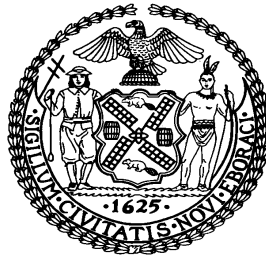


Staff: Committee on Sanitation  
Cullen Howe, Counsel  
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**THE COUNCIL**

**BRIEFING PAPER OF THE  
INFRASTRUCTURE DIVISION**

Matthew Gewolb, Legislative Director

**COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

Hon. Antonio Reynoso, Chair

**October 28, 2014**

**Oversight: New York City Department of Sanitation's 2014-2015 Snow Plan**

**INT. NO. 226**

By Council Members Treyger, Barron, Chin, Cornegy, Deutsche, Dromm, Eugene, Koo, Lander, Levine, Mendez, Richards, Maisel, Arroyo, Lancman, Torres, Palma, Cohen, and Espinal

**TITLE:**

A Local Law to amend the administrative code of the city of New York, in relation to requiring snowplows to be fitted with lights and audible warnings to prevent pedestrian deaths.

**ADMINISTRATIVE CODE:** Amends Title 10 by adding a new section 10-172 and amends Title 16 by adding a new subdivision e to section 16-126.

**INT. NO. 300** By Council Members King, Koo, Mealy, Reynoso, Rose, Wills, Koslowitz, Richards, Mendez, Constantinides, and Dromm

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the removal of snow, ice, dirt and other material from fire hydrants.

**ADMINISTRATIVE CODE:** Amends subdivision a of section 16-123.

**INT. NO. 469** By Council Members Menchaca, Deutsche, Eugene, Koo and Richards

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to issue an annual report concerning the condition of roadways and pedestrian islands after snow events.

**ADMINISTRATIVE CODE:** Amends Title 16 by adding a new section 16-124.2.

**I. Introduction**

On October 28, 2014, the Committee on Sanitation and Solid Waste Management, chaired by Council Member Antonio Reynoso, will hold an oversight hearing concerning the New York City Department of Sanitation (DSNY) 2014-2015 Snow Plan as well as Intros. No. 226, 300 and 469. The Committee will hear testimony from DSNY Commissioner Kathryn Garcia, interested parties, and members of the public.

**II. DSNY's 2014-15 Snow Plan**

**A. December 2010 Snowstorm**

On December 26 and 27, 2010, a blizzard hit New York City, overwhelming the city for several days.<sup>1</sup> Snowfall totals for the storm ranged from 14 to 24 inches throughout the five boroughs, and wind gusts were reported to be as strong as 60 miles per hour.<sup>2</sup> DSNY was unable to clear snow in a timely fashion from a significant number of city streets.<sup>3</sup> As a result, the blizzard crippled a host of basic and emergency services, most notably the city's transportation and emergency response services, and significantly impacted the daily lives of most New Yorkers.<sup>4</sup> Examples of the breakdown in basic and emergency services included the inability of ambulance, fire and police services to function properly, with many emergency vehicles, especially ambulances, becoming stuck in unplowed – or partially plowed – streets;<sup>5</sup> the inability of the 911 and 311 call systems to keep up with and respond to the extremely high volume of calls;<sup>6</sup> and the abandonment of hundreds of vehicles, including approximately 600 MTA buses, on roads throughout the City.<sup>7</sup>

In the aftermath of the December blizzard, the Council held a series of hearings focused on the City's preparedness for future storm events and subsequently enacted several laws, including Local Law 28 of 2011.

## **B. Local Law 28 of 2011**

Local Law 28 of 2011 requires the DSNY Commissioner to submit to the Council and make available to the public borough-specific plans for snow plowing and removal no later than

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<sup>1</sup> Liz Robbins "After Blizzard Ends, A Slow Recovery" NY Times, December 26, 2010.

<sup>2</sup> See National Weather Service, Forecast Office New York, NY, "Preliminary Data Report; New York City Blizzard of December 26-27, 2010 (January 2011). Copies of preliminary report available with Committee staff.

