



Legislation Text

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Int. No. 1049

By Council Members Greenfield and Gentile

A Local Law to amend the administrative code of the city of New York, in relation to permissible parking at non-functioning fire hydrants.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-167.4 to read as follows:

§ 19-167.4 Parking at non-functioning fire hydrants. Notwithstanding any other law or rule, a person shall be allowed to park at a non-functioning fire hydrant, so long as no other parking, or standing, or stopping rules are violated.

§ 2. Chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-307.1 to read as follows:

§ 24-307.1 Non-functioning fire hydrants. The commissioner shall cause all non-functioning fire hydrants within the city to be painted green within sixty days of the department learning that such fire hydrant is not functioning.

§ 3. Section 24-308 of chapter 3 of title 24 of the administrative code of the city of New York is amended to read as follows:

§ 24-308 Opening, painting, tampering with, or operating valves or fire hydrants. a. It shall be unlawful for any person other than an employee of the department of environmental protection, or the fire department to open, paint, use, operate, or tamper with a fire hydrant or high pressure hydrant, in the city, or a valve in the

water supply system of the city, without a permit in writing from the commissioner of environmental protection. It shall also be unlawful to leave such a hydrant open for a longer period than shall be limited in the permit, or use water for other purposes than shall have been authorized by such commissioner.

b. The commissioner may grant a permit to a person, other than an employee of the department of environmental protection or of the fire department, to open, paint, use or operate a fire hydrant in the city, upon such terms and conditions as may be prescribed by the commissioner and upon payment by such permittee of a fee of five dollars for each day for which such permit is granted. A permittee shall be required, at the time of making application for such permit, to pay to the department a sum sufficient to cover the total fee for the entire period for which such permit is granted. If the work for which such permit is granted is completed on a date prior to the termination date of such permit, the permittee shall be entitled to a refund of the fee paid for each day subsequent to such completion date. The commissioner may grant a permit pursuant to this section to any agency or to a non-profit organization for the purpose of providing street showers for children, without payment of the fee required by this subdivision.

c. The commissioner shall have the power, subject to the approval of the board of estimate, to increase the amount of the fee prescribed by subdivision b hereof, to an amount sufficient to cover the cost to the city of the supervision and inspection of hydrants in connection with the granting of permits under the provisions of this section.

d. Every permittee shall open, paint, use or operate such hydrant in accordance with such rules and regulations and such terms and conditions as may be prescribed by the commissioner for the purpose of protecting and maintaining the hydrant in a continuously accessible and usable condition. A permit granted pursuant to this section may be revoked by the commissioner for the failure by the permittee to comply with any of the terms and conditions of the permit or any applicable provision of law.

e. The opening, painting, use or operation of a fire hydrant, under a permit issued pursuant to this section, shall be subject to inspection by an employee or employees of the department of environmental

protection, duly appointed in accordance with the provisions of the civil service law, and assigned to such duties in accordance with the provisions of section eleven hundred three of the charter. The compensation of any such employee or employees shall be paid by the city in accordance with the provisions of section one hundred twenty-three of the charter. No permittee shall be required to pay the compensation of any employee, of any part thereof, as a condition to the granting of a permit for the opening, painting, use or operation of a fire hydrant.

§ 4. This local law shall take effect 90 days after its enactment into law.

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