



Legislation Text

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Proposed Int. No. 399-A

By Council Members Addabbo, Jr., The Speaker (Council Member Miller), Gerson, Jackson, Katz, Yassky, Gennaro, Avella, Baez, Barron, Brewer, Clarke, Comrie, Davis, Dilan, Fidler, Gentile, Jennings, Koppell, Liu, Monserrate, Nelson, Quinn, Recchia, Jr., Reed, Reyna, Sanders, Jr., Seabrook, Sears, Serrano, Stewart, Weprin, Foster, Provenzano, Vann, Boyland, Gioia, Rivera, Moskowitz, Espada, Jr., Martinez, Lopez, Felder, Gonzalez, Perkins, The Public Advocate (Ms. Gotbaum), Oddo and Lanza; also Council Members Vallone, McMahon, DeBlasio and Gallagher

A Local Law to amend the administrative code of the city of New York, in relation to creating an adopt-a-park program.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. Due to the increased cost of maintenance and the necessity to increase revenue for the preservation of our precious parkland, particularly neighborhood parks, open space and urban forest, the Council believes it is appropriate to create a source of funding through community involvement and direct financial giving. This program is not intended to rename any park property or structure, but to provide another mechanism whereby individuals, community groups, businesses and corporations can help the city preserve its precious land and recreational programs. Through local community commitment, this program is designed to provide another avenue of assistance for all parks, from small playgrounds and greenstreets to beachfronts, pools and recreation centers. The revenue generated through this program is intended to supplement all allocations and sources of revenue for the Department of Parks and Recreation.

§ 2. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-133 to read as follows:

§ 18-133. Adopt-A-Park Program. a. Definitions. For the purposes of this section, “sponsor” shall mean

the person(s) or group(s) that have entered into an agreement with the department with respect to the maintenance, renovation and agreement requirements provided for in the Adopt-A-Park program.

b. The commissioner is authorized to enter into agreements with one or more individuals, corporations, partnerships or other entities, other than political candidates and their campaign organizations, to sponsor any park, playground, beach, pool, recreation center, ballfield, green space, greenstreet, vehicle, equipment, structure or other property under the jurisdiction of the department, except as provided in subdivision g of this section. Such sponsor may elect to be recognized by a sign at or on the area sponsored which shall not be larger than the standard sign used by the department. The commissioner shall erect such signs in a manner that best preserves the aesthetic quality of the sponsored area. Where the erection of such a sign is impossible, requires approval by another governmental entity or is otherwise prohibited by law, the department and the sponsor may agree to another form of recognition.

c. Sponsorship agreements may be entered into for a period of one to eight years from the date of the agreement. Nothing herein shall prohibit more than one sponsor at a particular site, and a sponsor may enter into agreements with the department to sponsor more than one site.

d. The department and the sponsor may renew an agreement for a term which shall be at the discretion of the commissioner, but is not to exceed the limits designated in subdivision c of this section. The existing sponsor may apply for renewal of the agreement no less than thirty days before the expiration of the agreement.

e. Nothing herein shall be construed to mean that the property or structure sponsored has been renamed for the sponsor or gives the sponsor or an agent or member thereof any authority to sell or display merchandise or use the sponsored area in any manner inconsistent with the New York city charter or any statute, law, rule or regulation. No sponsorship shall impede or impair in any way any concession or lease agreement between the department and any other individual or entity.

f. (1) Sponsors shall make a sponsorship payment to be determined by the commissioner, which

shall reflect the size and nature of the sponsored area and the maintenance, level of use, security and program costs or any portion thereof to be undertaken or provided for by the sponsor. Such sponsorship payments shall be treated as private categorical grants and shall be used solely by the department for the sponsored area for park maintenance, capital projects, security, recreation, art and educational programs and the acquisition and development of parkland and related structures or facilities. Any grant in the amount of five thousand dollars or more shall be separately identified.

(2) Notwithstanding the provisions of paragraph one of this subdivision, the commissioner may enter into a sponsorship agreement at a reduced sponsorship payment or no sponsorship payment with one or more organizations or individuals who undertake the responsibility to perform uncompensated volunteer assistance of beautification and/or clean-up work consistent with departmental standards.

(3) Any sponsorship agreement shall hold the city harmless from liability for any damage or injury arising from such sponsorship and shall provide for indemnification of the city by the sponsor in the event that any judgment or other financial obligation is imposed upon the city with respect to such sponsorship.

g. (1) The provisions of this section shall not apply to any park or facility under the jurisdiction of the department that has a trust, conservancy, or partnership with the department whose annual contributions exceed five hundred thousand dollars to the park or facility.

(2) The commissioner may only enter into sponsorships with those individuals or groups in a manner consistent with the integrity of the park, playground, facility or property.

h. The comptroller shall have the power to audit and investigate all matters relating to the finances and the financial operations of the program.

§ 3. This law shall take effect ninety days upon its enactment into law.

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