

For Immediate Release

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High-Rise Safety Initiative Files Suit to Secure Place on Ballot as City Attempts to Block Petition Signed by 67,000 Voters

New York, NY – The High-Rise Safety Initiative, a group of 9/11 family members and concerned citizens who are sponsoring a ballot measure requiring the City to investigate the collapse of 7 World Trade Center and any future high-rise collapses, filed suit against the City earlier today after being denied access to the ballot on grounds that its petition lacked sufficient signatures, and because of other legal technicalities. The group's stated mission is to make New York a safer place to live and work by ensuring that investigations are carried out when high-rise collapses occur. New York Supreme Court Justice Carol Edmead signed an order to show cause requiring the City's representatives to appear in court and set the initial court hearing for Thursday, August 14.

"It is very disappointing that the City is once again attempting to block the will of the voters," said Ted Walter, Director of the High-Rise Safety Initiative. "Historically, the City has always stood in the way of allowing voters to speak on important matters, from term limits to homelessness to building safety. We thought that might change with new leadership touting its commitment to grassroots democracy, but it hasn't.

"Nonetheless, we've been through this before, and we know from experience that when we review the signatures in a legal proceeding, we will find thousands of signatures that the City wrongly challenged. Sadly, that is what the City does when the voters want something on the ballot. They say, 'No,' and they do everything they can to stop it."

On Monday, the City Clerk issued a certificate claiming the petition had only 27,892 valid signatures, 2,108 short of the requisite 30,000 signatures needed to submit a ballot measure to the voters. The group is confident that it will find several thousand signatures that were wrongly challenged among the 37,688 disputed signatures. In an earlier ballot measure sponsored by the group in 2009, which was also challenged on grounds of insufficient signatures, the group was able to find over 7,000 wrongly challenged signatures, forcing the City concede on the issue of sufficient signatures.

The City Clerk also claimed that the proposed city charter amendment was legally invalid on grounds that the .9% surcharge on construction permits to fund investigations is a tax and not a fee, and thus invalid because it would require approval from Albany. The City Clerk also contends that the petition does not give adequate notice to voters about the immediate effect of the measure, and that the measure is "advisory," in other words an expression of opinion rather than mandating a fundamental governmental function, because it applies in part to a building collapse that occurred on September 11, 2001.

"The City's legal arguments are totally unfounded, in particular the claim that this surcharge is a tax," said Leo Glickman, the group's attorney. "By labeling this surcharge a tax, the City is calling into question the legality of hundreds of fees it already charges, and making it much more difficult to enact fees in the future. It's astounding that the City is willing to act so strongly against its own self-interest to keep the voters from weighing in on this matter."

The High-Rise Safety Initiative expects the issue to be decided by early to mid-September. For more information, visit <http://highrisesafetynyc.org/>.

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