

Int. No. _____

By Council Members _____

A Local Law to amend the administrative code of the city of New York, in relation to nominating a property for consideration by the Landmarks Preservation Commission.

Be it enacted by the Council as follows:

Section 1. Section 25-303 of the administrative code of the New York City Charter is amended by adding a new subdivision l to read as follows:

l. Any person may nominate a property for landmark designation by filing a written Request for Evaluation (RFE) containing such information as may be required by Commission regulation. Every completed RFE shall be calendared for consideration and action at a public meeting of the Commission within ninety days of its submission in final form, together with such Commission staff comment and recommendations as may be deemed appropriate. At the public meeting of the Commission, three affirmative votes by Commission members present shall cause the scheduling of the nomination for a public hearing before the Commission, which shall be held within sixty days thereafter, or on such other date as a majority of the Commission shall determine. A public record shall be maintained of all Commission votes on RFEs.

Section 2. This local law shall take effect immediately after its enactment.

Memorandum in Support

A Bill to Assure Timely Consideration by the Landmarks Preservation Commission of Proposals for Landmark Designation Made by Community Groups, Members of the General Public, and Elected Representatives

The Constitutions of the United States and of the State of New York guarantee citizens a right of access to their government. Many citizens, community groups and public officials have submitted proposals to the Landmarks Preservation Commission (LPC) for landmark designation of buildings and districts which have never been considered by the Commission. In some cases, proposed landmarks have been destroyed while proposals have been pending without Commission action. The Commission legal counsel has recently admitted that the LPC has some 500 RFEs pending which have never been reviewed by the Commission. A recent FOIA inspection shows that many of these pending requests have languished for years. At present, there is no procedure in effect to assure that nominations for landmark designation made in good faith by members of the public will ever receive consideration by LPC members.

The purpose of this bill is to assure that such nominations are presented at least once to the full Commission at a public meeting for consideration. The bill does not obligate the Commission to hold public hearings (unless desired by at least 3 members) but it does assure that no good faith nomination for landmarking is disposed of in secret behind closed doors or simply falls between the cracks. A public record of Commission votes on every RFE is required.

This bill does not have any fiscal implications for the City of New York.