<sup>3</sup> E.g., Sarah Kugler Frazier "Buses, Ambulances Stuck in Unplowed NY Streets" Huffington Post, December 28, 2010.

<sup>4</sup> *Id.*; Robbins, *Supra* at Note 1.

<sup>5</sup> *Id.*; Sharon Otterman and Al Baker "With Ambulances Stuck in Snow, City Resorted to Triage" NY Times, December 28, 2010.

<sup>6</sup> Sharon Otterman "It Was Hell: Dispatchers Tell of Flood of 911 Calls During Storm" NY Times, December 30, 2010.

<sup>7</sup> Jim O'Grady "Claim: MTA's Technical, Supervisory Failures Led to 600 Snowbound Buses" WNYC Transportation Nation, December 30, 2010.

November 15th of each year. Prior to the November 15th submission of the Plan, the Commissioner is required to submit a draft Plan for comment to Council members, community boards, and borough presidents in October of each year. Approved amendments to the draft are to be included in the final version of the Plan released in November. The Plan is required to include the following:

(1) the address of each DSNY facility that has a role in snow management in each borough, including the sanitation district that the facility is located in and the number of uniformed Department employees assigned to the facility;

(2) an inventory of the Department- and city-owned snow management equipment and resources that could be made available during a snow event;

(3) definitions and criteria for selecting priority plow routes and an online map of each community district including the priority designation of each street in the district;

(4) how the Department will remove snow and ice from streets, curb cuts and pedestrian medians at intersections on primary streets, crosswalks, and sidewalks adjacent to parks and bus stops, as well as how the Department will disperse salt, sand, and other materials applied to roads in icy or snowy conditions; and

(5) identification of the borough chiefs responsible for implementing the Plan in each borough, the Department personnel who will liaise with the Office of Emergency Management (OEM) during snow events, and the Department personnel who will communicate with Council members, community boards, and borough presidents.

**B. DSNY 2014-15 Draft Snow Plan**

On October 17, 2014, Commissioner Garcia transmitted the Department's 2014-2015 Draft Borough-based Snow Plans (the "Draft Plans") to the Council. The Draft Plans cover the

Department's planning, training, snow removal priority designation categories, assigned equipment and personnel, and implementation of the Plans during a snow event. Implementation details include preparation for a forecasted snow event, salting and plowing operations during a snow event, situational awareness and adjustments during a snow event, collaborations with other city agencies, customer service during and after a snow event, snow clearing operations after precipitation ceases, and clearing pedestrian and bicycle infrastructure. These factors are explained in more detail below.

In the 2014-15 snow season, the Department will pilot new plowing routes in all of Manhattan and Staten Island, Bronx Community District 6, Brooklyn Community District 8, and Queens Community District 6. Under the Department's current protocols, streets are prioritized as primary, secondary, and tertiary. Under the pilot program, there will be two rather than three levels of prioritization: critical and sector. The Department believes that the pilot "will achieve routing efficiencies by eliminating some redundant travel mileage," and, during heavy snow storms, "provid[e] more timely service for many residents."<sup>8</sup> According to the Department, routes are designed to cover ground more quickly with less overlapping mileage.

The Draft Plans also include several key statistics, for example the number of miles of roadways that DSNY is responsible for plowing (19,000 miles compared to 17,000 last year); the number of salt and calcium chloride storage locations citywide, as well as their capacity (238,000 tons of rock salt and 350,000 gallons of calcium chloride); and the number of DSNY employees who attended defensive driving courses as of the start of the 2014-15 snow season in connection with the Vision Zero initiative (3,800).

The six stage response plan used in previous years has been replaced with a format that outlines seven response categories:

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<sup>8</sup> "DRAFT 2014-2015 Winter Snow Plan for the Borough of the Bronx," p. 3.

