ensure that the NYPD conducts a thorough investigation into accidents that result in serious injury, the NYPD should revise its patrol guide to reflect the New York State’s Vehicle and Traffic Law’s (“VTL”) response requirement; and

Whereas, Pursuant to VTL section 603-a, police shall investigate all motor vehicle accident which result in serious physical injury or death to a person as defined in the Penal Law; and

Whereas, Serious physical injury is defined in the Penal Law as an injury that creates a substantial risk of death or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ; and

Whereas, This definition covers more injuries than the definition used by the NYPD in determining when to conduct a more thorough accident investigation; and

Whereas, It is important for a thorough investigation to be conducted in all accidents resulting in serious injuries; and

Whereas, The NYPD should, therefore, adopt this language and amend departmental policies to ensure that all vehicle accidents that result in serious physical injuries are properly responded to and investigated; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Commissioner of the New York City Police Department to revise the Department’s patrol guide section regarding police response to motor vehicle accidents that result in death or serious injury likely to result in death to reflect the New York State Vehicle and

Traffic Law requirement that police investigate all accidents involving serious physical injury or death, as defined by the Penal Law.

Referred to the Committee on Public Safety.

Res. No. 1436

Resolution calling on the Commissioner of the New York City Police Department to revise the Department's patrol guide to ensure that any time a motor vehicle causes a bicyclist to be injured, regardless of whether or not there was contact between the vehicle and bicycle, all of the motor vehicle's identifying and insurance information is provided to the responding officer and made available to the injured cyclist.

By Council Members Levin, Lander, Mark-Viverito, Chin, Comrie, Gentile, James, Koppell, Mendez, Rose and Williams.

Whereas, Every day New Yorkers choose to ride a bicycle for a variety of reasons, such as commuting to work, as a form of exercise, and for recreational purposes; and

Whereas, While designated bicycle lanes provide a safe space for cyclists to ride their bicycles, unfortunately, accidents occur on the road; and

Whereas, According to the New York State Department of Motor Vehicles, in 2010, there were more than 3,000 New York City traffic accidents involving cyclists, and 18 cyclists died from accidents; and

Whereas, There are different kind of accidents that can occur, such as: bicycle on bicycle; bicycle on pedestrian; bicycle on motor vehicle; and bicyclists by themselves; and

Whereas, The New York City Police Department ("NYPD") is responsible for responding to and investigating all traffic accidents in New York City; and

Whereas, The NYPD currently reports accidents involving bicycles using two methods; and

Whereas, One method involves completing a motor vehicle accident report (MV-104), which is used to record vehicle accidents with bicycles when a vehicle and a bicycle come into contact with one another; and

Whereas, The other method involves completing an Aided Report for accidents that involve multiple bicycles colliding, bicycles colliding with pedestrians, or bicyclists by themselves; and

Whereas, The difference between the two reports is that an Aided Report does not include any information on the motor vehicle driver, owner or their insurance company, which is necessary for the injured party when submitting a No-Fault insurance claim; and

Whereas, If a bicyclist is injured due to the actions of a vehicle operator that did not include contact with the bicyclist, an Aided Report would be filled out as opposed to an MV-104, thereby arguably making it difficult for the injured cyclist to have his or her medical treatments paid for; and

Whereas, At a recent City Council Public Safety Committee hearing, the Committee heard testimony from a civil litigation attorney, who represents injured bicyclists, that many of his cases involve bicyclists who swerve or stop abruptly in order to avoid a reckless driver and sustain injuries as a result; and

Whereas, The Committee also heard testimony indicating that even if the driver of the motor vehicle remains at the scene of the incident, the responding officer will not prepare an MV-104 or otherwise obtain the driver's insurance information, and only prepares an Aided Report, which does not mention the motor vehicle and thereby leaves the injured bicyclists without any recourse to obtain compensation from the negligent driver's insurance company; and

Whereas, The NYPD should complete an MV-104, or otherwise obtain all relevant driver, owner, and insurance information, for all bicycle accidents involving a motor vehicle, regardless of whether there was vehicle contact; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Commissioner of the New York City Police Department to revise the Department's patrol guide to ensure that any time a motor vehicle causes a bicyclist to be injured, regardless of whether or not there was contact between the vehicle and bicycle, all of the motor vehicle's identifying and insurance information is provided to the responding officer and made available to the injured cyclist.

Referred to the Committee on Public Safety.

Res. No. 1437

Resolution calling upon the Metropolitan Transportation Authority ("MTA") to rate stations on the basis of a grading system of A to F utilizing criteria such as cleanliness, standing water, litter, graffiti, rodents, and other pests.

By Council Members Koo, Vacca, Comrie, Dromm, Gentile, James, Koppell, Koslowitz, Palma, Rose, Sanders, Williams, Wills and Ulrich.

Whereas, Currently the MTA releases a monthly Passenger Environment Survey-Key Performance Indicator ("PES-KPI") to measure the overall quality of passenger environment in subway cars and stations; and

Whereas, The PES-KPI index is composed of three components: Appearance, Equipment and Information, which track the overall cleanliness of stations and subway cars, the working condition of elevators, escalators, and other station equipment, and the quality of the information that is conveyed to passengers; and

Whereas, While the PES-KPI measures the overall quality of service that straphangers would normally encounter, the index only provides a rating for individual subway lines and aggregate information for the five boroughs, but does not provide information about individual subway stations; and

Whereas, In 2012, the NYPIRG Straphangers Campaign published the "State of the Station Platforms" survey in which a sample of 28 percent of all subway platforms were evaluated on the "presence of garbage cans, overflowing garbage cans, large garbage bags, rats, graffiti, lighting, handrails and staircases, exposed wiring, peeling paint, water damage, floor cracks, and missing tiles;" and

Whereas, The survey divided the conditions observed at subway stations into assessments of either good, bad or ugly; and

