



Legislation Text

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Int. No. 374

By Council Members Moskowitz, Gerson, Jackson, Nelson, Stewart, Quinn and Katz

A Local Law to amend the administrative code of the city of New York, in relation to temporary closing of streets.

Be it enacted by the Council as follows:

Section 1. Section 19-107 of the administrative code of the city of New York is amended to read as follows:

a. Except as otherwise provided by law, it shall be unlawful for any person to close any street, or a portion thereof, within the jurisdiction of the commissioner, to pedestrian or vehicular traffic without a permit from the commissioner. The commissioner may temporarily close or may issue a permit to temporarily close to pedestrian or vehicular traffic any street, or a portion thereof, within his or her jurisdiction, when, in his or her judgment, travel therein is deemed to be dangerous to life, in consequence of there being carried on in such street activities such as building operations, repairs to street pavements, sewer connections, blasting for the purpose of removing rock from abutting property, ensuring the safety and well being of school children, or when such closure may be necessary for a public purpose.

b. To permit the safe ingress and egress of school children or to permit such street to be used as a play street or play area whenever authorized signs are erected for said purpose, a street or a part thereof may be temporarily closed between the hours of 8 a.m. and 8:30 a.m., 2:40 p.m. and 3:15 p.m., or any other appropriate time period. The commissioner shall not withhold authorization unless the commissioner is able to show by clear and convincing evidence that granting such authorization will compromise the safety of school children.

No person shall drive a vehicle upon any such street or area between said prescribed time period, except operators of vehicles whose destinations lie within such restricted area. Any streets or parts thereof that have been closed for the above said purposes as of september 2002 shall not be reopened unless a written finding after a public hearing is made by the commissioner that reopening the street shall not compromise the safety of school children and, further provided, that no reopening shall be effective until 90 days after the commissioner's finding.

§ 2. This local law shall take effect immediately.

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