



Legislation Text

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Int. No. 1027

By Council Members Cabrera, Yeger and Vallone

A Local Law to amend the administrative code of the city of New York, in relation to noise, air quality and parking availability at street construction sites

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-121.1 to read as follows:

§ 19-121.1 Plating and decking during street openings and excavations. a. The permit holder for any authorized street opening or excavation project shall make such project safe for vehicles and pedestrians by installing plating and decking, as prescribed by the commissioner. The permit holder shall cover such openings or excavations by installing plating and decking large enough to span the street opening or excavation; shall firmly place such plating and decking to prevent rocking; shall overlap the edges of trenches and openings; shall fasten the plating and decking, either to itself or to the street surface, by splicing or countersinking; shall sufficiently ramp such plating and decking within 24 hours of plating and decking to provide smooth riding, safe conditions and minimal noise when driven upon; and shall otherwise ensure that such plating and decking is prevented from movement, except as part of the street opening or excavation project.

b. For every street opening or excavation project the permit holder shall designate an agent to supervise and certify the proper placement of plating and decking pursuant to subdivision a of this section at the end of each work day or before work ceases for more than 12 consecutive hours. Such agent shall certify compliance with subdivision a of this section in such manner as the commissioner deems appropriate and shall provide such certification to the department upon request. The agent shall provide display notices containing the name and

phone number of said agent to all residential buildings and storefronts within a one-block radius of the street opening or excavation project.

c. After receiving a complaint about a defect in any plating and decking, the permit holder authorized to install such plating and decking shall repair such defect within 24 hours.

d. All plating and decking shall be removed and the street repaired, as prescribed by regulations of the commissioner, within 24 hours after completion of the project requiring the street opening or excavation.

e. Any person who fails to comply with any provision of this section is liable for a penalty of at least \$500 for the first violation, at least \$1,000 for the second violation and at least \$2,000 for the third or subsequent violation.

§ 2. Subdivision b of section 19-121 of the administrative code of the city of New York is amended by adding paragraphs 8 and 9 to read as follows:

8. At the end of each work day or before work ceases for more than 12 consecutive hours, all dirt and debris shall be removed, moistened, covered or otherwise secured to avoid dispersion into the air.

9. Public parking spaces that are restricted because of construction activity shall be released for public use at the end of each work day or before work ceases for more than 12 consecutive hours, consistent with maintaining the safety and security of the site.

§ 2. This local law takes effect immediately.

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