



Legislation Details (With Text)

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Sponsors: Helen D. Foster, Leroy G. Comrie, Jr., Lewis A. Fidler, Sara M. Gonzalez, Letitia James, G. Oliver Koppell, Jessica S. Lappin, Annabel Palma, Domenic M. Recchia, Jr., Larry B. Seabrook, Kendall Stewart, Alan J. Gerson, Tony Avella, Michael C. Nelson, Gale A. Brewer
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12/31/2009	*	City Council	Filed (End of Session)	

Int. No. 1047

By Council Members Foster, Comrie, Fidler, Gonzalez, James, Koppell, Lappin, Palma, Recchia Jr., Seabrook, Stewart, Gerson, Avella, Nelson and Brewer

A Local Law to amend the administrative code of the city of New York, in relation to replacement of trees.

Be it enacted by the Council as follows:

Section 1. Section 18-107 of the administrative code of the city of New York is amended to read as follows:

§ 18-107 Replacement of trees removed [during construction]. Any individual, firm [or] corporation or city agency that intends to remove [during construction] any tree that is within the jurisdiction of the commissioner, shall obtain a permit from the department. Prior to obtaining such permit, such individual, firm, corporation or city agency shall post a bond with the commissioner to insure that

within thirty days [after the completion of construction] following such removal all trees removed, destroyed or severely damaged shall be replaced at the expense of the permittee. The total caliper of all trees planted in the course of restoration shall in no event be less than the total caliper of all trees removed, destroyed or severely damaged, with the maximum caliper of such replacement trees to be determined by the commissioner by rule, and the number of trees replaced shall be equal to or greater than the number of trees removed, destroyed, or severely damaged. Replacement shall be made [with 2 1/2 to 6 inch caliper trees and/or] as directed by the department horticultural officer[.], consistent with this section. The replacement shall be made in the spring or fall season, as determined by such horticultural officer. The amount of the bond as determined by the commissioner shall be sufficient to cover the cost of replacement. The provisions of this section requiring posting a bond and obtaining a permit shall not apply to the department, but the department shall comply with all other requirements of this section and any rules promulgated pursuant to this section.

§2. This law shall take effect ninety days following enactment, except that the commissioner shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

LF
LS #6954
7/22/09