

4377--A

Cal. No. 315

2011-2012 Regular Sessions

I N S E N A T E

March 31, 2011

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to authorize owners of residential real property in high risk brush fire areas in the borough of Staten Island to cut and remove reeds from their property; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The department of environmental conservation shall estab-
2 lish a general residential fire break permit for the borough of Staten
3 Island, city of New York. Such no-cost permit shall be issued to the
4 Staten Island borough president's office for the purpose of authorizing
5 residential property owners, in areas designated by the department as
6 high risk brush fire areas, to cut and remove phragmites communis in
7 order to establish a firebreak of up to 50 feet from their property line
8 but no further than 100 feet from their homes. In order to receive such
9 authorization, residential property owners, in areas designated by the
10 department as high risk brush fire areas, shall submit their name and
11 address to the Staten Island borough president's office. Such submission
12 shall be via telephone or in person provided; however, if authorized by
13 the borough president, such submission may be made via a website main-
14 tained by the borough president. Any approval issued by the borough
15 president shall be conditioned on the eligible residential property
16 owner's agreement that they shall only use such authorization to remove
17 phragmites communis and that any equipment utilized to remove the phrag-
18 mites communis must have a ground pressure of four pounds per square
19 inch or less.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 S 2. The department of environmental conservation shall post informa-
2 tion regarding the availability of the Staten Island residential fire
3 break permit on its website, including a link to a website maintained by
4 the borough president, if available.
5 S 3. This act shall take effect immediately and shall expire and be
6 deemed repealed December 31, 2012.