## **1. Forecast and Preparation**

If there is a risk of snow, the Department Bureau Operations Chief will brief the Commissioner, First Deputy Commissioner, and Bureau Director. The First Deputy Commissioner will then make the decision of whether to activate personnel. If plows will be needed, personnel are scheduled into two 12 hour shifts and days off are canceled. DSNY then makes a series of decisions about how to respond based on predicted conditions. A “snow alert” is issued to all DSNY personnel, as well as to other city agencies. PlowNYC allows the public to track progress of snow clearing.<sup>9</sup>

## **2. Salting and Plowing Operations**

Salting begins as soon as snow/frozen precipitation begins. Plowing begins when snowfall exceeds two inches. Plow operators must follow assigned routes, but sometimes they may miss some streets if a street is blocked or the operator makes a wrong turn or a missed turn. Customer complaints cannot be addressed until snow has stopped falling and roadways are clear. Once streets have been cleared, municipal parking lots, bike lanes, and pedestrian infrastructure will be cleared. If snow is anticipated to exceed six inches, DSNY may activate Tertiary Plowing Requirement Contract vendors. Once notified, vendors are required to respond within eight hours to DSNY with plow equipment. In addition, DSNY may activate emergency hired equipment contracts as needed.

## **3. Situational Awareness**

DSNY has an extensive communications plan, which allows DSNY headquarters at 125 Worth Street to monitor conditions on the street and quickly deploy resources. DSNY communicates to other city agencies through the Mayor’s Office of Emergency Management

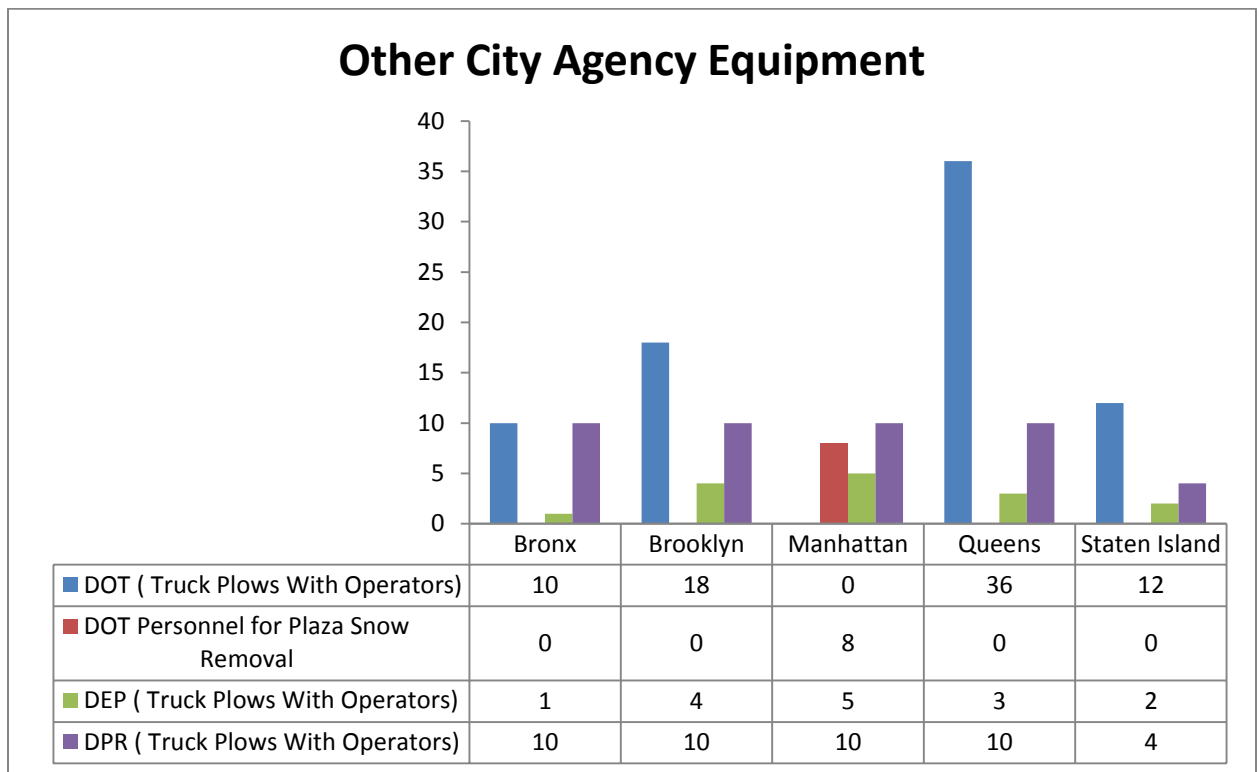
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<sup>9</sup> This website is available at <http://maps.nyc.gov/snow/#>.