Whereas, While the survey found no widespread issues with overflowing garbage cans or large garbage cans on platforms, the survey found that "ugly" conditions were observed on 50 percent of the platforms surveyed; and

Whereas, These "ugly" conditions included rats on subway platforms, staircases and handrails in disrepair, missing tiles, and graffiti; and

Whereas, Over the past year there have been a number of stories in the media about the problem of rats and the presence of garbage in subway stations, during the same period there were two reported instances of rats attacking customers, including the latest incident in which a passengers leg was clawed by a rat on the A train; and

Whereas, To improve service and to highlight the continuing problems that exist in subway stations across the City, the MTA should use a grading system of A to F to rate the stations and to better inform its customers about the cleanliness of platforms; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Metropolitan Transportation Authority ("MTA") to rate stations on the basis of a grading system of A to F utilizing criteria such as cleanliness, standing water, litter, graffiti, rodents, and other pests.

Referred to the Committee on Transportation.

Int. No. 905

By Council Members Oddo, Comrie, Koo, Rose, Halloran and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to exempting certain cultural institutions located on property owned by the City from tree replacement requirements.

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 18-107 of the administrative code of the city of New York is amended to read as follows:

f. The provisions of this section shall apply to all city agencies, including the department, provided, however, that (i) no city agency or city contractor or subcontractor shall be required to pay a fee to the department, (ii) a tree site plan shall be developed by the department in consultation with the responsible city agency or agencies regarding the location of replacement trees prior to issuance of the permit, [and] (iii) replacement of trees by any city agency or city contractor or subcontractor shall be made not more than eighteen months from the date the project is completed[,], and (iv) the requirement that removed trees be replaced shall not apply to any botanical garden, museum or zoo that is located on property owned by the city.

§2. This local law shall take effect sixty days after its enactment.

Referred to the Committee on Parks and Recreation.

Int. No. 906

By Council Members Recchia and Palma (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to requiring income and expense statements from owners of income producing property for real property assessment purposes.

Be it enacted by the Council as follows:

Section 1. Subdivisions a and b of section 11-208.1 of the administrative code of the city of New York, as added by local law number 63 for the year 1986, are

amended to read as follows:

a. Where real property is income-producing property, the owner shall be required to submit annually to the department not later than the first day of [September] *June* a statement of all income derived from and all expenses attributable to the operation of such property as follows:

(1) Where the owner's books and records reflecting the operation of the property are maintained on a calendar year basis, the statement shall be for the calendar year preceding the date the statement shall be filed.

(2) Where the owner's books and records reflecting the operation of the property are maintained on a fiscal year basis for federal income tax purposes, the statement shall be for the last fiscal year concluded as of the first day of [August] *May* preceding the date the statement shall be filed.

(3) Notwithstanding the provisions of paragraphs one and two of this subdivision, where the owner of the property has not operated the property and is without knowledge of the income and expenses of the operation of the property for [a consecutive twelve month period concluded as of the first day of August preceding the date of the statement shall be filed, then the statement shall be for the period of ownership] *the entire year for which the income and expense statement is required pursuant to the provisions of paragraph one or paragraph two of this subdivision, then an income and expense statement shall not be required for such year. Such owner is, however, subject to the requirements of paragraph four of subdivision d of this section.*

(4) The commissioner may for good cause shown extend the time for filing an income and expense statement by a period not to exceed thirty days.

b. (1) Such statements shall contain the following declaration: "I certify that all information contained in this statement is true and correct to the best of my knowledge and belief. I understand that the willful making of any false statement of material fact herein will subject me to the provisions of law relevant to the making and filing of false instruments and will render this statement null and void."

(2) *In addition to the declaration required by paragraph one of this subdivision, such statement must be accompanied, on a form prescribed by the commissioner of finance, by a certification signed by an independent certified public accountant who has conducted an audit of the property owner's records to obtain reasonable assurance as to whether the statement is free from material misstatement, regarding any property that:*

(i) *has an actual assessed valuation of one million dollars or greater on the tentative assessment roll prepared in the calendar year the statement is due; and*

(ii) *reports on such statement total income derived from the property (before deduction for expenses) in an amount greater than one hundred thousand dollars.*

The certification shall be deemed a part of the income and expense statement required by this section.

§2.Paragraph 1 of subdivision d of section 11-208.1 of the administrative code of the city of New York, as amended by local law number 63 for the year 1986, is amended to read as follows:

d. (1) In the event that an owner of income-producing property fails to file an income and expense statement within the time prescribed in subdivision a of this section (determined with regard to any extension of time for filing), such owner shall be subject to a penalty in an amount not to exceed three percent of the assessed value of such income-producing property determined for the current fiscal year in accordance with section fifteen hundred six of the charter provided, however, that if such statement is not filed by the thirty-first day of December, the penalty shall be in an amount not to exceed four percent of such assessed value. If, in the year immediately following the year in which an owner fails to file by the thirty-first of December, the owner again fails to file an income and expense statement within the time prescribed in subdivision a of this section (determined with regard to any extension of time for filing), such owner shall be subject to a penalty in an amount not to exceed five percent of the assessed value of such property determined for the current fiscal year. Such owner shall also be subject to a penalty of up to five percent of such assessed value in any year immediately succeeding a year in which a penalty of up to five percent could have been imposed, if in such succeeding year the owner fails to file an income and expense statement within the time prescribed in subdivision a of this section (determined with regard to any extension of time for filing). The penalties prescribed in this paragraph shall be [determined] *imposed* by the commissioner after notice and an opportunity to be heard, *and, if authorized by rule of the commissioner, an opportunity to cure the failure to file. The penalties prescribed in this paragraph shall be a lien on such income-producing property when entered by the commissioner in the records in which charges against the property are to be entered, and shall continue to be, until paid, a lien on such property. Such lien shall be a tax lien within the meaning of sections 11-319 and 11-401 of this code and may be collected, sold, enforced or foreclosed in the manner provided in chapters two, three and four of title eleven of this code or may be satisfied in accordance with the provisions of section thirteen hundred fifty-four of the real property actions and proceedings law. If any such penalties are not paid within thirty days from the date of entry, it shall be the duty of the commissioner to receive interest thereon at the rate of interest applicable to such property for a delinquent tax on real property, to be calculated to the date of payment from the date of entry. The penalties prescribed in this paragraph may also be collected in an action brought against the owner of the income-producing property in a court of competent jurisdiction. The institution of any such action shall not suspend or bar the right to pursue any other remedy provided by law for the recovery of such penalties.*

