

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2009**

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**No. 51**

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Introduced by Council Members Koppell, Brewer, Comrie, James, Yassky, White Jr., Garodnick, Gennaro, Vacca and Liu.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to bicycle parking in garage and parking lots.**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 17 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-327.1 to read as follows:

*§ 20-327.1 Bicycle parking spaces.*

*a. Applicability.*

*1. i. The operator of every garage and parking lot that has an authorized capacity of one-hundred or more motor vehicles shall provide and maintain parking spaces for bicycles in accordance with the provisions of this section.*

*ii. Two years after the effective date of the local law that added this section, the operator of every garage and parking lot that has an authorized capacity of fifty-one or more motor vehicles shall provide and maintain parking spaces for bicycles in accordance with the provisions of this section.*

*2. The requirements of subdivisions a through f of this section shall not apply to buildings or parking lots that comply with the bicycle parking provisions of sections 25-80, 36-70 and 44-60 of the zoning resolution of the city of New York.*

3. *Waiver. The operator of a garage or parking lot subject to the provisions of this section may apply to the commissioner for a waiver from the requirements of this section on the grounds that compliance with this section will result in a violation of otherwise applicable zoning regulations, including, but not limited to zoning regulations determining the number of required automobile parking spaces a garage or parking lot shall have. Prior to applying for such waiver, such operator of a garage or parking lot shall submit to the commissioner of buildings a certification from a registered design professional and other supporting additional documentation as such commissioner may require, including, but not limited to, floor plans and diagrams of the garage or parking lot in anticipation of the waiver application. Upon complete submission of all required documentation, the commissioner of buildings shall within forty days review the documentation submitted by the operator, and shall provide to the operator a written recommendation, of whether compliance would be impracticable because of the requirements of applicable zoning regulations. The operator shall submit such recommendation to the commissioner as part of its waiver application, and the resulting written grant or denial of such application by the commissioner shall be final.*

*b. Bicycle parking spaces in garages and lots.*

1. *The operator of every garage or lot subject to the provisions of this section shall provide not less than one bicycle parking space for every ten automobile parking spaces provided, up to two hundred automobile parking spaces. Thereafter, one bicycle parking space shall be provided for every one hundred automobile parking spaces. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle parking space.*

2. *The bicycle parking spaces in garages and lots subject to the provisions of this section shall be enclosed to the same extent that parking spaces for automobiles are enclosed.*

3. *Each such bicycle parking space shall adjoin a rack or similar system for securing the bicycle and shall be located in an area secured by a lock or similar means, or adjoin a securely anchored rack to which the bicycle frame and at least one wheel can be locked without damage to the wheels, frame or components of the bicycle, unless the bicycle is parked in a location not accessible to the public and bicycles are parked therein only by employees of the facility.*

4. *An area consisting of at least two by three by six feet in volume shall be provided for each such bicycle parking space.*

c. *Bicycle parking racks or other devices shall be securely anchored so they cannot be easily removed and shall be of sufficient strength and design to resist vandalism and theft.*

d. *Bicycle parking spaces in both garages and parking lots shall be protected from damage by motor vehicles by a physical barrier such as curbs, wheel stops, poles or other similar features capable of inhibiting motor vehicles from contacting a bicycle or encroaching upon a bicycle parking space.*

e. *Bicycle parking spaces shall be accessible to bicycle owners/operators to at least the same extent as vehicle parking spaces are accessible to vehicle owners/operators.*

*f. The operator of every garage and parking lot that is subject to the provisions of this section shall file with the commissioner a schedule of rates showing the prices charged daily, weekly, and monthly for parking and storage of bicycles.*

*g. No operator of a garage or parking lot subject to the provisions of this section shall make any charge for parking or storage of a bicycle in excess of the rates set forth in the schedule filed with the commissioner, unless at least sixty days prior to the effective date of such changed rates, such operator has filed with the commissioner, in writing, such change in rates and has posted such changed rates on signs which conform with the requirements of subdivision h of this section.*

*h. The operator of each garage or parking lot subject to the provisions of this section shall post conspicuously at the public entrance to the garage or parking lot a sign composed of letters and figures of such size, height, width, spacing, color and description as shall be prescribed by the rules of the commissioner. Such sign shall set forth the rate to be charged by such garage or parking lot for bicycle parking spaces, the hours during which such garage or parking lot will remain open for business and the minimum capacity of bicycle parking spaces of such garage or parking lot.*

*i. Bicycles unclaimed after sixty days shall be considered abandoned property and shall become the property of the operator of the garage or parking lot.*

*j. Within twelve months after the effective date of the local law that added this section, the commissioner shall submit a report to the council regarding the effectiveness of this local law at increasing the capacity of parking for bicycles in garages. Such report shall contain, among other things, the number and location of bicycle parking spaces and rate of usage of such spaces.*

§2. This local law shall take ninety days after enactment except that the commissioners of consumer affairs and/or buildings shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on .....July 29, 2009..... and approved by the Mayor on .....August 13, 2009.....

MICHAEL M. McSWEENEY, City Clerk ,Clerk of the Council.

**CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27**

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 51 of 2009, Council Int. No. 780-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on July 29, 2009:  
46 for, 1 against, 0 not voting.  
Was signed by the Mayor on August 13, 2009  
Was returned to the City Clerk on August 13, 2009

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.