(OEM). In 2014, DSNY installed new GPS units on all snow-fighting equipment to improve the quality of signal and accuracy of data received during snow operations.

#### 4. Other City Agencies

Liaisons from DSNY coordinate with OEM. DSNY has a system to closely monitor and respond to conditions received from 311. The Department of Environmental Protection (DEP), Department of Transportation (DOT), and Department of Parks and Recreation (DPR) are notified if their resources will be needed. Staffing needs are assessed based on current conditions and equipment is readied.



#### 5. Customer Service

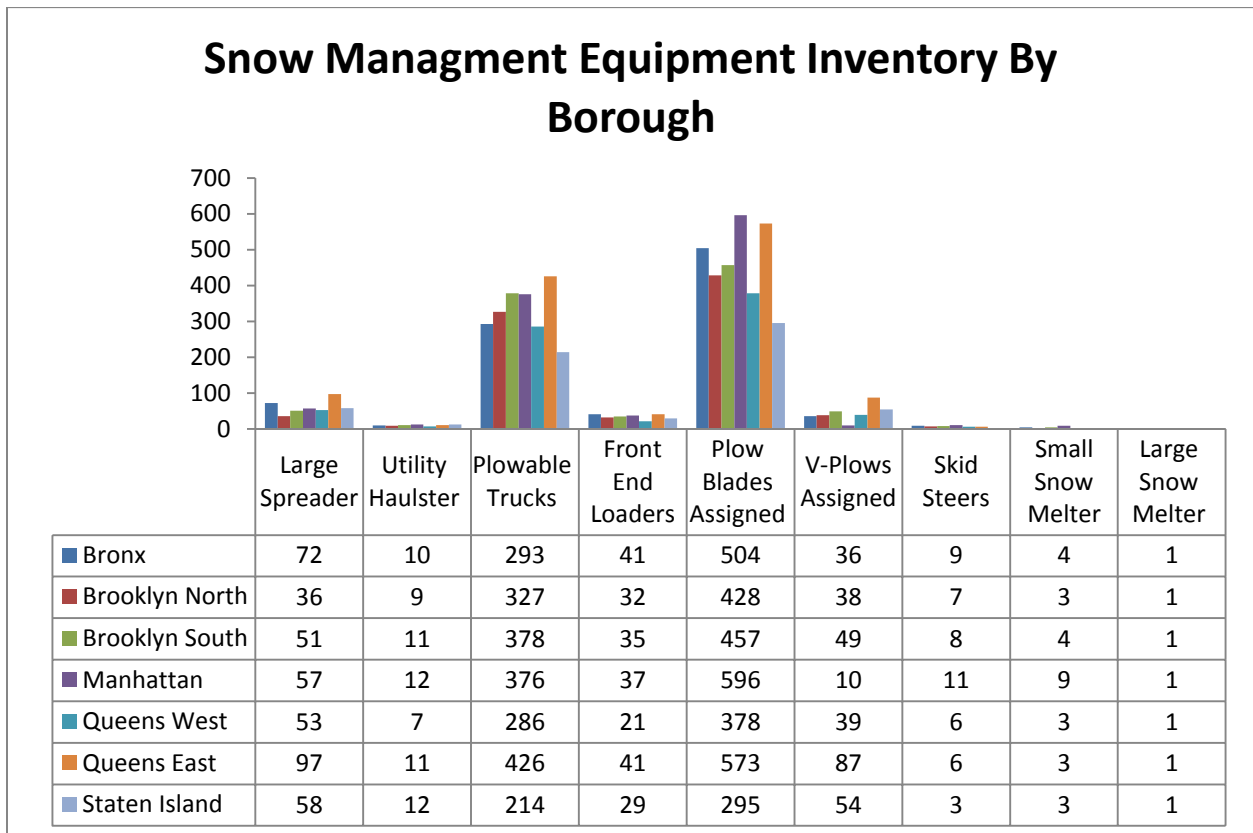
DSNY has a system through which it can assess customer complaints through 311. Conditions that are highlighted through this system are addressed once planned snow clearing operations are finished.

