

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 36

Introduced by Council Members Koslowitz, Barron, Chin, Fidler, Gentile, James, Gonzalez, Koo, Rose, Van Bramer, Williams, Wills, Rodriguez, Vallone, Reyna, Arroyo, Dromm, Eugene, Gennaro, Greenfield, Jackson and Ulrich.

A LOCAL LAW

To amend the New York city charter, in relation to distribution of the business owner's bill of rights.

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 15 of the New York city charter, as added by local law number 18 for the year 2010, is amended to read as follows:

f. 1. The office of operations shall develop a business owner's bill of rights. The bill of rights shall be in the form of a written document, drafted in plain language, that advises business owners of their rights as they relate to agency inspections. The bill of rights shall include, but not be limited to, notice of every business owner's right to: i) consistent enforcement of agency rules; ii) compliment or complain about an inspector or inspectors, and information sufficient to allow a business owner to do so; iii) contest a notice of violation before the relevant local tribunal, if any; iv) an inspector who behaves in a professional and courteous manner; v) an inspector who can answer reasonable questions relating to the inspection, or promptly makes [and] *an* appropriate referral; and vi) an inspector with a sound knowledge of the applicable laws, rules and regulations.

2. To the extent practicable, the office of operations shall develop and implement a plan to distribute the bill of rights to all relevant business owners, including via electronic publication on

the internet, and to notify such business owners if the bill of rights is subsequently updated or revised. The office of operations shall also develop and implement a plan in cooperation with all relevant agencies to facilitate distribution of *a physical copy* of the bill of rights to business owners or managers [prior to, during, or after] *at the time of an inspection, except that if the inspection is an undercover inspection or if the business owner or manager is not present at the time of the inspection, then a copy of the bill of rights shall be provided as soon as practicable.*

3. The bill of rights shall serve as an informational document only and nothing in this subdivision or in such document shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§2. This local law shall take effect thirty days following enactment.

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 onApril 9, 2013..... and approved by the Mayor onApril 23, 2013.....

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

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 36 of 2013, Council Int. No. 956 of 2012) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.