

NOTICE OF PUBLIC HEARING

- Subject:** Opportunity to comment on proposed rule regarding the provision of new services and the assessment of fees for those services by the Queens Borough President's Office's Topographical Bureau.
- Date / Time:** June 28, 2011 at 10:00 a.m.
- Location:** Queens Borough President's Office
Queens Borough Hall
120-55 Queens Blvd., Room 244 (on 2nd Floor)
Kew Gardens, New York 11424
- Contact:** Hugh Weinberg
Counsel to the Queens Borough President
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Kew Gardens, New York 11424
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Proposed Rule

According to the authority found in Section 1043 of the New York City Charter, the Queens Borough President's Office proposes to add a new rule to Chapter 4 of Title 45 of the Rules of the City of New York, in accordance with the requirements of Section 1043. The proposed rule concerns the provision of new services and the assessment of fees for those services by the office's Topographical Bureau, pursuant to Charter Section 82. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Queens Borough President's Office's regulatory agenda.

Instructions

Prior to the hearing, you may submit written comments about the proposed rule to Mr. Weinberg by mail or electronically by June 28, 2011.

To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact Mr. Weinberg by June 21, 2011.

Summarized copies of the written and oral comments received before and at the hearing will be available on July 5, 2011. Please contact Mr. Weinberg to request a copy.

Statement of Basis and Purpose of Rule

This proposed new rule, to be included in the rules of the Queens Borough President's Office, under Chapter 4 of Title 45, creates a procedure for assigning, and assessing a fee for the assignment of, vanity addresses (i.e., addresses that are not regular, sequential house numbers), according to Section 82 of the New York City Charter, which specifies that the Borough President will maintain a Topographical Bureau that will provide certain services. These services include, among other things, issuing and ensuring the proper display of house numbers, and preparing, reviewing, and maintaining a variety of maps.

The Borough President's Office has received requests from building developers and owners for the assignment of vanity addresses. Because these addresses are not regular, sequential addresses, they could cause confusion and delay in the prompt arrival of emergency services, including police, fire, and ambulance services. It is therefore important that strict size and location standards be applied in permitting the use of vanity addresses, and that close oversight be used in the assignment, implementation and continuing use of these addresses. This is a time-consuming and labor-intensive process, and for this reason, this rule would provide for the assessment of fees for applying for vanity addresses, for the assignment of vanity addresses, and an annual inspection fee for owners of sites with vanity addresses.

Proposed Rule

New material is indicated by underlining and deleted material is indicated by [brackets].

Section 1. Subchapter B of chapter 4 of Title 45 of the Rules of the City of New York is re-lettered subchapter C, sections 4-05, 4-06 and 4-07 of such subchapter are re-numbered sections 4-09, 4-10 and 4-11, and a new subchapter B is added, to read as follows:

Subchapter B. Vanity Addresses

Section 4-05. Vanity addresses.

Vanity addresses will be assigned by the Office of the Queens Borough President, at its discretion.

(a) Applications.

Applications for vanity addresses will include the following: the name, address and contact information of the property owner and of the property owner's representative on the project of the site under consideration; two (2) copies of a signed and sealed site plan, approved by the New York City Department of City Planning or the New York City Department of Buildings, which shows all building entrances and the streets which front on the block on which the site is located; two (2) copies of the tax map for the block on which the site is located; a signed letter from the property owner requesting the assignment of a vanity address; and the payment of a non-refundable application fee as provided in subchapter C of this chapter .

(b) Signage.

1) As part of the processing of a vanity address application, the property owner must submit two (2) sets of signage drawings, showing the proposed signage for the vanity address location in the form specified in these rules, to the Office of the Queens Borough President for approval.

2) The property owner, in addition to displaying the vanity address, must also display the assigned house number and street name at the primary entrance to the property and as required by the other sections in this subchapter.

3) The property owner must notify the Office of the Queens Borough President when the signage has been installed.

4) There will be an annual inspection, for which the property owner must pay an annual fee, as provided in subchapter C of this chapter, to ensure that official house number addresses can be seen on buildings and are otherwise in compliance with this subchapter.

Section 4-06. Vanity address specifications.

(a) Specifications.

All vanity addresses must be at least five (5) inches in height and may be metal, metal foil, glass, plastic, wood or paint in make-up; where such house numbers are displayed in paint, such numbers must be an even and uniform 5/8".

(b) Location.

