



Legislation Text

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Int. No. 4-A

By Council Members Avilés, Bottcher, Restler, Gennaro, Schulman, Louis, Marte, Riley, Cabán, Hudson, Gutiérrez, Ossé, Farías, Krishnan, Hanif, Williams, Won and Mealy (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the use of shore power at cruise terminals and community traffic mitigation plans in neighborhoods where cruise terminals are located

Be it enacted by the Council as follows:

Section 1. Section 22-821 of the administrative code of the city of New York is amended by adding new definitions of “community traffic mitigation plan,” “covered maritime contract,” “cruise terminal,” “cruise terminal operator,” and “shore power” in alphabetical order to read as follows:

Community traffic mitigation plan. The term “community traffic mitigation plan” means a plan, developed in consultation with the department of transportation and the police department, that outlines proposed measures to reduce private or for-hire vehicle usage and encourage use of public transportation in a neighborhood where a cruise terminal is located in order to address traffic congestion and other disruptions resulting from the loading or unloading of cruise ships or similar vessels at a cruise terminal.

Covered maritime contract. The term “covered maritime contract” means any contract under which a contracted entity is engaged in providing or administering economic development benefits relating to cruise terminals on behalf of the city.

Cruise terminal. The term “cruise terminal” means an area of a port designated for the loading and unloading of cruise ships or similar vessels that is: (i) owned by the city and administered by a contracted entity pursuant to a covered maritime contract; or (ii) leased by a contracted entity.

Cruise terminal operator. The term “cruise terminal operator” means an entity that operates, manages and maintains a cruise terminal pursuant to an agreement with the city or a contracted entity.

Shore power. The term “shore power” means the provision of electrical power from the shore that a vessel at berth can access, thereby allowing the engine of such vessel to shut down.

§ 2. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-827 to read as follows:

§ 22-827 Shore power usage at cruise terminals.

a. Each covered maritime contract executed on or after the effective date of this section shall provide that a contracted entity shall require, or shall cause a cruise terminal operator to require, that any vessel utilize shore power when such vessel is at berth at a cruise terminal, provided that: (i) shore power is available at such cruise terminal; (ii) such vessel is equipped to utilize shore power at such cruise terminal; and (iii) in the judgement of such contracted entity or such cruise terminal operator, the use of shore power at such cruise terminal is safe and practicable at the time such vessel is at berth, considering weather conditions, technical limitations or any other similarly relevant factors.

b. A contracted entity shall enforce compliance with the requirements of subdivision a of this section.

c. Each covered maritime contract executed on or after the effective date of this section shall provide that a contracted entity shall submit to the mayor and speaker of the council, and post on the website of such contracted entity, a community traffic mitigation plan for each cruise terminal by the later of: (i) July 1, 2025; or (ii) 180 days after the date of execution of such covered maritime contract. In developing such plan, such contracted entity shall solicit input from members of the public who reside in neighborhoods surrounding a cruise terminal. Such plan shall be revised by such contracted entity as appropriate. Such plan shall be accompanied by an assessment by the police department and the department of transportation of which, if any, of the proposed measures such departments plan to undertake.

§ 3. This local law takes effect immediately.

Session 13

ARP/JC

LS #11929

2/28/24

Session 12

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4/12/23