§3.Subdivision d of section 11-208.1 of the administrative code of the city of New York is amended by adding new paragraphs 4 and 5 to read as follows:

(4) *An owner of real property who is not required to submit an income and expense statement pursuant to paragraph three of subdivision a of this section or the*

rules promulgated by the commissioner of finance pursuant to subdivision g of this section shall submit to the department, annually on or before the first day of June, or on such other schedule as determined by rule of the commissioner, a claim of exclusion from the filing requirement in a form approved by the commissioner. The commissioner may for good cause shown extend the time for submitting a claim of exclusion by a period not to exceed thirty days. In the event that an owner who is required to submit a claim of exclusion fails to submit such claim within the time prescribed by this paragraph or by the rules of the commissioner, such owner shall be subject to a penalty in an amount determined by rule of the commissioner, which shall not exceed the amount of the penalty prescribed by paragraph one of this subdivision. Such penalty shall be imposed by the commissioner after notice and an opportunity to be heard, and, if authorized by rule of the commissioner, an opportunity to cure the failure to submit a claim of exclusion, and shall be collected and enforced, including the imposition of interest for late payment, in the same manner as the penalties for failure to file an income and expense statement as provided in paragraph one of this subdivision.

(5) *Notwithstanding paragraph four of this subdivision, an owner of real property described below in subparagraphs i through iv of this paragraph, who is not required to file an income and expense statement, is not required to submit a claim of exclusion for the real property:*

(i) *property that has an assessed valuation of forty thousand dollars or less;*

(ii) *residential property containing ten or fewer dwelling units;*

(iii) *property classified in class one or two as defined in article eighteen of the real property tax law containing six or fewer dwelling units and one retail store; or*

(iv) *special franchise property that is assessed pursuant to article six of the real property tax law.*

§4.This local law shall take effect immediately and shall apply to income and expense statements that are required to be filed on or after June 1, 2013.

Referred to the Committee on Finance.

Res. No. 1438

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Members Recchia, Koslowitz, Palma and Wills.

Whereas, On June 28, 2012 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, On June 29, 2011 the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new designation and changes in the designation of a certain organization receiving aging discretionary funding in accordance with the 2012 Expense Budget; and

Whereas, On June 29, 2010 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2011 with various programs and initiatives (the "Fiscal 2011 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2011 Expense Budget by approving the new designation and changes in the designation of a certain organization receiving youth discretionary funding in accordance with the 2011 Expense Budget; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Brooklyn Legal Services Corporation A, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$50,000 within the Department of Housing Preservation and Development, to read: "Funds will be used to sustain and expand its widely acclaimed Group Representation Unit. The Unit's staff provides critically needed legal support for a network of 15 full-time tenant organizers operating out of 6 community housing organizations. With increased resources we will be able to effect change in the communities we serve, drastically decreasing discriminatory housing practices and preserving as many affordable units as possible to ensure the continuing availability of this housing for low income individuals and families."; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for The Maspeth Town Hall, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$9,500 within the Department of Youth and Community Development. Funding for this organization will now be provided through the Department for the Aging and this Resolution amends the Description/Scope of Services to read "MTH offers a variety of energizing and stimulating classes for the 55 years and older. Our

Gentle Chair Yoga classes will give our seniors the opportunity to exercise their minds and body, increase their strength, balance and concentration skills.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Staten Island Economic Development Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$80,000 within the Department of Small Business Services to read “\$60,000 will be used to support the continuation of the South Shore Merchant Program (SSMP). The primary purpose of the SSMP is to enhance the commercial districts of Annadale, Eltingville Great Kills. \$20,000 will be used to support the Annual Business Development Conference.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for St. Rosalia-Regina Pacis Neighborhood Improvement Association, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$9,500 within the Department for the Aging, to read: “Funding will support NIA which offers assistance, referrals and informational services and sponsors special events/ social gatherings that include senior proms and senior picnics. Also, funding will support NIA staff visits to senior centers per schedule to support and enhance their activities assisting with social fitness activities and distribute informational materials that address relevant issues and promote healthy living.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Research Foundation of the City University of New York, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2012 Expense Budget in the amount of \$20,000 within the City University of New York, to read: “To bring a part-time attorney to the district office to assist people with immigration issues, such as adjustment of status, applying for citizenship and permanent residency, as well as other legal concerns.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new Description/Scope of Services for Dutch Kills Civic Association, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$6,000 within the Department of Youth and Community Development, to read: “Our Association provides a Children’s Summer Entertainment Series during the summer, which includes shows and concerts. Funds will also be used for general operating support for monthly meetings.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for The Department of Parks and Recreation, an agency receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$12,000, to read: “Funds will be used to hire 2 playground associates - 1 each for Brevoort and Lincoln Park Terrace playgrounds.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new Description/Scope of Services for Midwood Development Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$14,641 within the Department of Youth and Community Development, to read: “Funds will be used to support “Project Sweep” supplemental cleaning in Bensonhurst.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Horticultural Society Of New York, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$10,000 within the Department of Youth and Community Development, to read: “Funds will be used to pay for expenses and supplies used for service and maintenance of green spaces in Council District #32.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Bedford Stuyvesant Restoration Corporation, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$75,000 within the Department of Small Business Services, to read: “To fund the efforts of the Coalition for the Improvement of Bedford Stuyvesant (CIBS) including workforce development, foreclosure intervention, housing and financial education.”; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new Description/Scope of Services for Chinese American Planning Council, Inc., an organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$4,000 within the Department of Youth and Community Development, to read: “Supplement staff training, including CPR/First Aid as required by the Department of Health and Mental Hygiene, and to cover school and art supplies for OST program at PS 20.”;

