**CURRENT INTRODUCTION NUMBER:**

[Int. No. 1346](http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2884636&GUID=C605C2B3-29BA-4D7A-83D8-392CD45C7093&Options=Advanced&Search=)

**PRIME SPONSORS:**

Council Member Constantinides (by request of the Mayor)

**TITLE:**

A Local Law to amend the New York city charter, the administrative code of the city of New York, the New York city plumbing code and the New York city building code, in relation to water pollution control, including provisions relating to stormwater management and control of discharges into storm sewers

**BILL SUMMARY:**

**This plain language summary is for informational purposes only and does not substitute for legal counsel. For more information, you should review the** [**full text of the bill**](http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2884636&GUID=C605C2B3-29BA-4D7A-83D8-392CD45C7093&Options=Advanced&Search=)**, which is available online at legistar.council.nyc.gov.**

In 2015, the New York State Department of Environmental Conservation issued a permit, under the federal Clean Water Act and the State Environmental Conservation Law, governing the operation of New York City’s municipal separate storm sewer systems (“MS4 Permit”), which governs stormwater infrastructure owned and operated by all City agencies, and requires management practices to reduce discharges of pollutants in stormwater runoff from all municipal operations and facilities in the MS4 area.  This bill will fulfill the requirement in the MS4 Permit that the City demonstrate adequate legal authority to implement and enforce the terms of the Permit.  In particular, the bill provides the City authority to act in a regulatory capacity to oversee and/or enforce requirements regarding activities that have the potential to contribute pollutants to stormwater runoff and the water bodies surrounding the City.  Two of the programs addressed in the bill – involving stormwater runoff from commercial and industrial activities, and runoff from active construction sites and newly developed or redeveloped sites – involve the City taking over administration of existing State stormwater programs within the MS4 area.  The third program, illicit discharge detection and elimination, continues, with minor updates, NYCDEP’s robust existing program to detect and address illicit discharges to the sewer system, and applies citywide.

**CODE SECTIONS AFFECTED:**

* Amends Charter § 1403
* Amends Administrative Code §§ 19-137, 24-519, 24-524
* Amends Plumbing Code §§106.6, 202, 1101.11
* Adds to the Plumbing Code § 106.6.3, 1114.9
* Amends the Building Code §§ 107.11, 202, 3309.1
* Adds to the Building Code §107.11.3
* Adds to the Administrative Code, new chapter 5-A to title 24, §§ 24-502.1, 24-520.1, 28-104.11, 28-105.1.2, 28-116.7, 28-118.22

**EFFECTIVE DATE:**

Sections one, two, four, five, six and seven of this bill take effect 30 days after it becomes law; sections three and eight through twenty-one of this bill take effect on a date to be set forth in rules adopted by the department of environmental protection implementing the provisions of such sections; effective immediately, the department of environmental protection or any other agency may take such actions as are necessary for the timely implementation of this local law, including the promulgation of rules.

**NOTE:** In the full bill text online at legistar.council.nyc.gov, language in proposed consolidated laws that is enclosed by [brackets] would be deleted, and language that is underlined would be new. Language in proposed unconsolidated laws, in contrast, will not have brackets or underlining because it would be entirely new. Consolidation means that the law is placed in the New York City Charter or Administrative Code.

**LEGISLATIVE IMPACT:**

*Please select any of the following which apply to this legislation.*

[x]  **Agency Rulemaking Required**: Is City agency rulemaking required?

[ ]  **Report Required**: Is a report due to Council required?

[ ]  **Oversight**: Are there seemingly clear points for City agency oversight and/or evaluation?

[ ]  **Sunset Date Included**: Does the legislation have a sunset date?

[ ]  **Grace Period Applies**: In the case of fines or other penalties, is a grace period established?

[ ]  **Council Appointment Required**: Is an appointment by the Council required?

[ ]  **Other Appointment Required**: Are other appointments not by the Council required?

[ ]  **Council Operations**: Might this law affect the Council’s own operations?