S T A T E O F N E W Y O R K

6939

2011-2012 Regular Sessions

I N A S S E M B L Y

April 6, 2011

Introduced by M. of A. TOBACCO, CUSICK -- read once and referred to the Committee on Cities

AN ACT to amend the general city law and the environmental conservation law, in relation to authorizing owners of residential real property in cities having a population of one million or more to cut and remove reeds from their property

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

Section 1. The general city law is amended by adding a new section 19-a to read as follows:

S 19-A. REGULATION OF THE REMOVAL OF REEDS (PHRAGMITES COMMUNIS). NO PROVISION OF LAW SHALL BE DEEMED TO AUTHORIZE ANY CITY HAVING A POPULATION OF ONE MILLION OR MORE TO REGULATE THE CUTTING, PULLING OR DIGGING UP FOR THE PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, BY THE OWNER OF RESIDENTIAL REAL PROPERTY IN SUCH CITY, ANY REED (PHRAGMITES COMMUNIS) GROWING ON SUCH REAL PROPERTY.

S 2. Section 9-1503 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. NO PROVISION OF THIS TITLE SHALL BE DEEMED TO PROHIBIT OR AUTHORIZE THE DEPARTMENT TO REGULATE THE CUTTING, PULLING OR DIGGING UP FOR THE PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, BY THE OWNER OF RESIDENTIAL REAL PROPERTY IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE, ANY REED (PHRAGMITES COMMUNIS) GROWING ON SUCH REAL PROPERTY.

S 3. Section 24-0701 of the environmental conservation law is amended by adding a new subdivision 4-a to read as follows:

4-A. THE CUTTING, PULLING AND DIGGING UP FOR THE PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, OF ANY REED (PHRAGMITES COMMUNIS) FROM FRESHWATER WETLANDS UPON RESIDENTIAL REAL PROPERTY IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE, BY THE OWNER OF SUCH PROPERTY SHALL BE EXCLUDED FROM REGULATED ACTIVITIES AND SHALL NOT REQUIRE A PERMIT PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

S 3. This act shall take effect immediately.

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

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