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

4704

2015-2016 Regular Sessions

I N S E N A T E

April 10, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to allowing property owners to prune tree branches within their reach

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

Section 1. The administrative code of the city of New York is amended by adding a new section 18-105.2 to read as follows:

S 18-105.2 TREES AND PRUNING OF OBSTRUCTIVE BRANCHES BY PROPERTY OWNERS. ANY OWNER OF A CLASS ONE PROPERTY OR A CLASS TWO PROPERTY THAT IS A RESIDENTIAL CONDOMINIUM OR RESIDENTIAL COOPERATIVE, AS SUCH CLASSES OF PROPERTY ARE DEFINED IN SUBDIVISION ONE OF SECTION EIGHTEEN HUNDRED TWO OF THE REAL PROPERTY TAX LAW, THAT IS IN WHOLE OR IN PART OWNER OCCUPIED AND USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES, WHO FINDS HIS OR HER PROPERTY IS OBSTRUCTED BY THE BRANCHES OF A TREE UNDER THE EXCLUSIVE JURISDICTION OF THE COMMISSIONER MAY PRUNE SUCH BRANCHES WITHIN THE PROPERTY OWNER'S REACH, PROVIDED THE OWNER DOES NOT USE ANY DEVICE TO AID IN HIS OR HER REACH INCLUDING, BUT NOT LIMITED TO, A LADDER OR EXTENDED BRANCH CLIPPERS.

S 2. This act shall take effect immediately.

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

LBD08208-01-5