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new EIN for the First Baptist Church of Corona NY, an organization receiving funding in the Fiscal Year 2010 Expense Budget adopted on June 19, 2009 to 11-2009943; now, therefore be it

Resolved, That the City Council approves the new Description/Scope of Services for certain organizations receiving local aging, and youth discretionary funding in the Fiscal 2013 Expense Budget; and be it further

Resolved, That the City Council approves the new EIN for the First Baptist Church of Corona NY, an organization receiving funding in the Fiscal Year 2010 Expense Budget adopted on June 19, 2009 to 11-2009943; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MWBE Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Community Consultants Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Eviction and SRO Legal Service Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Health and Mental Hygiene in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Youth and Community Development in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative within the Department of Youth and Community Development in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Social Adult Day Care Programs Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the YMCA After-School Program Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Out of School Time Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Senior Centers and Programs Restoration, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Runaway and Homeless Youth PEG Restoration Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Early Learn/Childcare Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2011 Expense Budget, as set forth in Chart 25.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 1438 printed in these Minutes).

Res. No. 1439

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to amend the Vehicle and Traffic Law, in relation to requiring the New York State Department of Transportation to reevaluate and review highways, parkways and roadways for safety issues every ten years.

By Council Members Rivera, Eugene, James, Palma, Rose, Williams, Wills and Ulrich.

Whereas, In 2009 the General Contractors Association of New York identified ten major roadways in New York State, that were in varying states of deteriorating conditions, one of which was the Bronx River Parkway; and

Whereas, According to a study that the American Association of State Highway and Transportation Officials released in June of 2009, New York State ranks 43rd out of the 50 states for its poor road conditions; and

Whereas, According to statistics collected by the New York Department of Transportation, there were 186,034 traffic accidents and 1,148 traffic fatalities across New York State in 2009; and

Whereas, The recent history of accidents on the Bronx River Parkway illustrates the tragic consequences that can result from unsafe road conditions; and

Whereas, In 2006, six members of one family, including a 6-year-old girl, were killed when their vehicle went out of control, over the Bronx River Parkway's concrete median and into oncoming traffic; and

Whereas, In June of 2011, the driver of a sport utility vehicle that was heading north on the Bronx River Parkway lost control of the vehicle, drove into the southbound lane of traffic and fell 20 feet, landing on a pickup truck in a parking lot after hitting the guardrail along the edge of the roadway; and

Whereas, On April 29, 2012 the operator of a van driving on an overpass on the Bronx River Parkway lost control of the vehicle, and then plunged more than 50 feet off the side of the road killing all seven passengers aboard, including three children; and

Whereas, After the April 29th crash on the Bronx River Parkway, Bronx Borough President Ruben Diaz, Jr. called on City and State agencies to examine safety issues along the highway; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation to amend the Vehicle and Traffic Law, in relation to requiring the New York State Department of Transportation to reevaluate and review highways, parkways and roadways for safety issues every ten years.

Referred to the Committee on Transportation.

Int. No. 907

By Council Members Rodriguez, James, Rose, Williams and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to implement a for-hire vehicle warning alert system.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 14 of the administrative code of the city of New York is amended by adding a new section 14-154 to read as follows:

§ 14-154 *For-hire vehicle warning alert system.* *Within one hundred and eighty days of the effective date of the local law that added this section, the commissioner shall implement a system that will allow law enforcement officers to instantly upload to department computers images from any in-vehicle camera system that is currently installed in a for-hire vehicle.*

§2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Public Safety.

Int. No. 908

By Council Members Rodriguez, James, Koppell, Mendez, Rose, Williams, Wills and Dromm.

A Local Law to amend the administrative code of the city of New York in relation to required signage informing persons of their right to reasonable accommodations at certain city facilities.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 8 of the administrative code of the city of New York is amended by adding a new section 8-132 to read as follows:

§8-132. *Informing persons of their right to reasonable accommodations. a. Definitions. For the purposes of this section the following terms shall have the following meanings:*

1. *“DOHMH” shall mean the department of health and mental hygiene;*

2. *“District public health office” shall mean any department of health and mental hygiene authorized health office charged with reducing health inequalities across the city of New York by targeting resources, programs, and attention to high-need neighborhoods;*

3. *“Food stamp center” shall mean any New York city department of social services/human resources administration authorized facility located within the five boroughs of the city of New York where individuals can apply for food stamps;*

4. *“HRA” shall mean the human resources administration;*

5. *“Immunization walk-in clinic” shall mean any department of health and mental hygiene authorized walk-in clinic that provides immunizations;*

6. *“Job center” shall mean any New York city department of social services/human resources administration authorized facility located within the five boroughs of the city of New York where individuals can apply for public assistance; and*

7. *“STD clinic” shall mean any department of health and mental hygiene authorized free and confidential clinic that tests for sexually transmitted diseases.*

b. A sign, in form and manner as prescribed by the rules of the commissioners of HRA and DOHMH, respectively, shall be posted in conspicuous locations inside of and at the main entrance of every HRA food stamp center and job center, and each DOHMH district public health office, immunization walk-in clinic, and STD clinic. Such signs shall inform persons with disabilities of (i) their right to a reasonable accommodation; and (ii) information sufficient to contact the person designated to review and grant such accommodation.

§2. This local law shall take effect one hundred and twenty days after its enactment, except that the commissioners of the human resources administration and the department of health and mental hygiene, respectively, shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services.

