

The New York City Council

## Legislation Details (With Text)

File #:	Int 0	662-2018	Version:	*	Name:	Requiring a minimum curb height be new trees in front of residential prop	, ,	
Туре:	Introduction				Status:	Filed (End of Session)		
					In control:	Committee on Transportation		
On agenda:	3/7/2	2018						
Enactment date:					Enactment #:			
Title:	A Local Law to amend the administrative code of the city of New York, in relation to requiring a minimum curb height before planting new trees in front of residential properties							
Sponsors:	Deborah L. Rose, Kalman Yeger							
Indexes:	Agency Rule-making Required							
Attachments:	1. Summary of Int. No. 662, 2. Int. No. 662, 3. March 7, 2018 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 03-07-18, 5. Minutes of the Stated Meeting - March 7, 2018							
Date	Ver.	Action By			A	ction	Result	
3/7/2018	*	City Cour	ncil		Ir	ntroduced by Council		
3/7/2018	*	City Cour	ncil		R	Referred to Comm by Council		

Int. No. 662

Filed (End of Session)

By Council Members Rose and Yeger

**City Council** 

A Local Law to amend the administrative code of the city of New York, in relation to requiring a minimum curb height before planting new trees in front of residential properties

## Be it enacted by the Council as follows:

Section 1. Section 18-106 of the administrative code of the city of New York is amended to read as

follows:

12/31/2021

§ 18-106. Tree planting; permission of commissioner of transportation.

<u>a.</u> In performing the duties required by sections 18-104 and 18-105 [of this title], the commissioner shall not make openings or excavations in any street for the purpose of planting or cultivating trees, without having first obtained the written approval of the commissioner of transportation nor shall any tree be so planted as to permanently interfere with the ordinary usage of the street, nor shall the planting be performed in any case so as

to injure or impair any sewer, drain, water pipe, or other structure erected by legal authority.

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b. The commissioner may not plant any tree adjacent to a curb unless the commissioner has received a written confirmation from the department of transportation that the curb meets an appropriate minimum curb height, to be determined by the commissioner of transportation.

§ 2. Section 19-147 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Whenever any tree is planted adjacent to a curb, the curb must meet an appropriate minimum height, to be determined by the commissioner by rule. The department may create exceptions for bioswales or where necessary. The department shall ensure that appropriate curb heights are maintained whenever the department of parks and recreation takes up and restores any pavement, sidewalk, curb or gutter in any street for the planting of new trees.

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

BM LS # 5066 2/9/18; 12:24 p.m.