



Legislation Text

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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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