Res. No. 1440

Resolution calling on New York State to require that New York City provide full time pre-kindergarten seats to all eligible New York City children.

By Council Members Rodriguez, Chin, Eugene, James, Mendez, Rose, Sanders, Williams and Wills.

Whereas, Every child should have the right to a full time, high quality early intervention educational program; and

Whereas, Children who participate in early intervention programs, such as pre-kindergarten, enter kindergarten with the skill sets they need to be academically successful; and

Whereas, In a *New York Times* article published on December 16, 2011, one mother expressed her struggle to get her child into a City public pre-kindergarten program; and

Whereas, According to the *Times* article, the mother was one of 28,817 applicants to apply for the 19,834 seats available in the public pre-kindergarten programs; and

Whereas, That mother's child did not get a seat, and instead of paying the exorbitant tuition of a private preschool, she turned to a co-op preschool, which are generally run, financed, staffed, and administered by a group of parents, usually in one of their homes; and

Whereas, Co-op preschools are sometimes difficult to run because parents may be in conflict as to how the school should be run, and furthermore, co-op preschools that do not file for a permit with the City or run background checks on their staff may be in violation of the New York City Health Code; and

Whereas, Parents should not have to resort to desperate measures to get their children prepared for kindergarten, yet they are willing to take such drastic measures because early intervention is a crucial asset to their children; and

Whereas, The National Institute for Early Education Research, NIEER, performed a study of New Mexico's Pre-K Initiative during the 2007-2008 school year; and

Whereas, The study found that children who attended pre-kindergarten scored higher on assessments of their early math and literacy skills, which included telling time, knowledge of letters, familiarity with words and book concepts compared to children who did not attend pre-kindergarten; and

Whereas, Not only does an early educational program give students an advantage in kindergarten, but also for the rest of their academic career; and

Whereas, In 1986, The National Institutes of Health funded a longitudinal study with the Chicago Child-Parent Center Program (CPC), concerning educational, health and nutritional services to children ages 3 to 9 years; and

Whereas, The study showed students who participated in CPC for a year or two had significant statistical advantage of 5.5 and 4.2 points in standard scores for reading achievements for the age group of 14 and 15 year olds; and

Whereas, Students who participated in the CPC program for five or six years performed at or above the Chicago average in reading and mathematics; and

Whereas, Early intervention programs are also cost-effective and provide a public benefit; and

Whereas, In 2005, the RAND Corporation found that early childhood interventions can generate a return to society ranging from \$1.80 to \$17.07 for each dollar spent on early childhood intervention because money is not spend on future costs such as remedial classes; and

Whereas, Pre-kindergarten is beneficial to all and children should not be denied access to quality early education intervention because they cannot afford it or because the City cannot provide enough seats; and

Whereas, If New York State requires high quality pre-kindergarten education, then all children will have a better chance to become successful academically and in their adult lives and careers; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State to require that New York City provide full time pre-kindergarten seats to all eligible New York City children.

Referred to the Committee on Education.

Int. No. 909

By Council Members Ulrich, Koo, Rose, Williams, Halloran, Ignizio and Oddo.

A Local Law to amend the administrative code of the city of New York, in relation to repealing the call up provision following the granting of base station licenses.

Be it enacted by the Council as follows:

Section 1. Section 19-511.1 of chapter 5 of title 19 of the administrative code of the city of New York is hereby REPEALED.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 910

By Council Members Vacca, Brewer, Garodnick, Lappin, Chin, Koo, Koslowitz, Mendez and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to the use of bicycles for commercial purposes.

Be it enacted by the Council as follows:

Section 1. Subchapter three of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-189 to read as follows:

§ 19-189 *Commercial bicycles*. a. For purposes of this section, the following terms shall have the following meanings:

(1) "bicycle" shall have the same meaning as in section 19-176 of this title, and also mean a motor-assisted device that is not capable of being registered by the New York state department of motor vehicles.

(2) "business using a bicycle for commercial purposes" shall mean a person, firm, partnership, joint venture, association, corporation, or other entity which engages in the course of its business, either on behalf of itself or others, in delivering packages, parcels, papers or articles of any type by bicycle, provided that such business has supervision over the bicyclist delivering such package, parcel, papers or articles of any type. Nothing contained in this section shall be construed as applying to persons under the age of eighteen who use a bicycle only to deliver daily newspapers or circulars.

b. A business using a bicycle for commercial purposes shall provide identification of such business by requiring every bicycle or bicycle operator to be identified by affixing to the rear of each bicycle, bicycle seat or both sides of the delivery basket, a metal, plastic or other sign measuring no less than three inches by five inches, with the name of the business and an identification number unique to that particular bicycle in lettering and numerals no less than one inch in height so as to be plainly readable at a distance of not less than ten feet and maintaining such sign in good condition. A sign is no longer in good condition if it is missing any of its component parts or is otherwise damaged so as to impair its functionality.

c. Every business using a bicycle for commercial purposes must assign to every bicycle operator a three digit identification number. Such business must issue to every bicycle operator an identification card which contains the name, three digit identification number and photo of the bicycle operator and the name, address and telephone number of the entity with which the bicycle operator is employed or affiliated. Such business shall ensure that such identification card is carried by the bicycle operator during any deliveries the bicycle operator makes on behalf of such entity. Such bicycle operator shall be required to produce such identification upon demand of a police officer or other authorized representative of the police department.

d. Every business using a bicycle for commercial purposes shall maintain a roster of bicycle operators employed with such business or other individuals over whom such business has supervision. Included in such roster shall be the name of every person operating a bicycle on behalf of such business, the date of employment or affiliation and discharge or discontinuance of affiliation of each such person, and every such person's three digit identification number. The owner of any business using a bicycle for commercial purposes shall be responsible for maintaining the roster. No entry in such roster may be deleted or in any other way amended either in whole or in part except in such manner as may be provided by rule of the commissioner. Such roster shall be made available for inspection during regular and usual business hours or any other such time that such entity is open for business upon request of an authorized employee of the department.

e. (1) The owner of any business using a bicycle for commercial purposes shall provide, at its own expense, protective headgear suitable for each bicycle operator. Such headgear shall:

(i) meet the standards set forth by the consumer product safety commission in title 16, part 1203 of the code of federal regulations;

(ii) be readily available at each employment site for use by each bicycle operator; and

(iii) be replaced if such headgear is no longer in good condition. Headgear is no longer in good condition if it is missing any of its component parts or is otherwise damaged so as to impair its functionality.

