

**THE NEW YORK CITY CHARTER BILL:
TEXT OF DIFFERENCE BETWEEN BILL AS
PROPOSED BY THE CHARTER REVISION
COMMISSION AND BILL AS PASSED BY
LEGISLATURE, 5TH APRIL, 1901, PP. 1-101**

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The New York City Charter Bill: Text of Difference between Bill as Proposed by the Charter Revision Commission and Bill as Passed by Legislature, 5th April, 1901, pp. 1-101 by Various

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PROPOSED BY THE CHARTER
REVISION COMMISSION
AND
BILL AS PASSED BY LEGISLATURE
5TH APRIL, 1901.

SECOND EDITION.
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12TH APRIL, 1901.

NOTE.

This pamphlet is an attempt to show the actual differences between the text of the charter bill as passed by the legislature on the 5th of April, and that of the bill as proposed by the Charter Revision Commission. It is for the information of those who desire to know what the changes are, and who have not the time for the necessary laborious comparison.

In order that this comparative statement might be published without undue delay, it has been necessary to assume generally the correctness of the marking in the printed bill as passed, designed to show the changes which the bill would make in the present charter. In view of this necessity and of the haste with which the work of comparison has been done, some inaccuracies will perhaps be found in the text here printed. The section numbers are those which the sections would bear in the charter after the enactment of the bill as passed. In a few cases of sections appearing only in the bill as proposed by the Revision Commission, the numbers are those of the section in that form of the bill.

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TEXT OF PARTS OF CHARTER BILL
AS PASSED BY LEGISLATURE, 5th APRIL, 1900.

SHOWING CHANGES FROM THE FORM OF BILL AS PROPOSED
BY CHARTER REVISION COMMISSION.

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[All matter in brackets would be enacted into law as part of the bill in the form proposed by the Commission, but not as part of the bill as passed; all matter underlined would be enacted into law as part of the bill as passed, but not as part of the bill in the form proposed by the Commission. Matter neither bracketed nor underlined is common to the two bills. That is: the following text read with the matter in brackets and without the matter underlined, is in the form which the enactment of the Commission's bill would give the law; read with the matter underlined and without the matter in brackets, it is in the form which the enactment of the bill as passed would give the law. The words "the bill" are used to mean the bill as passed by the legislature; the words "Commission's bill" are used to mean the bill as proposed by the Charter Revision Commission.]

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In section 18, relating to the board of aldermen, the only change is in the insertion of the clause underlined below:—

Any vacancy which may occur among the members elected to the board of aldermen shall be filled by election by a majority of all the mem-

bers elected thereto, of a person who must be of the same political party as the member whose place has become vacant; and the person so elected to fill any such vacancy shall serve for the unexpired portion of the term.

Section 19 in the bill defines seventy-three aldermanic districts, from each of which, under the provision of section 18, one alderman would be elected every two years. The bill does not provide for the making of any change in the aldermanic district from time to time. Section 19 in the Commission's bill defines a hundred and twenty-three aldermanic districts into which the city would be divided, and from each of which an alderman would be elected every two years. Upon each re-apportionment of assembly districts the board of aldermen "shall increase or diminish the number of such districts, so that there shall always be two aldermanic districts for every assembly district lying wholly within the City of New York."

Id., police, health, park, fire and building regulations.

§43. The board of aldermen shall have power to make, establish, alter, modify, amend and repeal all ordinances, rules, and police, health park, fire and building regulations, not contrary to the laws of the state, or the United States, as they may deem necessary to carry into effect the powers conferred upon The City of New York by this act, or by any other law of the state, or by grant; and such as they may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, peace and prosperity of said city and its inhabitants, except so far as power is conferred by this act upon presidents of boroughs, the police, health, park, and fire departments respectively to make rules for the government of the persons employed in and by said departments. Nothing in this section contained shall be construed to impair the powers conferred by this act

upon the department of education ; and except so far as the legislative power respecting the health, police, park, fire and building departments shall be conferred upon said departments respectively by the provisions of this act, and except that any modification of the existing rules, regulations and ordinances affecting any of the departments and all ordinances to be passed to govern the board of public improvements or any of the departments thereof, must originate with the department concerned, or with said board, and must be adopted or rejected by the board of aldermen without amendment.

