



Legislation Text

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By Council Members Vallone, Jr., Fidler, Gentile, Lappin, Van Bramer, Nelson, Mark-Viverito, Levin, Chin, Vacca, Koslowitz, Ferreras, Williams, Rose, Crowley, Cabrera, Greenfield, Mendez, Gonzalez, Koo, Wills, Oddo, Ulrich, Halloran and Ignizio

A Local Law to amend the administrative code of the city of New York, in relation to cellular telephone antennas and equipment.

Be it enacted by the Council as follows:

Section 1. Title 28 of the administrative code of the city of New York, as amended by local law 33 for the year 2007, is amended by adding a new section 28-103.16.1 to read as follows:

§28-103.16.1 Placement of cellular telephone service antennas and related equipment. (a) The department, in conjunction with such other city agencies as the commissioner shall determine, shall promulgate rules concerning the attachment, installation or mounting of cellular telephone service antennas and equipment on buildings or structures. Such rules shall contain, but need not be limited to, requirements for the manner in which cellular telephone service antennas and related equipment may be attached, installed, or mounted on buildings or structures; a requirement that any related wires or wiring running through a building or structure are properly enclosed or guarded in accordance with the electrical code; a requirement that prior to seeking a permit from the department to attach, install or mount a cellular telephone service antenna and related equipment on a building or structure, the applicant shall provide written notice of such intent to the community board and council member in whose respective districts the building or structure is located; requirements for the placement of an identification tag on cellular telephone service antennas and related equipment which shall include the permit number and an “advisory” to dial 311 where any exigent circumstances exist or for more information concerning such permit; a requirement that the permit applicant make best efforts to locate in a non-residential zone and make best efforts to co-locate cellular telephone service antennas and related equipment; guidance for aesthetical considerations to minimize the visual impacts of such antennas or related equipment where practical; and a protocol to address the removal of such antennas and related equipment following abandonment or discontinuance of service.

(b) The requirements of this section shall not apply to the placement or replacement of cellular telephone service antennas and related equipment, attached, installed or mounted by or on behalf of governmental agencies for a government purpose.

§2. This local law shall take effect ninety days after its enactment into law; provided, however, that any actions necessary for the implementation of this local law may be taken prior to its effective date.

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