



## Legislation Text

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**File #:** Res 0164-2018, **Version:** \*

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### Res. No. 164

Resolution calling on the New York State Legislature to pass and the Governor to sign A.5324, which would require the New York City Department of Transportation to allow New York City homeowners to repair curbs adjacent to their sidewalk and receive a tax credit for the cost of the repair.

By Council Member Grodenchik

Whereas, In New York City, the curb is where the roadbed meets the sidewalk and is raised to divide the sidewalk from the roadway; and

Whereas, Curbs are considered part of the roadway and the City of New York is responsible for their repair and maintenance; and

Whereas, The New York City Department of Transportation (DOT) defines a sidewalk to mean, “the portion of the street, whether paved or unpaved, between the curb lines, or lateral lines of a roadway and the adjacent property lines intended for use of pedestrians;” and

Whereas, Pursuant to New York City law, private property owners are required to repair and maintain sidewalks adjacent to their property; and

Whereas, According to the *New York Daily News*, requests to fix broken curbs outnumber the resources available to fix them and property owners are forced to wait years for curb repairs; and

Whereas, In February of 2017, Assembly Member David Weprin introduced A.5324, which would permit a homeowner to repair the curb adjacent to their property if DOT is unable to complete the curb repair in ninety days and the homeowner would be eligible to receive a property tax credit for the cost of completing the repair; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.5324, which would require the New York City Department of Transportation to allow New York City homeowners to repair curbs adjacent to their sidewalk and receive a tax credit for the cost of the repair.

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