

The City of New York
HOUSING AND DEVELOPMENT ADMINISTRATION
Department of Buildings

DIRECTIVE NO. 21 of 1970

TO: Borough Superintendents

DATE: June 22, 1970

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Public Records - Section 1114 New York City Charter

Your attention is called to the provisions of section 1114 of the New York City Charter, which read as follows:

"Section 1114. All books, accounts and papers in the office of any borough president or any division or bureau thereof, or in any city administration or department or any division or bureau thereof, except the police and law department, shall at all times be open to the inspection of any taxpayer, subject to such reasonable rules and regulations in regard to the time and manner of such inspection as the borough president, administration, department, office, division or bureau may make; in case such inspection shall be refused, such taxpayer, on his sworn petition, describing the particular book, account or paper that he desires to inspect, may, upon notice of not less than one day, apply to any justice of the supreme court for an order that he be allowed to make such inspection as such justice shall by his order authorize. The provisions of this section shall not apply to any papers prepared by or for the comptroller for use in any proceeding to adjust or pay a claim against the city or any agency or by or for counsel for use in actions or proceedings to which the city or any agency is a party or for use in any investigation authorized by this charter."

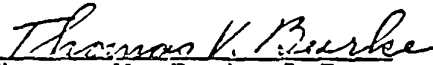
All applications, plans and violation orders, except as noted hereafter, shall be made available to the public, upon request, subject to the following stipulations which are necessary to prevent interference with the procedures and operations of the department and to provide for orderly inspection of records.

1. Applications which are on file in the plan record room may be examined upon presentation of a request on the prescribed form of the department. Such records may not be taken from the public area of the plan record room. Records will be issued at the plan record room only during normal operating hours. Consents of owners shall not be required.
2. Applications which have not been approved or which are not in the plan record room because of amendment or other reason may be examined upon request made to the Borough Chief Engineer (Engineering). Consent of an owner or architect shall not be required. The Borough Chief Engineer (Engineering) shall require that the inspection of records be made under the supervision of a person designated by him, and that inspection be made at such time and place as not to interfere with plan examination or other functions of the department.

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3. Block and lot records may be examined upon request in writing on the department forms, during normal operating hours of the plan record room. Records may not be taken out of the public area in the plan record room. Consent of owners or other persons shall not be required. Inspection of block and lot records that are in use by engineers or inspectors may be permitted by the Borough Chief Engineer (Engineering) or Borough Chief Engineer (Construction) or where the latter has not been appointed, by the Chief Inspector of Construction.
4. Reports or other records made in association with a claim against the city or for use in any investigations authorized by the Charter, are not public records and are not to be released to the public, as specified in section 1114, quoted on page 1.
5. Violation orders may be viewed by the public at any time of the day, provided there is no interference with the normal operation of the department, as determined by the person in charge of the Violation Section. Records may not be taken out of the section.
6. A receipt shall be required for every record. Whenever a record has not been returned by closing time for the day, the Deputy Borough Superintendent shall be notified. Persons requesting records shall be required to present identification.
7. Complaints, concerning a one or two family dwelling, shall not be released to the public unless it is possible to do so without divulging the name or identity of the complainant. The name of a complainant shall not be released to anyone, unless the complainant has agreed, in writing, to the release of such information.
8. The making of copies of plans shall not be permitted, unless authorized in writing by the owner of the property.
9. The limitations on issuance of copies shall not prevent the making of sketches of the records by persons permitted to view such records. This shall not be construed to permit the tracing or copying of plans.


Thomas V. Burke, P.E.
Director of Operations

TVB/sl

cc: Exec. staff
Industry