

Int. No. 542-A

By Council Member Mendez, Lappin, Brewer, Garodnick, Avella, Fidler, Gentile, Gonzalez, James, Koppell, Liu, Mark-Viverito, Martinez, Mealy, Nelson, Sears, Weprin, Recchia Jr., Barron, Gerson, Arroyo and Oddo

A Local Law

To amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to issue notice to the department of buildings when a property has been calendared for designation as a landmark, requiring the department of buildings to issue notice to the landmarks preservation commission when permit applications for buildings that have been calendared for designation as a landmark are received, and revoking permits previously issued by the department of buildings when a property is designated as a landmark.

Be it enacted by the Council as follows:

Section 1. Section 25-321 of the administrative code of the city of New York is amended to read as follows:

§25-321 [Applicability. The provisions of this chapter shall be inapplicable to the construction, reconstruction, alteration or demolition of any improvement on a landmark site or in a historic district or containing an interior landmark, or of any landscape feature of a scenic landmark, where a permit for the performance of such work was issued by the department of buildings, or, in the case of a landscape feature of a scenic landmark, where plans for such work have been approved, prior to the effective date of the designation, or amended or modified designation, pursuant to the provisions of section 25-303 of this chapter, first making the provisions of this chapter applicable to such improvement or landscape feature or to the improvement parcel or property in which such improvement or landscape feature is or is to be located.] Lapse of previously issued building permits. a. If, prior to the effective date of the designation or amended or modified designation first making the provisions of this chapter applicable to any

improvement on a landmark site, or in a historic district, or containing an interior landmark, or of any landscape feature of a scenic landmark, a permit for the construction, reconstruction, alteration or demolition of such improvement was issued by the department of buildings, or, in the case of a landscape feature, where plans for such work have been approved, such construction, reconstruction, alteration, or demolition, the building permit shall automatically lapse on the effective date and the right to continue construction, reconstruction, alteration, or demolition shall terminate. An appeal to reinstate a building permit may be made to the board of standards and appeals not more than 30 days after the designation of a landmark site, a historic district or scenic landmark that caused such permit to lapse has become final pursuant to section 25-303(g) of this code. The board of standards and appeals may renew the building permit and authorize an extension of time sufficient to permit the completion of the work authorized by the permit, provided that the board of standards and appeals finds that substantial performance and substantial expenditures have been made in furtherance of such permit prior to the effective date.

b. The provisions of subdivision a of this section shall not apply to building permits for alterations that have no effect on the exterior of an improvement on a landmark site, or in a historic district. The commissioner of buildings shall determine whether a building permit has no effect on the exterior of an improvement.

c. The provisions of subdivision a of this section shall not apply to any improvement subject to the provisions of subdivision a of section 25-318 of this chapter, to any city-aided project, or to any project subject to the provisions of section 25-312 of this chapter.

§2. Section 25-313 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. The commission shall give written notice to the department of buildings of every property that that has been calendared for designation, or supplemental designation as a landmark, landmark site, interior landmark, scenic landmark, or is within a proposed historic district that has been calendared for designation. The commission shall, furthermore, give written notice to the department of buildings of all landmark, landmark site, interior landmark, scenic landmark and historic district designations within three days of the effective date of such designation.

§3. Section 28-107 of the administrative code of the city of New York is amended by adding a new section 28-107.3.10 to read as follows:

§28-107.3.10 Exception. Notwithstanding the provisions of section 28-107.3, no portion of construction documents relating to property that has been calendared by the landmarks preservation commission may be approved unless that portion has received a full examination by the department. Upon receipt by the department from the landmarks preservation commission of a notice that a property has been calendared, the department shall give a full examination to the construction documents relating the property or properties identified in such notice where building permits have been issued and have not expired.

§4. Section 28-108 of the administrative code of the city of New York is amended by adding a new section 28-108.2.6 to read as follows:

§28-108.2.6 Notice. The commissioner shall, within three business days of receipt of an application for a permit for the construction, reconstruction, alteration or demolition

of an improvement on a property that has been calendared by the landmarks preservation commission, forward a copy of such application to the chairperson of the landmarks preservation commission.

§5. Section 28-207 of the administrative code of the city of New York is amended by adding a new section 28-207.2.4.2 to read as follows:

§28-207.2.4.2 Designated landmarks. A stop work order shall be issued for permits that have lapsed pursuant to section 25-321 of this code. The department shall rescind the stop work order if such permit is reinstated by the board of standards and appeals.

§6. This local law shall take effect immediately upon enactment.

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LS #1441-a
05/26/09