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Int. No. 576

By Council Members Gennaro, Krishnan and Louis

A Local Law to amend the administrative code of the city of New York, in relation to the removal of trees under the jurisdiction of the department of parks and recreation and reporting thereof

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 18-107 of the administrative code of the city of New York, as amended by local law number 3 for the year 2010, is amended to read as follows:

a. Any person that intends to remove any tree that is within the jurisdiction of the commissioner, shall obtain a permit from the department prior to such removal. The department shall not grant a permit pursuant to this section unless the permit application includes the name and certification of the person who shall conduct the tree removal and the department determines that such person is an arborist with a certification recognized by the department.

§ 2. Subdivision a of section 18-129 of the administrative code of the city of New York, as amended by local law number 7 for the year 1996, is amended to read as follows:

a. It shall be unlawful for any [individual, firm, corporation, agent, employee or] person [under the control of such individual, firm or corporation] to cut, remove or in any way destroy or cause to be cut, removed or destroyed, any tree or other form of vegetation on public property under the jurisdiction of the commissioner without acquiring written consent from the commissioner. For any tree removal that requires a permit pursuant to section 18-107, it shall be unlawful for any person other than the arborist named on the permit application to conduct such removal. The foregoing provision shall not apply to department employees who are engaged in the proper and authorized performance of their assigned duties.

§ 3. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-129.1 to read as follows:

§ 18-129.1 City tree removal reporting. a. Definitions. For purposes of this section, "city tree" means any tree under the jurisdiction of the commissioner.

b. No later than 1 year after the effective date of the local law that added this section, and annually thereafter, the department shall submit a report to the mayor and the speaker of the council regarding all removals of city trees in the prior year. Such report shall contain a table in which each row references a city tree removed in the prior year. Each row shall include the following information, set forth in separate columns:

1. Whether the city tree was removed by the department, pursuant to a permit issued under subdivision a of section 18-107, or without authorization from the department;

2. The geospatial reference for each removed city tree;

3. Whether the department has replaced the removed city tree;

4. For each city tree removed pursuant a permit issued under subdivision a of section 18-107, whether an employee of the department was present to supervise the removal; and

5. For each city tree removed without authorization from the department, whether any person has been found liable for a violation of section 18-129.

§ 4. This local law takes effect immediately.

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