



Legislation Text

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Int. No. 104

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

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 notify affected firehouses prior to approving open street applications, bicycle lane projects, and major transportation projects.

Be it enacted by the Council as follows:

Section 1. 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 consult with the fire department and provide notice to affected council members, community boards [and], community organizations, and firehouses whose response area includes the proposed open street. The department shall include in such notice a certification of its consultation with the fire department.

§ 2. Subdivision a of section 19-187 of the administrative code of New York is amended by adding a new paragraph 3 to read as follows:

3. "Affected firehouse(s)" means the firehouse(s) in whose response area a proposed bicycle lane is to be constructed or removed, in whole or in part.

§ 3. Paragraph 1 of subdivision b of section 19-187 of the administrative code of New York, as added by local law 61 for the year 2011, is amended to read as follows:

1. Except as provided below, at least ninety days before the construction or the removal of a bicycle lane is to begin, the department shall notify each affected council member, firehouse, and community board via

electronic mail of the proposed plans for the bicycle lane within the affected community district and shall offer to make a presentation at a public hearing held by such affected community board.

§ 4. Section 19-187 of the administrative code of New York is amended by adding a new subdivision e to read as follows:

e. The department shall consult with the fire department prior to construction or removal of any bicycle lane that would result in either the removal of a vehicular lane or full time removal of a parking lane. The department shall include a certification of such consultation in the notice required by paragraph 1 of subdivision b of this section. This subdivision does not apply to any construction or removal of a bicycle lane defined as a major transportation project under paragraph 2 of subdivision a of section 19-101.2.

§ 5. Section 19-101.2 of the administrative code of New York, as amended by chapter 790 of the laws of 2022 and chapter 98 of the laws of 2023, is amended to read as follows:

a. For the purposes of this section, the following terms shall be defined as follows:

1. “Affected council member(s), senator(s), member(s) of assembly and community board(s)” shall mean the council member(s), senator(s), member(s) of assembly and community board(s) in whose districts a proposed major transportation project is to be located, in whole or in part.

2. “Major transportation project” shall mean any project that, after construction will alter four 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) or full time removal of a parking lane(s) or addition of vehicular travel lane(s).

3. “Affected firehouse(s)” means the firehouse(s) in whose response area a proposed major transportation project is to be located, in whole or in part.

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 affected council member(s), senator(s), member(s) of assembly, firehouse(s), and community board(s) by electronic mail.

d. Within ten business days after receipt of such notice: (i) the affected council member(s), senator(s) [and], member(s) of assembly, and firehouse(s) may submit recommendations and/or comments on such notice to the department; and (ii) the affected community board(s) may either submit recommendations and/or comments on such notice to the department and/or request a presentation of the major transportation project plan by the department, which shall be made to the community board within thirty days of such community board's request.

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 days of such presentation, shall be forwarded to the affected council member(s), senator(s) [and], member(s) of assembly, and firehouse (s).

f. The department shall consider recommendations and/or comments, if any, made under the provisions of subdivision d of this section and/or within seven days of the presentation to the community board, from the affected council member(s), senator(s), member(s) of assembly, firehouse(s), and affected community board(s), and may incorporate changes, where appropriate, into the plan.

g. The department may implement its plan fourteen or more days 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) of assembly, firehouse(s), and community board(s).

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 affected council member(s), senator(s), member(s) of assembly, firehouse(s), and community board(s), 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 department shall include a certification of such consultations in the notice required by subdivision c of this section.

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

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