File #: Int 0509-2014, **Version:** *

Int. No. 509

By Council Members Koo and Vallone

A Local Law to amend the administrative code of the city of New York, in relation to the prior notification of tree planting abutting private residential property.

Be it enacted by the Council as follows:

Section 1. Section 18-142 of title 18 of the administrative code of the city of New York is amended to read as follows:

§18-142 Notification prior to planting of trees. a. Except as provided herein, not less than thirty days prior and not more than one hundred twenty days prior to the commencement of the planting of a tree under the jurisdiction of the department on a sidewalk that is within one hundred feet of any entrance or exit of any school or hospital, the department shall provide written notification of such planting by either facsimile, regular mail, electronic mail or by personal service to the office of the principal or designated representative of such school, or the administrator or designated representative of such hospital. Notifications pursuant to this section made by regular mail shall be placed into the United States mail not less than forty days prior to the commencement of planting of any such tree.

b. Not less than thirty days prior and not more than one hundred twenty days prior to commencing the planting of a tree by the department on a sidewalk abutting a one-family, two-family or three-family dwelling, the department shall provide written notification of such planting by facsimile, regular mail, electronic mail or by personal service to the owner of such dwelling. For the purposes of this section, "owner" shall mean and include the owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm or corporation,

directly or indirectly in control of a dwelling.

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

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