



Legislation Text

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Int. No. 104-A

By Council Members Ariola, Yeger, Holden, Schulman, Riley, Menin, Hanks, Gennaro, Brooks-Powers, Banks, Narcisse, Zhuang, Louis, Moya, Dinowitz, Rivera, Paladino, Marmorato, Borelli, Vernikov, Carr and Mealy

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to consult with the fire department prior to approving open street applications and certain bicycle lane projects and to require the fire department to confer with any affected firehouse prior to approving open street applications, bicycle lane projects, and major transportation projects

Be it enacted by the Council as follows:

Section 1. Section 19-101.2 of the administrative code of New York, as amended by local law number 3 for the year 2024, is amended to read as follows:

a. Definitions. For the purposes of this section, the following terms have the following meanings:

Affected council [member(s), senator(s), member(s)] member, senator, member of assembly, and community [board(s)] board. The term “affected council [member(s), senator(s), member(s)] member, senator, member of assembly, and community [board(s)] board” means [the council member(s), senator(s), member(s)] any council member, senator, member of assembly, and community [board(s)] board in whose districts a proposed major transportation project is to be located, in whole or in part.

Affected firehouse. The term “affected firehouse” means any firehouse in whose response area a proposed major transportation project is to be located, in whole or in part.

Bicycle lane. The term “bicycle lane” means a portion of the roadway that has been marked off or separated for the preferential or exclusive use of bicycles.

Major transportation project. The term “major transportation project” means any project that after construction will alter [four] 4 or more consecutive blocks, or 1,000 consecutive feet of street, whichever is

less, involving a major realignment of the roadway, including either removal of a vehicular [lane(s)] lane or full time removal of a parking [lane(s)] lane or addition of vehicular travel [lane(s)] lanes, as well as a project to add or remove a bicycle lane of any length.

b. If an agency of the city other than the department implements a major transportation project, such agency, in lieu of the department, shall provide the notice required by this section.

c. Prior to the implementation of a major transportation project, the department shall forward notice of such project, including a description of such project, to the affected council [member(s), senator(s), member(s)] member, senator, member of assembly, and community [board(s)] board by electronic mail.

d. Within [ten] 10 business days after receipt of such notice, or within [twenty] 20 business days after receipt between June 20 and August 20 of such a notice for a major transportation project for the addition or removal of a bicycle lane: (i) the affected council [member(s), senator(s), and member(s)] member, senator, and member of assembly may submit recommendations [and/or] or comments, or both, on such notice to the department; and (ii) the affected community [board(s)] board may either submit recommendations [and/or] or comments, or both, on such notice to the department [and/or], or request a presentation of the major transportation project plan by the department, or both, which shall be made to the community board within [thirty] 30 days of such community board's request, or within [forty-five] 45 days of such community board's request where such a notice for a major transportation project for the addition or removal of a bicycle lane is received by such community board between June 20 and August 20.

e. Each presentation shall include, at a minimum, the project limits, a description, and a justification of such plan, and a map showing the streets affected by such plan and, within [three] 3 days of such presentation, shall be forwarded to the affected council [member(s), senator(s) and member(s)] member, senator, and member of assembly.

f. The department shall consider recommendations [and/or] or comments, or both, if any, made under the provisions of subdivision d of this section [and/or] or within [seven] 7 days of the presentation to the

community board, from the affected council [member(s), senator(s), member(s)] member, senator, member of assembly, and [affected] community [board(s)] board, and may incorporate changes, where appropriate, into the plan.

g. The department may implement its plan after it sends an amended plan or notice that it will proceed with its original plan to the affected council [member(s), senator(s), member(s)] member, senator, member of assembly, and community [board(s)] board.

h. Nothing in this section shall be construed to prohibit the department from providing notice of its major transportation projects on its website and to the affected council [member(s), senator(s), member(s)] member, senator, member of assembly, and community [board(s)] board, and other interested parties by other means in addition to those specified in this section.

i. Nothing in this section shall be construed to require the department to provide notification of major transportation projects requiring immediate implementation to preserve public safety.

j. Prior to the implementation of a major transportation project, the department shall consult with the police department, the fire department, the department of small business services, and the mayor's office for people with disabilities. The fire department shall confer with any affected firehouse and submit to the department the specific affected firehouse that was conferred with, any feedback provided by such firehouse, the method by which such firehouse provided feedback, and the date such feedback was provided. The department shall include a certification of [such] the consultations conducted pursuant to this subdivision in the notice required by subdivision c of this section, provided that for the consultation with the fire department, the department shall indicate whether the fire department received feedback from any affected firehouse and, if so, such specific affected firehouse that was conferred with, the method by which such firehouse provided feedback, and the date such feedback was provided.

§ 2. Subdivision j of section 19-107.1 of the administrative code of New York, as added by local law number 55 for the year 2021, is amended to read as follows:

j. Prior to the designation of an open street, the department shall [provide]:

1. Consult with the fire department. The fire department shall confer with any firehouse whose response area includes the proposed open street, and submit to the department the specific firehouse that was conferred with, the feedback provided from any affected firehouse, the method by which such firehouse provided feedback, and the date such feedback was provided. The department shall include a certification of such consultation in the notice required by paragraph 2 of this subdivision. Such certification shall indicate whether the fire department received feedback from any affected firehouse and, if so, such specific affected firehouse that was conferred with, the method by which such firehouse provided feedback, and the date such information was provided; and

2. Provide notice to any affected [council members, community boards, and community organizations] council member, community board, and community organization.

§ 3. This local law takes effect 60 days after it becomes law.

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CoJM  
LS # 12381  
11/13/24 3.15pm

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MLL  
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