All vanity addresses must be located at any of the following locations:

1) On the front wall of the building within two (2) feet of the knob side of the door and not less than four (4) feet from the bottom of the wall, nor at a height greater than the height of the door; or

2) On the front wall of the building above the door, at the center line of the opening and within two (2) feet of the height of the door. All transoms will be considered part of the building wall for purposes of these rules; or

3) Where an entrance door is recessed in excess of three (3) feet from the building line, the vanity address must be placed on the front wall of the building nearest the front entrance in accordance with either subdivision (b) or paragraph (2) above; and

4) Such other locations on the front of the building as may be approved by the Office of the Queens Borough President.

5) For purposes of this subdivision, the term "front" means the side of the building which faces the street on which numbers have been assigned.

(c) Responsibility for display and illumination.

All owners, agents, or other persons in charge of buildings to which vanity addresses have been assigned by the Queens Borough President's Office are responsible for the display of such addresses in accordance with the requirements of this subchapter, so that they may at all times be plainly legible from the sidewalk in front of such buildings. When necessary to ensure visibility, proper illumination must be provided for all address signage required by this subchapter .

(d) Penalties for violations.

Failure to comply with these rules and those sections of the Administrative Code applicable to them within thirty (30) days of receipt of notice of violation will subject the owner, agent or other person in charge of any building to the penalties provided for in the Administrative Code, including possible revocation by the Queens Borough President's Office of the right to use a vanity address.

Section 4-07. Directional sign-display of vanity addresses.

(a) Sign facing city streets.

A directional sign must be installed within five (5) feet of the building line, facing the street upon which the address is assigned. The sign must display all the assigned addresses, in addition to the name of the street, and must include arrows or other symbols, approved by the Queens Borough President's Office, to direct pedestrians toward the building entrance.

(b) Additional signs.

1) Based on distance of building entrance to street.

One additional directional sign must be posted for each two hundred (200) feet of distance between the building entrance and the street on which the address is given.

2) Based on changes of direction between building entrance and street.

One additional directional sign must be posted at each change in direction to be traveled between the building entrance and the street on which the address is assigned.

(c) Posting of address on door.

The complete address, which will include the vanity address and the name of the street on which the address is assigned, must be placed upon the entrance door in accordance with these rules.

(d) This section also applies whenever the Queens Borough President's Office determines that addresses may not be clearly visible from the street, such as when buildings are set back from the street, where entrances are routed out of a parallel plane to the building line, or where buildings do not front on city streets.

Section 4-08. Interior directional signs.

(a) This section applies in all cases where the Queens Borough President's Office determines that addresses may not clearly direct the public to their designated location within the building(s) assigned: This situation usually arises with respect to developments where two or more buildings have a common entrance, or in cases where specific building towers or sections of a building require separate address designations.

(b) Interior directional sign(s) to be posted within lobby.

An interior directional sign must be installed within the immediate lobby area of the main entrance, which clearly directs the public to the appropriate tower(s) or section(s) of the building. The sign must display all the assigned addresses, in addition to the name of the street, and must include arrows or other symbols as approved by the Queens Borough President's Office.

(c) Additional interior directional signs required.

(1) One additional interior directional sign must be posted for each one hundred (100) feet of distance between the lobby and the appropriate tower or section of the building to which the address is assigned.

(2) One additional interior directional sign must be posted at each change in direction to be traveled between the lobby and the appropriate tower or section of the building to which the address is assigned.

(d) Address to be posted at base of each tower.

The address, which will include the name of the street upon which the address is assigned, must be placed within the entry area of the assigned portion of the building, or at the base of the appropriate tower.

(e) Review of plans for directional signs.

The Office of the Queens Borough President may require the submission of proposed plans of directional signs for review and approval prior to the fabrication and installation of directional signs.

Section 2. Section 4-09 of subchapter C of Title 45 of the Rules of the City of New York, as re-lettered and re-numbered by section 1 of this rule, is amended by adding a new subdivision (i), to read as follows:

(i) "Vanity Address Assignment" means an assignment by the Queens Borough President's Office, at its discretion, of an address that is not a regular sequential house number.

Section 3. Subdivision (a) of section 4-10 of subchapter C of Title 45 of the Rules of the City of New York, as re-lettered and re-numbered by section 1 of this rule, is amended by adding new paragraphs (7), (8) and (9), as follows:

<u>(7) Non-refundable Vanity Address Application Fee</u>	<u>\$1,500</u>
<u>(8) Vanity Address</u>	<u>\$10,500</u>
<u>(9) Annual Vanity Address Inspection Fee</u>	<u>\$500</u>

NEW YORK CITY LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Display of Vanity Addresses

REFERENCE NUMBER: 2011 RG 027

RULEMAKING AGENCY: Office of the Queens Borough President

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: May 20, 2011

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1526**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Display of Vanity Addresses
REFERENCE NUMBER: QBP-1**

RULEMAKING AGENCY: QBP

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Matthew Margolin
Mayor's Office of Operations

5/24/11
Date