

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2009**

No. 81

Introduced by Council Members Jackson, Comrie, Dickens, Gennaro, Gentile, Gerson, Gonzalez, Stewart, Arroyo, Seabrook, Mealy, Yassky, James, Reyna, White Jr., Liu, Eugene, Koppell, Recchia Jr., Weprin, Mark-Viverito, Avella, Barron, de Blasio, Felder, Ferreras, Fidler, Foster, Gioia, Lappin, Mendez, Mitchell, Nelson, Palma, Rivera, Sanders Jr., Sears, Vann, Ignizio, Oddo, Ulrich and Rodriguez.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to clergy parking permits.

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision a of section 19-162.1 of the administrative code of the city of New York is amended to read as follows:

1. The term "member of the clergy" as used in this section means a clergy[man]*member* or minister as defined in the religious corporations law including, but not limited to a pastor, rector, priest, rabbi or iman who officiates at or presides over services on behalf of a religious corporation or association of any denomination *and works an average of at least twenty hours per week on behalf of such religious corporation or association.* [Such term shall not include clergy who derive their principal income from any other occupation or profession or who do not officiate at or preside over services on behalf of a religious corporation or association of any denomination.]

§2. Paragraph 2 of subdivision a of section 19-162.1 of the administrative code of

the city of New York is amended to read as follows:

2. The term “passenger car” as used in this section means a motor vehicle, *lawfully registered in any state*, designed and used for carrying not more than fifteen people, including the driver. Such term shall not include a vehicle licensed to operate pursuant to chapter five of this title or a commercial vehicle as defined in section 19-170 of this code.

§3. Subdivision a of section 19-162.1 of the administrative code of the city of New York is amended by adding a new paragraph 5 to read as follows:

5. *The term “funeral establishment” as used in this section means a place devoted to or used for the care and preparation of a body of a deceased person for disposition and for mourning or funeral ceremonial purposes.*

§4. Subdivision b of section 19-162.1 of the administrative code of the city of New York is amended to read as follows:

b. Notwithstanding any local law or rule to the contrary, it shall be permissible for a member of the clergy to park a passenger car which is owned, registered or leased by such member of the clergy *or by a religious corporation or association employing such member of the clergy* and displays an appropriate department permit, in an available space where parking is prohibited by a posted sign (i) for a period of up to [four] *five* hours upon the roadway adjacent to the house of worship at whose services such member of the clergy officiates or presides as noted on such permit [or], (ii) for a period of up to three hours on the roadway adjacent to a hospital when such member of the clergy is performing official duties at such hospital, *or (iii) for a period of up to four hours on the roadway adjacent to a funeral establishment when such member of the clergy is*

performing official duties at such funeral establishment. It shall not be permissible for a member of the clergy to park where parking is prohibited by rule or where stopping or standing are prohibited by a posted sign or rule.

§ 5. This local law shall take effect sixty days after it is enacted into law.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council November 16, 2009 disapproved by the Mayor on December 8, 2009 and repassed by the Council Members on December 21, 2009 and said law is adopted notwithstanding the objection of the Mayor.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 81 of 2009, Council Int. No. 662-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on November 16, 2009:
49 for, 0 against, 0 not voting.

Was disapproved by the Mayor on December 8, 2009

Was returned to the City Clerk on December 8, 2009

Was reconsidered by the Council on December 21, 2009 and received the following vote of the Council members at a meeting of the Council on December 21, 2009:

50 for, 0 against, 0 not voting

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.