

10060

I N   A S S E M B L Y

May 10, 2016

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

AN ACT to amend the general city law, in relation to authorizing owners  
of certain residential real property, in cities of the first class, to  
opt out of tree planting conducted by such cities on adjacent city  
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     28-b to read as follows:  
3     S 28-B. LIMITATION ON PLANNED MUNICIPAL TREE PLANTING ON CITY PROPER-  
4     TY; CITIES OF THE FIRST CLASS. ANY OWNER OF RESIDENTIAL REAL PROPERTY,  
5     THAT IS IN WHOLE OR IN PART OWNER OCCUPIED AND USED EXCLUSIVELY FOR  
6     RESIDENTIAL PURPOSES, ANY COOPERATIVE CORPORATION OF A RESIDENTIAL COOP-  
7     ERATIVE THAT IS USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES, AND ANY BOARD  
8     OF MANAGERS OF A CONDOMINIUM THAT IS USED EXCLUSIVELY FOR RESIDENTIAL  
9     PURPOSES MAY ELECT TO OPT-OUT OF A PLAN TO PLANT A TREE OR TREES PURSU-  
10    ANT TO A SYSTEMATIC STREET TREE PLANTING PROGRAM ADOPTED BY A CITY OF  
11    THE FIRST CLASS, AS DEFINED IN SUBDIVISION (A) OF SECTION ONE HUNDRED  
12    SEVEN OF THE VEHICLE AND TRAFFIC LAW, ON PROPERTY OWNED BY SUCH CITY  
13    THAT IS BETWEEN THE SIDEWALK AND THE CURB OF THE ROADWAY, ADJACENT TO  
14    THE PROPERTY LINE OF SUCH RESIDENTIAL REAL PROPERTY. SUCH CITY SHALL  
15    PROVIDE NOTICE TO SUCH PROPERTY OWNERS, COOPERATIVE CORPORATION OR BOARD  
16    OF MANAGERS OF A PLANNED TREE PLANTING AND SHALL GRANT THE PROPERTY  
17    OWNERS, COOPERATIVE CORPORATION OR BOARD OF MANAGERS THIRTY DAYS WITHIN  
18    WHICH TO NOTIFY THE CITY OF THEIR DESIRE TO OPT-OUT OF THE PLANNED TREE  
19    PLANTING.  
20    S 2. This act shall take effect on the one hundred twentieth day after  
21    it shall have become a law.

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

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