



Legislation Text

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Int. No. 1071

By Council Members Holden, Cabán, Fariás, Riley, Restler, Gutiérrez and Riley

A Local Law to amend the administrative code of the city of New York, in relation to the timelines for the removal of abandoned or unsafe utility poles, wires, and appurtenances, and the transfer of appurtenances to newly erected poles

Be it enacted by the Council as follows:

Section 1. Section 24-411 of the administrative code of the city of New York is amended to read as follows:

a. All telegraph, telephone and electric light poles, wires or [conductors] appurtenances which shall hereafter remain or stand disused, or become disused or abandoned, or which may be dangerous or unsafe, in[,] or over or upon any street, shall be [forthwith] removed within 60 days of becoming disused or abandoned, and forthwith if dangerous or unsafe, but for sufficient cause shown the commissioner of transportation may extend the time for such removal, by one or more orders, for periods not exceeding [one year] 30 days each.

b. The persons owning, operating, managing or controlling poles, wires or appurtenances which may have been so disused or abandoned, or which may be dangerous or unsafe, shall take down and remove them as described in subdivision a of this section, and upon their failure to do so, the commissioner of transportation shall remove the same forthwith, at the expense of such persons. Before such removal, the commissioner of transportation, except where a condition of danger exists, shall mail a notice thereof to the last known address of such persons, a copy of which shall be posted for a period of ten days on each of such poles prior to its removal.

c. When any new pole is erected to partially or entirely replace an existing pole, any appurtenances to the existing pole which shall be transferred to the new pole must be transferred by the persons owning, operating, managing, or controlling such appurtenances within 30 days of the erection of the new pole.

d. Any person convicted of a violation of any of the provisions of this section shall be punished by a fine of not less than \$350 nor more than \$750[dollars, imprisonment for not more than ten days, or both]. In addition to or as an alternative to such penalty, such persons shall also be subject to a civil penalty of no less than nor more than \$100 per day such person is in violation of any provision of this section. Such civil penalties shall be imposed in the manner set forth in section 19-150.

§ 2. This local law takes effect immediately.

SRB
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