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

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7463

2011-2012 Regular Sessions

I N   A S S E M B L Y

May 4, 2011
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Introduced by M. of A. CUSICK, TOBACCO -- 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 ASSEM-
    BLY, DO ENACT AS FOLLOWS:

 1   Section 1.   The general city law is amended by adding a new section
 2 19-a to read as follows:
 3   S 19-A. REGULATION OF THE REMOVAL OF REEDS (PHRAGMITES COMMUNIS). NO
 4 PROVISION   OF   LAW   SHALL BE DEEMED TO AUTHORIZE ANY CITY HAVING A POPU-
 5 LATION OF ONE MILLION OR MORE TO REGULATE THE CUTTING, PULLING OR
 6 DIGGING UP FOR THE PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, BY
 7 THE OWNER OF RESIDENTIAL REAL PROPERTY IN SUCH CITY, ANY REED (PHRAG-
 8 MITES COMMUNIS) GROWING ON SUCH REAL PROPERTY.
 9   S 2. Section 9-1503 of the environmental conservation law is amended
10 by adding a new subdivision 5 to read as follows:
11   5. NO PROVISION OF THIS TITLE SHALL BE DEEMED TO PROHIBIT OR AUTHORIZE
12 THE DEPARTMENT TO REGULATE THE CUTTING, PULLING OR DIGGING UP FOR THE
13 PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, BY THE OWNER OF RESI-
14 DENTIAL REAL PROPERTY IN A CITY HAVING A POPULATION OF ONE MILLION OR
15 MORE, ANY REED (PHRAGMITES COMMUNIS) GROWING ON SUCH REAL PROPERTY.
16   S 3. Section 24-0701 of the environmental conservation law is amended
17 by adding a new subdivision 4-a to read as follows:
18   4-A. THE CUTTING, PULLING AND DIGGING UP FOR THE PURPOSE OF REMOVAL,
19 OR CAUSING TO BE SO REMOVED, OF ANY REED (PHRAGMITES COMMUNIS) FROM
20 FRESHWATER WETLANDS UPON RESIDENTIAL REAL PROPERTY IN A CITY HAVING A
21 POPULATION OF ONE MILLION OR MORE, BY THE OWNER OF SUCH PROPERTY SHALL
22 BE EXCLUDED FROM REGULATED ACTIVITIES AND SHALL NOT REQUIRE A PERMIT
23 PURSUANT TO SUBDIVISION ONE OF THIS SECTION.
24   S 3. This act shall take effect immediately.