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Int. No. 897

By Council Members Feliz, Stevens, Restler, Hudson, Riley, Louis, Narcisse, Thomas-Henry, De La Rosa, Schulman and Morano

A Local Law to amend the administrative code of the city of New York, in relation to the department of social services' response to certain severe winter weather conditions

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-157 to read as follows:

§ 21-157 Severe winter weather response. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Code blue alert. The term "code blue alert" means a weather emergency notice that the city issues when the temperature, including wind chill, is forecasted to reach 32 degrees Fahrenheit or below.

Outreach worker. The term "outreach worker" means a department employee whose duties include conducting outreach to unsheltered individuals, or a service provider contracted by the department to conduct outreach to unsheltered individuals.

Relevant agency. The term "relevant agency" means an agency, office, or entity responsible for providing services when a code blue alert is issued, which may include, but need not be limited to the department of transportation, the fire department, the police department, the emergency management department, the department of health and mental hygiene, and the New York city health and hospitals corporation.

Severe winter weather condition. The term "severe winter weather condition" means the occurrence of

any of the following:

1. Temperature or wind chills of 20 degrees Fahrenheit or below;

2. Precipitation that continues for at least 4 hours while the temperature is 32 degrees Fahrenheit or below;

3. Freezing rain or ice storms;

4. Snowfall accumulating 3 inches or more; or

5. Sustained winds of 40 miles per hour or higher while the temperature is 32 degrees Fahrenheit or below.

Triggering event. The term "triggering event" means the publication of a National Weather Service report forecasting a severe winter weather condition within the ensuing 24 hours.

Unsheltered individual. The term "unsheltered individual" means an individual with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

b. No later than November 1 of each year, the commissioner shall identify unsheltered individuals who are likely to face heightened risk of harm during severe winter weather conditions and the places where they are known to congregate.

c. Upon the occurrence of a triggering event, the commissioner shall implement a severe winter weather response and announce the response on the department's website. Such response shall conclude no earlier than 24 hours following the end of the severe winter weather condition. Such response shall include:

1. Requiring outreach workers to make best efforts to engage with unsheltered individuals identified pursuant to subdivision b of this section every 2 hours between the hours of 8:00 p.m. and 8:00 a.m.;

2. Coordinating with any relevant agency to deploy warming buses in each borough operating 24 hours;

3. Coordinating with any relevant agency to facilitate transportation of unsheltered individuals to warming buses, warming centers, and shelters as available;

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4. Coordinating with any relevant agency to facilitate expanded access to overdose prevention and harm reduction facilities; and

5. Any other measures deemed necessary by the commissioner to mitigate the impact of severe winter weather conditions on unsheltered individuals.

d. No later than 2 weeks prior to the first day of each of the months of November, December, January, and February, the commissioner, in consultation with any relevant agency, shall prepare and submit to the speaker of the council a report on the commissioner's plan for implementing a severe winter weather response, which shall include:

1. An estimation of the likelihood that a severe winter weather condition will occur in the ensuing month;

2. The department's plan for compliance with each of the paragraphs of subdivision c of this section in the event that a severe winter weather response is triggered during the ensuing month, including any information relevant to the response provided by a relevant agency; and

3. A list of all shelter facilities available for use in the ensuing month in the event that a severe winter weather response is triggered, the maximum number of individuals who may receive shelter at each such facility, and an assessment of the need for additional shelter capacity in the event of a severe winter weather condition.

§ 2. This local law takes effect immediately.

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