



Legislation Text

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Int. No. 234

By Council Members Brannan and Gjonaj

A Local Law to amend the administrative code of the city of New York, in relation to exempting or partially exempting seniors and certain persons with disabilities from penalties for failing to remove snow or ice from sidewalks, crosswalks, curbs and other locations

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 16-123 of the administrative code of the city of New York is amended to read as follows:

h. Any person violating the provisions of subdivisions [(a)] a or [(b)] b of this section shall be liable and responsible for a civil penalty of not less than [ten dollars] \$10 nor more than [one hundred fifty dollars]\$150 for the first violation, except that for a second violation of subdivision [(a)] a or [(b)] b within any [twelve-]12 month period such person shall be liable for a civil penalty of not less than [one hundred fifty dollars]\$150 nor more than [two hundred fifty dollars]\$250 and for a third or subsequent violation of subdivision [(a)] a or [(b)] b within any [twelve-]12 month period such person shall be liable for a civil penalty of not less than [two hundred fifty dollars]\$250 nor more than [three hundred fifty dollars]\$350; provided that where such person can establish to the satisfaction of the environmental control board or court, as applicable, that (1) they are at least 65 years old or have a disability that substantially interferes with their ability to comply with subdivision a of this section, and (2) the building or lot for which the notice of violation was issued is their primary residence, the minimum and maximum civil penalties set forth in this subdivision shall be mitigated by 50 percent.

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended to add a new section 16-124.2 to read as follows:

§ 16-124.2 Program for assisting seniors and certain persons with disabilities with snow removal. No later than November 1, 2015, the commissioner shall establish a program, which may include contracting with not-for-profit organizations, for the removal of snow or ice from crosswalks, curb cuts, bus stops and other city property, and from sidewalks and gutters abutting residential buildings where the owner, lessee, tenant, occupant, or other person having charge of such building or lot is 65 years or older, or has a disability that substantially interferes with such person's ability to comply with subdivision a of section 16-123, as such disability is defined by rules that the department shall promulgate in conjunction with the department of health and mental hygiene and the mayor's office for people with disabilities, and registers with the department. The procedure for registering for such program shall be developed by the department in conjunction with the department for the aging, the department of health and mental hygiene and the mayor's office for people with disabilities. Where snow is removed from curb cuts pursuant to such program, such removal shall provide for a cleared path of at least forty inches in width to accommodate safe access, by wheel chair or other mobility device, between streets and sidewalks.

§ 3. This local law takes effect immediately.

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