From section 48 :—

The action of the board of aldermen in passing any such proposition or franchise, whether by an affirmative vote, or by a failure of a majority of all the members of the board of aldermen to vote against the same, shall be subject to the approval of the mayor and to the action of the board of aldermen in case of a veto, as provided in [section forty of] this act.

From section 51 :—

Subject to the constitution and the laws of the state, the board of aldermen shall have power to provide for the licensing and otherwise regulating the business of dirt carts, public cartmen, truckmen, hackmen, cabmen, expressmen car drivers and boatmen ; of boot-blacks ; of pawn-brokers, junk-dealers, keepers of intelligence offices, dealers in second hand articles, hawkers, peddlers, vendors and scalpers in coal freights ; of menageries, circuses and common shows ; of bone boiling, fat rendering and other noxious businesses ; and shall have power to regulate or forbid the keeping of dogs.

[Licenses to run omnibuses, etc.

Section 53. The board of aldermen shall have power to authorize

the establishment, operation or extension of any right for the running of stages or omnibuses, whether operated by horses or by other motive power, and to license and regulate such stages and omnibuses. Every proposition for a license to maintain or operate a line of stages or omnibuses, or to extend an existing line, or to change the motive power, shall be referred by the board of aldermen to the board of estimate and apportionment, who shall, after due inquiry, recommend such terms and conditions for granting the same as in their judgment will best protect the interests of the city and the travelling public. It shall be one of the conditions of granting any such license that the person operating the same shall pay annually into the city treasury for the first five years after commencing operations thereunder five per cent. of the gross receipts of the entire route, and shall pay into the city treasury annually after the expiration of such five years, seven per cent. of such gross receipts. No such license shall be granted by the board of aldermen except on terms and conditions approved by the board of estimate and apportionment. No such license shall be granted for any longer period than twenty-five years; but the ordinance granting such license may provide, upon payment of an increased percentage to be fixed therein, for giving the grantee a renewal for a further period of not more than twenty-five years. Upon the adoption of an ordinance by the board of aldermen granting a license as in this section provided, the route may be maintained and operated in accordance therewith, and the ownership of such route may be transferred. No license granted under this section shall confer any exclusive right or privilege unless the consent in writing, duly acknowledged, of the owners of a majority of the property in each of the streets along the proposed route shall have been obtained and filed with the board of aldermen before the adoption of the ordinance granting such license.]

From section 56 :—

It shall be the duty of the board of aldermen, upon the recommendation of the board of estimate and apportionment, to fix the salary of every officer or person whose compensation is paid out of the city treasury other than day laborers, and teachers, examiners and members of the supervising staff of the department of education, irrespective of the amount fixed by this act, except that no change shall be made in the salary of an elected officer or head of a department during his tenure of office.

Private rights protected.

§ 85. This grant shall not impair or affect any existing valid private rights, or the existing riparian rights of owners of private property, or the lawful rights of private owners of docks, piers and other structures in the said city or any part thereof.

From section 94 :—

The mayor shall be the chief executive officer of the city; he shall be elected at the general election in the year nineteen hundred and one and every **【four】** two years thereafter, and shall hold his office for the term of **【four】** two years commencing at noon on the first day of January after his election. **【He shall be ineligible for the next term after the termination of his office.】** The salary of the mayor shall be fifteen thousand dollars a year.

From section 95 :—

The mayor may, whenever in his judgment the public interests shall so require, remove from office any public officer holding office by appointment from a mayor of The City of New York, except members of the board of education and aqueduct commissioners, trustees of the College of The City of New York, and trustees of Bellevue and allied