



Legislation Details (With Text)

**File #:** Int 1397-2016 **Version:** A **Name:** Restoration requirements after the opening of a protected street.  
**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Transportation

**On agenda:** 12/6/2016

**Enactment date:** 1/19/2018 **Enactment #:** 2018/068

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to restoration requirements after the opening of a protected street

**Sponsors:** Steven Matteo, Margaret S. Chin, David G. Greenfield, Deborah L. Rose, Rafael Salamanca, Jr., Andrew Cohen, Ben Kallos, James Vacca, Carlos Menchaca, Chaim M. Deutsch, Eric A. Ulrich, (by request of the Staten Island Borough President

**Indexes:** Agency Rule-making Required, Oversight

**Attachments:** 1. Summary of Int. No. 1397-A, 2. Summary of Int. No. 1397, 3. December 6, 2016 - Stated Meeting Agenda with Links to Files, 4. Int. No. 1397, 5. Committee Report 6/22/17, 6. Hearing Testimony 6/22/17, 7. Hearing Transcript 6/22/17, 8. Proposed Int. No. 1397-A - 12/19/17, 9. Committee Report 12/18/17, 10. Hearing Transcript 12/18/17, 11. December 19, 2017 - Stated Meeting Agenda with Links to Files, 12. Hearing Transcript - Stated Meeting 12-19-17, 13. Int. No. 1397-A (FINAL), 14. Fiscal Impact Statement, 15. Legislative Documents - Letter to the Mayor, 16. Local Law 68, 17. Minutes of the Stated Meeting - December 19, 2017

Date	Ver.	Action By	Action	Result
12/6/2016	*	City Council	Introduced by Council	
12/6/2016	*	City Council	Referred to Comm by Council	
6/22/2017	*	Committee on Transportation	Hearing Held by Committee	
6/22/2017	*	Committee on Transportation	Laid Over by Committee	
12/18/2017	*	Committee on Transportation	Hearing Held by Committee	
12/18/2017	*	Committee on Transportation	Amendment Proposed by Comm	
12/18/2017	*	Committee on Transportation	Amended by Committee	
12/18/2017	A	Committee on Transportation	Approved by Committee	Pass
12/19/2017	A	City Council	Approved by Council	Pass
12/19/2017	A	City Council	Sent to Mayor by Council	
1/8/2018	A	Mayor	Hearing Scheduled by Mayor	
1/19/2018	A	Administration	City Charter Rule Adopted	
1/22/2018	A	City Council	Returned Unsigned by Mayor	

Int. No. 1397-A

By Council Members Matteo, Chin, Greenfield, Rose, Salamanca, Cohen, Kallos, Vacca, Menchaca, Deutsch and Ulrich (by request of the Staten Island Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to restoration requirements after the opening of a protected street

Be it enacted by the Council as follows:

Section 1. Section 19-144 of the administrative code of the city of New York, as renumbered and amended by local law number 104 for the year 1993, is amended to read as follows:

§ 19-144 Issuance of permit to open street within five years after completion of city capital construction project requiring resurfacing or reconstruction of such street.

a. All persons having or proposing to install facilities in, on or over any street shall be responsible for reviewing the city's capital budget, capital plan and capital commitment plan. Such persons shall make provision to do any work, except emergency work, which requires the opening or use of any street prior to or during the construction of any capital project requiring resurfacing or reconstruction proposed in such budget or plan for such street.

b. No permit to use or open any street, except for emergency work, shall be issued to any person within a five year period after the completion of the construction of a capital project set forth in such budget or plan relating to such street requiring resurfacing or reconstruction unless such person demonstrates that the need for the work could not have reasonably been anticipated prior to or during such construction.

c. Notwithstanding the [foregoing provision] provisions set forth in subdivisions a and b of this section, the commissioner [of transportation] may issue a permit to open a street within such five year period upon a finding of necessity therefor, subject to such conditions as the commissioner may establish by rule, which shall include appropriate guarantees against the deterioration of the restored pavement and may include restoration of pavement to the curb line on both sides of the restoration and parallel to the curb line for 20 feet on each side of such restoration. Such conditions shall include, but are not limited to, the following requirements:

1. All concrete-base roadways must be restored with concrete of the same depth and at least the same strength as the original base concrete;

2. All cuts made to the roadway must be straight-edged and any angles must measure 90 degrees;

3. Restoration of openings less than 10 feet apart must be restored as one continuous restoration; or

4. If the distance between the edge of the cut and the curb is less than 3 feet the restoration must extend to the curb.

§ 2. This local law takes effect immediately.

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