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

4705

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 authorizing owners of certain class one and class two properties to opt out of tree planting

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 PLANNED TREE PLANTING UNDER PUBLIC OWNERSHIP; OPT OUT BY OWNERS OF CERTAIN CLASS ONE AND CLASS TWO PROPERTIES. 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 MAY OPT-OUT OF A PLAN BY THE COMMISSIONER TO PLANT A TREE ON CITY PROPERTY THAT IS IMMEDIATELY ADJACENT TO SUCH PROPERTY OWNER'S PROPERTY LINE. THE COMMISSIONER SHALL NOTIFY PROPERTY OWNERS OF AN IMPENDING TREE PLANTING AND SHALL GRANT SUCH PROPERTY OWNERS THIRTY DAYS WITHIN WHICH TO NOTIFY THE CITY OF THE DESIRE TO OPT-OUT OF THE PLANNED TREE PLANTING.

S 2. 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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