(2) Each bicycle operator shall wear protective headgear that meets the requirements of paragraph 1 of this subdivision while making deliveries or otherwise operating a bicycle on behalf of such business. The term "wear such protective headgear" means having the headgear fastened securely upon the head with the headgear straps.

f. The owner of any business using a bicycle for commercial purposes, notwithstanding that a bicycle may be provided by an employee or affiliate thereof, shall provide at its own expense and ensure that each bicycle is equipped with a lamp; a bell or other device capable of giving a signal audible from a distance of at least one hundred feet, provide however that a siren or whistle shall not be used; brakes; reflective tires or, alternately, a reflex reflector mounted on the spokes of each wheel; as well as other reflective devices or material in accordance with section 1236 of the vehicle and traffic law.

g. Every business using a bicycle for commercial purposes, shall post one or more signs at each employment site summarizing the legal responsibilities of bicycle operators and businesses pursuant to the provisions of the vehicle and traffic law, administrative code of the city of New York and department of transportation traffic rules and regulations relevant to the operation of a bicycle in New York city. Not less than fifteen days prior to the effective date of this section, the department shall post on its website the list of such provisions.

h. Every sign required pursuant to subdivision g of this section shall be:

(1) in English and Spanish and any other language spoken predominantly by any bicycle operator utilized by the business using a bicycle for commercial purposes; and

(2) posted in a manner conspicuous to bicycle operators utilized by such business present at the employment site; and

(3) otherwise displayed in content, size and manner as shall be determined by

the commissioner by rule consistent with the provisions of this section.

i. Violation of any of the provisions of this section or of section 19-189.1 of this chapter, or of any of the rules or regulations that may be promulgated pursuant to either of such sections, shall subject such business using a bicycle for commercial purposes to a civil penalty of one hundred dollars for each violation. Failure to cure such violation within thirty days shall subject such business to an additional civil penalty of two hundred fifty dollars. Service of a notice of violation of any provision of this section or any of the rules or regulations promulgated pursuant this section or section 19-189.1 of this chapter may be made upon such business by serving such notice of violation upon the owner or manager of such business or on any individual determined by the individual serving such notice to be in charge of such business at the time of the service of the summons.

j. As an alternative or in addition to the penalties provided for in subdivision i of this section, violation of any of the provisions of this section or of section 19-189.1 of this subchapter, or of any of the rules or regulations that may be promulgated pursuant to either of such sections, shall be a violation triable by a judge of the criminal court of the city of New York and upon conviction thereof shall be punishable by a fine of not less than one hundred dollars nor more than two hundred fifty dollars or imprisonment for not more than fifteen days or both such fine and imprisonment.

k. Any person who makes deliveries or otherwise operates a bicycle on behalf of a business using a bicycle for commercial purposes without carrying the identification required by subdivision c of this section or who fails to produce such identification upon demand as required by such subdivision, or who fails to wear protective headgear required by subdivision e of this section, shall be guilty of a traffic infraction and upon conviction thereof shall be liable for a fine of not less than twenty-five dollars nor more than fifty dollars. It shall be an affirmative defense to such traffic infraction that the business did not provide the protective headgear or the identification as applicable required by subdivision e of this section. Such traffic infraction may be adjudicated by such an administrative tribunal as is authorized under article two-A of the vehicle and traffic law.

§ 2. Sections 10-157 and 10-157.1 of the administrative code of the city of New York are hereby REPEALED.

§ 3. This local law shall take effect one hundred and twenty days after it shall have become law, except that the commissioner of the department of transportation shall take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

Referred to the Committee on Transportation.

Res. No. 1440

Resolution calling on New York State to require that New York City provide full time pre-kindergarten seats to all eligible New York City children.

By Council Members Rodriguez, Chin, Eugene, James, Mendez, Rose, Sanders, Williams and Wills.

Whereas, Every child should have the right to a full time, high quality early intervention educational program; and

Whereas, Children who participate in early intervention programs, such as pre-kindergarten, enter kindergarten with the skill sets they need to be academically successful; and

Whereas, In a *New York Times* article published on December 16, 2011, one mother expressed her struggle to get her child into a City public pre-kindergarten program; and

Whereas, According to the *Times* article, the mother was one of 28,817 applicants to apply for the 19,834 seats available in the public pre-kindergarten programs; and

Whereas, That mother's child did not get a seat, and instead of paying the exorbitant tuition of a private preschool, she turned to a co-op preschool, which are generally run, financed, staffed, and administered by a group of parents, usually in one of their homes; and

Whereas, Co-op preschools are sometimes difficult to run because parents may be in conflict as to how the school should be run, and furthermore, co-op preschools that do not file for a permit with the City or run background checks on their staff may be in violation of the New York City Health Code; and

Whereas, Parents should not have to resort to desperate measures to get their children prepared for kindergarten, yet they are willing to take such drastic measures because early intervention is a crucial asset to their children; and

Whereas, The National Institute for Early Education Research, NIEER, performed a study of New Mexico's Pre-K Initiative during the 2007-2008 school year; and

Whereas, The study found that children who attended pre-kindergarten scored higher on assessments of their early math and literacy skills, which included telling time, knowledge of letters, familiarity with words and book concepts compared to children who did not attend pre-kindergarten; and

