



Legislation Text

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Int. No. 1784

By Council Member Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to requiring the city to remove snow from sidewalks when abutting landowners fail to do so and plow sidewalks after four inches of snow accumulate

Be it enacted by the Council as follows:

Section 1. Subdivisions a and d of section 16-123 of the administrative code of the city of New York, and subdivision h of section 16-123 of the administrative code of the city of New York, as amended by local law number 1 for the year 2003, are amended to read as follows:

a. Every owner, lessee, tenant, occupant, or other person, having charge of any building or lot of ground in the city, abutting upon any street where the sidewalk is paved, shall, within four hours after four inches of [the] snow or less has fallen and snow ceases to fall, or after the deposit of any dirt or other material upon such sidewalk, remove the snow or ice, dirt, or other material from the sidewalk and gutter, the time between [nine post meridian and seven ante meridian]9:00 p.m. and 7:00 a.m. not being included in the above period of four hours. Such removal shall be made before the removal of snow or ice from the roadway by the commissioner or subject to the regulations of such commissioner. In the boroughs of Queens and Staten Island, any owner, lessee, tenant or occupant or other person who has charge of any ground abutting upon any paved street or public place, for a linear distance of five hundred feet or more, shall be considered to have complied with this section, if such person shall have begun to remove the snow or ice from the sidewalk and gutter before the expiration of such four hours and shall continue and complete such removal within a reasonable time. Notwithstanding the foregoing, no owner, lessee, tenant, occupant, or other person, having charge of any

building or lot of ground in the city, abutting upon any street where the sidewalk is paved, is required to remove snow from the sidewalk and gutter after four or more inches of snow has accumulated. The city shall perform such removal using sidewalk snow plows within four hours after four inches or more of snow has fallen and snow ceases to fall, the time between 9:00 p.m. and 7:00 a.m. not being included in this four-hour period.

d. Whenever any owner, lessee, tenant, occupant, or other person having charge of any building or lot of ground, abutting upon any street or public place where the sidewalk is paved, [shall fail] fails to comply with the provisions of this section, the commissioner [may] shall cause such removal to be made by the city no later than 12 hours after the issuance of a notice of violation, the time between 9:00 p.m. and 7:00 a.m. not being included in this 12-hour period.

h. Any person other than the city who violates[violating] the provisions of subdivisions (a) or (b) of this section shall be liable and responsible for a civil penalty of not less than ten dollars nor more than one hundred fifty dollars for the first violation, except that for a second violation of subdivision (a) or (b) within any twelve-month period such person shall be liable for a civil penalty of not less than one hundred fifty dollars nor more than two hundred fifty dollars and for a third or subsequent violation of subdivision (a) or (b) within any twelve-month period such person shall be liable for a civil penalty of not less than two hundred fifty dollars nor more than three hundred fifty dollars.

§ 2. Section 16-123 of the administrative code of the city of New York is amended by adding a new subdivision k to read as follows:

k. Within 12 hours of receiving notice that a sidewalk has not been cleared of snow in accordance with subdivision (a) of this section, the commissioner shall cause an inspection of the sidewalk and:

(i) Remove the snow no later than 12 hours after the issuance of a notice of violation, the time between 9:00 p.m. and 7:00 a.m. not being included in such 12-hour period; or

(ii) Make a determination that snow removal is unnecessary.

§ 3. This local law takes effect 180 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,
prior to such date.

PLS
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