

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 105

Introduced by Council Members Menin, Louis, The Speaker (Council Member Adams), Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Schulman, Bottcher, Abreu, Velázquez, Williams, Ossé, Hanif, Feliz, Farías, Avilés, Mealy, Rivera, Cabán, Moya, Gennaro, De La Rosa, Powers and the Public Advocate (Mr. Williams).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to guidance to an owner of real property regarding facility requirements for a child care program

Be it enacted by the Council as follows:

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:

§ 17-1308 Guidance for owners of real property to create space for child care programs.

a. Definition. As used in this section, the term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the health code.

b. The department shall develop guidance for owners of real property regarding facility requirements for a child care program. Such guidance shall describe the facility requirements that must be satisfied in order to obtain a permit from the department as set forth in article 47 of the health code. Such guidance shall include, but not be limited to, requirements regarding (i) minimum area, (ii) egress, (iii) plumbing installation, (iv) ventilation and lighting and (v) fire safety. Such guidance shall assist owners of real property in determining the extent to which such property complies with applicable requirements described in such guidance. Such guidance shall

indicate that such real property may be eligible for a tax abatement, provided that the requirements set forth in section 499-bbbbb of the real property tax law, and in all applicable rules, have been satisfied.

c. Nothing in the guidance or in the owner's determination of the extent to which its property complies with applicable requirements shall provide any assurance that a child care program will receive a permit from the department.

d. The department shall maintain, and update as necessary, such guidance on the department's website.

§ 2. This local law takes effect 180 days after it becomes 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 on October 12, 2022 and approved by the Mayor on November 9, 2022.

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. 105 of 2022, Council Int. No. 489-A of 2022) 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.

STEPHEN LOUIS, Acting Corporation Counsel.