Whereas, Not only does an early educational program give students an advantage in kindergarten, but also for the rest of their academic career; and

Whereas, In 1986, The National Institutes of Health funded a longitudinal study with the Chicago Child-Parent Center Program (CPC), concerning educational, health and nutritional services to children ages 3 to 9 years; and

Whereas, The study showed students who participated in CPC for a year or two had significant statistical advantage of 5.5 and 4.2 points in standard scores for reading achievements for the age group of 14 and 15 year olds; and

Whereas, Students who participated in the CPC program for five or six years performed at or above the Chicago average in reading and mathematics; and

Whereas, Early intervention programs are also cost-effective and provide a public benefit; and

Whereas, In 2005, the RAND Corporation found that early childhood interventions can generate a return to society ranging from \$1.80 to \$17.07 for each dollar spent on early childhood intervention because money is not spend on future costs such as remedial classes; and

Whereas, Pre-kindergarten is beneficial to all and children should not be denied access to quality early education intervention because they cannot afford it or because the City cannot provide enough seats; and

Whereas, If New York State requires high quality pre-kindergarten education, then all children will have a better chance to become successful academically and in their adult lives and careers; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State to require that New York City provide full time pre-kindergarten seats to all eligible New York City children.

Referred to the Committee on Governmental Operations.

Res. No. 1441

Resolution calling upon the New York State Public Safety Commission to require utilities to conduct stray voltage testing on all electric facilities accessible to the public every six months and inspection of all electric facilities every two years.

By Council Members Vallone Jr., James, Koppell, Sanders, Williams and Wills.

Whereas, Stray voltage, also known as contact voltage, occurs when abnormal power conditions cause electric facilities, including objects such as lamp posts, sidewalk grates and manholes, to become energized; and

Whereas, According to the *New York Times*, pedestrians and animals that come into contact with electrified objects may experience electrical shocks, resulting in injury or even death; and

Whereas, Consolidated Edison (Con Edison) has acknowledged that the 2004 death of a Manhattan pedestrian was caused by stray voltage emanating from a metal sidewalk plate; and

Whereas, According to Con Edison, 79 shocks from stray voltage were reported in its service areas in 2011; and

Whereas, The New York Public Safety Commission (PSC) is empowered by state law to regulate utilities and insure safe service; and

Whereas, The PSC requires utilities to conduct annual testing for stray voltage on all electric facilities accessible to the public and perform inspection of all electric facilities once every five years; and

Whereas, According to Con Edison, approximately 778,000 facilities within New York City and Westchester County must be tested annually; and

Whereas, The large number of both facilities vulnerable to stray voltage and pedestrians in New York City necessitate more frequent testing for dangerous voltage conditions; and

Whereas, Increased testing requirements for stray voltage may help to decrease the risk of potentially lethal electric shocks to New York City pedestrians and their pets; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Public Safety Commission to require utilities to conduct stray voltage testing on all electric facilities accessible to the public every six months and inspection of all electric facilities every two years.

Referred to the Committee on Transportation.

Res. No. 1442

Resolution calling on the New York State Assembly to pass A.10291, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, amending the membership of the New York City Water Board to include the five borough presidents, the mayor or a public member appointed by the mayor and a public member appointed by the governor who has experience in the science of water resource development.

By Council Members Vallone Jr., Fidler, Gentile, James, Rose, Sanders, Williams, Wills and Halloran.

Whereas, New York City's entire water and sewer infrastructure, including operating and capital needs, is funded by revenue collected through water and sewer rates; and

Whereas, The New York City Water Board ("Water Board"), a public benefit corporation created by a special act of the State Legislature, is responsible for setting these rates; and

Whereas, Water rate increases have ranged from 7.5% to 14.5% since 2008, placing a significant burden on residents and businesses during difficult economic times; and

Whereas, The Water Board consists of seven members appointed by the Mayor, one of whom must have experience in the science of water resource development; and

Whereas, A.10291, currently pending in the New York State Assembly, seeks to amend the New York City Municipal Water Finance Authority Act to change the composition of the New York City Water Board to include the five borough presidents, the Mayor or the Mayor's appointee and a gubernatorial appointee with experience in the science of water resource development; and

Whereas, The proposed change to the Water Board's composition will facilitate broad public participation and representation from each borough in the work of the board; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.10291, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, amending the membership of the New York City Water Board to include the five borough presidents, the mayor or a public member appointed by the mayor and a public member appointed by the governor who has experience in the science of water resource development.

Referred to the Committee on Governmental Operations.

Res. No. 1443

Resolution calling on Microsoft to disclose the data sources it plans to use for its "pedestrian route production" application.

By Council Members Wills, Vann, Rose, Koslowitz, James, Comrie, Mendez, Palma and Williams.

Whereas, On January 3, 2012, Microsoft Corporation ("Microsoft") submitted a patent application to the United States Patent and Trademark Office for a smartphone application ("app") that would recommend walking directions for pedestrian users; and

Whereas, Labeled in the patent application as a "pedestrian route production," this app would use a global positioning system to detect a user's location and would incorporate weather, terrain, and neighborhood safety information when recommending a walking route to the user; and

Whereas, Shortly after the patent application was publicized, Microsoft's pedestrian route production app was quickly named the "avoid ghetto" app for its goal of directing pedestrians away from unsafe neighborhoods; and

Whereas, In its patent application, Microsoft did not explain what metrics the app would use to determine the safety of a neighborhood beyond defining a "safe" neighborhood as one in with "violent crime statistics below a certain threshold"; and

Whereas, Critics of the patent have expressed their concern that such an app would have a disproportionately negative impact on low-income neighborhoods and neighborhoods of color if it were released; and

Whereas, By directing pedestrians away from neighborhoods alleged to have high rates of violent crime, the proposed app risks ostracizing entire communities and perpetuating negative associations with those areas; and

Whereas, This app could also thwart the economic development of certain areas if fewer businesses were patronized due to less pedestrian traffic; and

Whereas, Crime statistics can vary from one block to the next, compromising the efficacy of such an app; and

Whereas, Since violent crime is not indigenous to any one neighborhood, Microsoft's pedestrian route production app can lure its users into a false sense of security; and

Whereas, Without knowing the data sources for the pedestrian route production app, it is impossible to know whether there are any inherent biases in the crime statistics that might favor one neighborhood over the other; and

Whereas, It is irresponsible and potentially damaging to publicize the impending release of an app that incorporates public safety data without also disclosing the source of its information; now, therefore, be it

Resolved, That the Council of the City of New York calls on Microsoft to disclose the data sources it plans to use for its "pedestrian route production" application.