## 6. Snow Clearing Operations

Plows are positioned based on the forecasted amount of snow, utility haulsters, front-end loaders, and v-plows are deployed where needed. Spreading and plowing operations continue until all public streets are serviced. Tertiary street contracts and piling and hauling contracts are activated based on conditions. DSNY determines whether emergency hired equipment is necessary. DSNY has 29 small melters, which can each melt 60 tons of snow per hour, as well as seven large melters that can melt 135 tons of snow per hour.

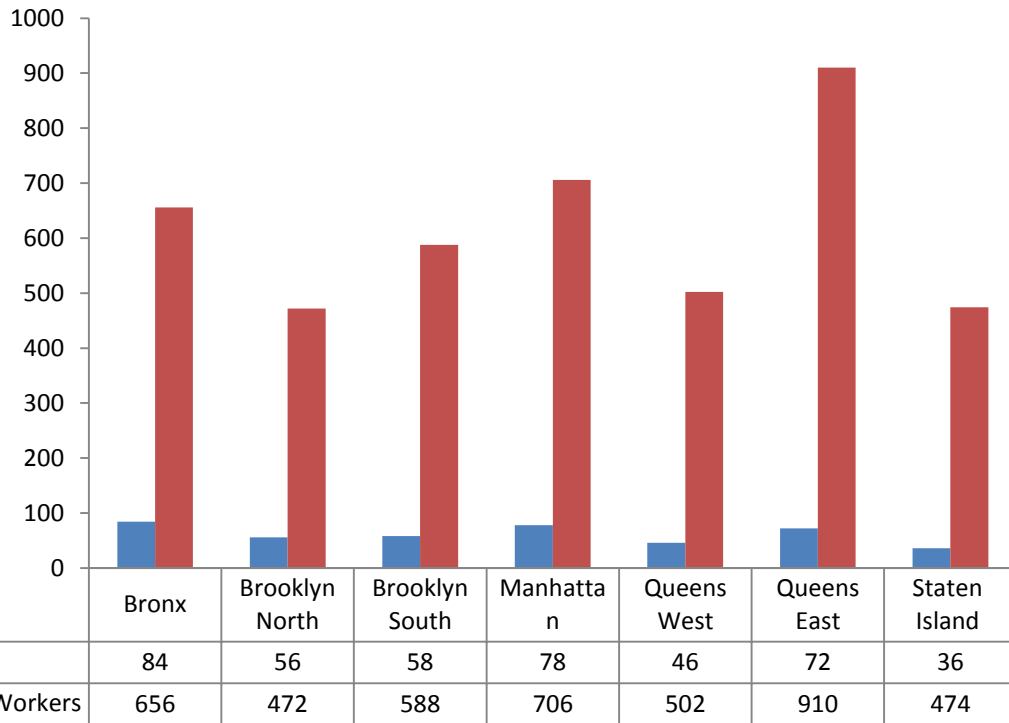
## 7. Clearing Pedestrian and Bicycle Infrastructure

Once salting and plowing has been completed, DSNY addresses bike lanes, pedestrian overpasses and step streets, bus stops, and crosswalks through its temporary seasonal laborers while DSNY resumes refuse collections. DSNY has added 50 skid-steer loaders for 2014, which will improve efficiency in clearing these areas.

