

§ 58-16. Window guards.

A. Definitions. When used in this section, the following words or terms shall have the following meanings:

CHILD or CHILDREN -- Any person ten (10) years of age or younger.

INSTALLATION OF WINDOW GUARD -- Proper installation and maintenance of window guards in a manner approved by the Bureau.

LANDLORD -- An owner, agent or other person who manages or controls a multiple dwelling or dwelling units in a multiple dwelling.

TENANT -- A lessee or other occupant regularly residing within a dwelling unit, regardless of whether said occupant is a party to a lease agreement.

B. Installation responsibilities.

(1) The landlord shall provide, install and maintain a window guard, of a type deemed acceptable by the Bureau, installation to be made pursuant to specifications provided by the Bureau, on the windows of each apartment in which a child or children ten (10) years of age and under reside and on the windows, if any, in the public halls of a multiple dwelling in which such children reside, except that this section shall not apply to windows giving access to fire escapes or to a window on the first floor that is a required means of egress from the dwelling unit. It shall be the duty of each landlord who manages or controls a multiple dwelling to ascertain whether such a child resides therein. This installation shall not be construed or allowed as a major capital improvement and the cost of funding cannot be passed along to the tenant.

(2) No tenant of a multiple dwelling unit or other person shall obstruct or interfere with the installation of window guards required by Subsection B(1), nor shall any person remove such window guards.

(3) No landlord shall refuse a written request of a tenant of a multiple dwelling unit to install window guards, regardless of whether such is required by Subsection B(1), except that this section shall not apply to windows giving access to fire escapes.

(4) The provision of this section concerning installation responsibilities shall not apply to any dwelling unit in a multiple dwelling which is an owner-occupied condominium or cooperative dwelling unit. If the condominium or cooperative dwelling unit is not owner-occupied, then the provision of this section will apply.

C. Notice to tenants.

(1) All leases offered to tenants in multiple dwellings must contain a notice, conspicuously set forth therein, which advises tenants of the obligation of the landlord to install window guards and where further information regarding the procurement of such window guards is available.

(2) The landlord must cause to be delivered to each residential unit within thirty (30) days of a change of occupancy not involving a written lease a notice advising occupants of the obligation of such landlord to install window guards and where further information regarding the procurement of such window guards is available.

PHILIP A. AMICONE
MAYOR

JOHN P. MEYER
COMMISSIONER



87 Nepperhan Avenue, 5th Floor
Yonkers, New York 10701
Building Tel.: (914) 377-6500
Fax: (914) 377-6545
Housing Tel.: (914) 377-6536
Fax (914) 377-6496

DEPARTMENT OF HOUSING AND BUILDINGS
CITY OF YONKERS

DATE

NAME
ADDRESS
CITY, STATE, ZIP

SUBJECT: **GENERAL ORDINANCE NO. 16-1987**
WINDOW GUARDS INSTALLATION RESPONSIBILITIES

SALUTATION:

Please be advised that:

- A). The owner, agent, or other person who manages or controls a multiple dwelling shall provide, install and maintain window guard of a type deemed acceptable by the Department, installation to be made pursuant to specifications provided by the Department, on the windows of each apartment in which a child or children ten (10) years of age and under reside, and on the windows, if any, in the public halls of a multiple dwelling in which such children reside, except that this section shall not apply to windows giving access to the fire escapes or to a window on the first floor that is a required means of egress from a dwelling unit. It shall be the duty of each such person who manages or controls a multiple dwelling to ascertain whether such a child resides therein.
- B). No tenant or occupant of a multiple dwelling unit or other person shall obstruct or interfere with the installation of window guards required by subsection, a). nor shall any person remove such window guards.
- C). No owner or other person who manages or controls a multiple dwelling shall refuse a written request of a tenant or occupant of a multiple dwelling unit, to install window guards regardless of whether such is required by subsection (a). except that this section shall not apply to windows giving access to fire escapes.