Referred to the Committee on Technology.

L.U. No. 651

By Council Member Comrie:

In Rem Action No. 51: Application no. 20125705 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council Districts 35, 36, 39, 40, 41, and 42, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 3, 5, 6, 8, 9 and 17.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

L.U. No. 652

By Council Member Comrie:

In Rem Action No. 51: Application no. 20125706 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Council Districts 35, 36 and 41, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 2 and 3.

Adopted by the Council (preconsidered by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

L.U. No. 653

By Council Member Comrie:

In Rem Action No. 51: Application no. 20125707 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property located in Community Board 3, Council District 36, and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law, Borough of Brooklyn, Community Board 3.

Adopted by the Council (preconsidered by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

L.U. No. 654

By Council Member Comrie:

Application no. 20125522 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 11 Carmine Tacos, LLC d.b.a. Dos Toros Taqueria, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 11 Carmine Street, Borough of Manhattan, Council District 3, Community Board 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 655

By Council Member Comrie:

Application no. 20125549 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Huitres NYC Inc., d.b.a. Buschenschauk, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 320 Court Street, Borough of Brooklyn, Council District 39, Community Board 6. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 656

By Council Member Comrie:

Application no. 20125699 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 42-02 Tavern, Inc., d.b.a. Doyle’s Corner, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 42-02 Broadway, Borough of Queens, Council District 26, Community Board 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 657

By Council Member Comrie:

Application no. 20125726 HKK (N 120369 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Sears Roebuck & Company Department Store located at 2227-2323 Beverly Road (Block 5133, part of Lot 14) (List No.455 LP-2469), Borough of Brooklyn, Community Board 14, Council District no. 40, as an historic landmark .

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 658

By Council Member Comrie:

Application no. 20125727 HKM (N 120368 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Van Tassell and Kearney Auction Mart located at 126-128 East 13th Street (Block 558, Lot 43 in part) (List No.455 LP-2205), Borough of Manhattan, Community Board 3, Council District no. 2, as an historic landmark .

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 659

By Council Member Comrie:

Uniform land use review procedure application no. N 120248 HAM, an Urban Development Action Area Designation and Project located at 120 East 125th Street (Block 1773, Lot 62) to facilitate the rehabilitation of a vacant four-story building, Borough of Manhattan, Community Board 11, Council District no. 8. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 660

By Council Member Comrie:

Application no. C 120177 PCM submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 512 West 23rd Street (Block 694, Lot 40), for use as an ambulance station, Borough of Manhattan, Community Board 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 661

By Council Member Comrie:

Application no. 20125689 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Groove Enterprises., d.b.a. Groove, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 125 MacDougal Street, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 662

By Council Member Comrie:

Application no. 20125742 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 1 Perry Street Restaurant Inc., d.b.a. Yerba Buena, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 57 Greenwich Street, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

At this point the Speaker (Council Member Quinn) made the following announcements:

ANNOUNCEMENTS:

Wednesday, August 8, 2012

Committee on **GOVERNMENTAL OPERATIONS**..... **1:00 P.M.**
Oversight - Assessing the Board of Elections’ Performance in the 2012 Congressional Primary Election and Preparedness for the Upcoming 2012 New York State Primary Election
Council Chambers – City Hall Gale Brewer, Chairperson

Thursday, August 16, 2012

Committee on **PUBLIC HOUSING** **1:00 P.M.**
Oversight - Update on NYCHA’s Use of City Council Funding to Install Security Systems in its Developments
Committee Room – 250 Broadway, 16th FloorRosie Mendez, Chairperson

Monday, August 20, 2012

Subcommittee on **ZONING & FRANCHISES**.....**9:30 A.M.**
See Land Use Calendar Available Wednesday, August 15, 2012
Committee Room– 250 Broadway, 16th FloorMark Weprin, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES**.....**11:00 A.M.**
See Land Use Calendar Available Wednesday, August 15, 2012
Committee Room– 250 Broadway, 16th Floor Brad Lander, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS** **1:00 P.M.**
See Land Use Calendar Available Wednesday, August 15, 2012
Committee Room – 250 Broadway, 16th Floor Stephen Levin, Chairperson

Tuesday, August 21, 2012

Committee on **LAND USE** **10:00 A.M.**
All items reported out of the subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – 250 Broadway, 16th Floor Leroy Comrie, Chairperson

Wednesday, August 22, 2012

Stated Council Meeting *Ceremonial Tributes – 1:00 p.m.*
..... *Agenda – 1:30 p.m.*
Location *~ Council Chambers ~ City Hall*

Whereupon on motion of the Speaker (Council Member Quinn), the President Pro Tempore (Council Member Rivera) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, August 22, 2012.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int No. 740-A, adopted by the Council at the June 13, 2012 Stated Council Meeting, was returned unsigned by the Mayor. This bill became law on July 14, 2012 pursuant to City Charter mandate due to Mayoral inaction within the Charter prescribed thirty day time-period and was subsequently assigned as Local Law 40 of 2012.

|