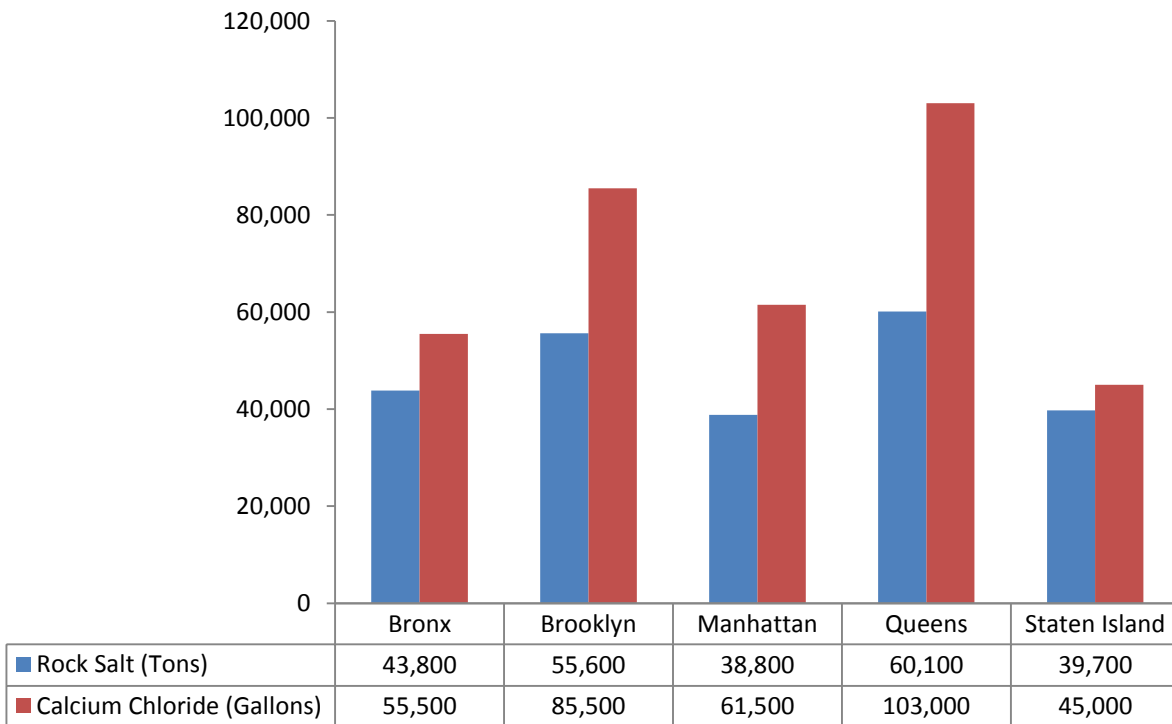




## Snow Personnel By Borough



## Salt and Calcium Chloride Storage Capacity



### **III. Intros. No. 226, 300, and 469**

In February 2014, a woman in Brooklyn was tragically struck and killed by plow-equipped Bobcat that was clearing snow in a parking lot in Sunset Park.<sup>10</sup> The vehicle was not equipped with flashing lights or audible warnings. If enacted, Intro. 226 would require that all vehicles engaged in the removal of snow on roads, sidewalks, parking lots and pedestrian walkways be equipped with flashing lights and audible warnings no later than January 1, 2016. The bill requires that the flashing lights be operational at all times and the audible warnings be operational between the hours of 7 a.m. and 10 p.m.

Currently, section 16-123 of the administrative code requires property owners or other persons having charge of a building or lot of ground in the city that abuts a sidewalk to remove snow, ice and dirt from the sidewalk and gutters that abut their property. In addition, section 15-205 of the administrative code requires that such individuals clear snow and ice accumulating in the street in front of a fire hydrant from the curb line to the center of the street. However, neither section makes explicit that such individuals are required to remove snow, ice, and dirt from the fire hydrant itself. Thus, if enacted, Intro. 300 would require property owners or other persons having charge of a building or lot of ground in the city that abuts a sidewalk to remove snow, ice, and dirt from fire hydrants on such sidewalk within four hours after a snowfall.

Currently, DSNY is not required to report on how quickly city roadways and pedestrian islands are cleared after snow events, nor the number of complaints it receives from 311 concerning uncleared roadways and pedestrian islands. If enacted, Intro. 469 would require that DSNY to issue a report concerning the condition of city roadways and pedestrian islands after each snow event for the preceding calendar year beginning on March 1, 2016 and every year

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<sup>10</sup> See N.Y. Post, "Pregnant woman killed by snowplow in Brooklyn but baby survives after Caesarean," NY Daily News, February 14, 2014.

thereafter. The report must contain the amount, in inches, of snow for each snow event; the percentage of city roadways and pedestrian islands cleared within eight, twelve, and twenty four hours after each snow event; and the number of complaints received by 311 after each snow event concerning uncleared roadways and pedestrian islands, listed by borough. The report may be prepared and presented in conjunction with the mayor's management report required pursuant to section twelve of the New York city charter.



Int. No. 226

By Council Members Treyger, Barron, Chin, Cornegy, Deutsche, Dromm, Eugene, Koo, Lander, Levine, Mendez, Richards, Maisel, Arroyo, Lancman, Torres, Palma, Cohen, and Espinal

A Local Law to amend the administrative code of the city of New York, in relation to requiring snowplows to be fitted with lights and audible warnings to prevent pedestrian deaths.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-172 to read as follows:

§ 10-172 Snowplows. All vehicles engaged in the removal of snow on roads, sidewalks, parking lots and pedestrian walkways shall be equipped with flashing lights and audible warnings no later than January first, two thousand sixteen. The flashing lights will be operational at all times and the audible warnings will be operational between the hours of seven a.m. and ten p.m. The audible warnings shall comply with section 24-218 of this code.

§ 2. Section 16-126 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. All vehicles engaged in the removal of snow shall be equipped with flashing lights and audible warnings. The flashing lights will be operational at all times and the audible warnings will be operational between the hours of seven a.m. and ten p.m. The audible warnings shall comply with section 24-218 of this code.

§2. This local law shall take effect one hundred eighty days after enactment.

JCH  
LS# 945  
3/19/14



Int. No. 300

By Council Members King, Koo, Mealy, Reynoso, Rose, Wills, Koslowitz, Richards, Mendez, Constantinides, and Dromm

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the removal of snow, ice, dirt and other material from fire hydrants.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 16-123 of the administration code of the city of New York is amended to read as follows:

§16-123 Removal of snow, ice and dirt from sidewalks and fire hydrants; property owners' duties. a. Every owner, lessee, tenant, occupant, or other person, having charge of any building or lot of ground in the city, abutting upon any street where the sidewalk is paved, shall, within four hours after the snow ceases to fall, or after the deposit of any dirt or other material upon such sidewalk and any fire hydrant on such sidewalk, remove the snow or ice, dirt, or other material from the sidewalk [and] ~~a~~ gutter, and any fire hydrant on such sidewalk, the time between nine post meridian and seven ante meridian not being included in the above period of four hours. Such removal shall be made before the removal of snow or ice from the roadway by the commissioner or subject to the regulations of such commissioner. In the boroughs of Queens and Staten Island, any owner, lessee, tenant or occupant or other person who has charge of any ground abutting upon any paved street or public place, for a linear distance of five hundred feet or more, shall be considered to have complied with this section, if such person shall have begun to remove the snow or ice from the sidewalk [and], gutter, and any fire hydrant on such sidewalk before the expiration of such four hours and shall continue and complete such removal within a reasonable time.

§2. This local law shall take effect ninety days after its enactment into law.

KS  
4/2/14  
LS 818



By Council Members Menchaca, Deutsche, Eugene, Koo and Richards

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of sanitation to issue an annual report concerning the condition of roadways and pedestrian islands after snow events.

Be it enacted by the Council as follows:

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new section 16-124.2 to read as follows:

§16-124.2 Annual reports concerning roadways and pedestrian islands after snow events.

By March first of two thousand sixteen, and every year thereafter, the commissioner shall issue a report concerning the condition of city roadways and pedestrian islands after each snow event for the preceding calendar year. Such report shall contain, but shall not be limited to, the amount, in inches, of snow for each snow event; the percentage of city roadways and pedestrian islands cleared within eight, twelve, and twenty four hours after each snow event; and the number of complaints received by 311 after each snow event concerning uncleared roadways and pedestrian islands, listed by borough. Such report may be prepared and presented in conjunction with the mayor's management report required pursuant to section twelve of the New York city charter. For purposes of this section, "snow event" shall have the meaning as set forth in subsection a of section 16-124.1 of the administrative code of the city of New York.

§ 2. This local law shall take effect immediately upon enactment.