

# STATE OF NEW YORK

---

1456--A

2017-2018 Regular Sessions

## IN SENATE

January 9, 2017

---

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general city law, in relation to authorizing owners of certain residential real property, in the city of New York, to opt out of tree planting conducted by such city on adjacent city property

The People of the State of New York, represented in Senate and Assembly, 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 § 28-b. Limitation on planned municipal tree planting on city proper-  
4 ty; city of New York. Any owner of residential real property, that is  
5 in whole or in part owner occupied and used exclusively for residential  
6 purposes, any cooperative corporation of a residential cooperative that  
7 is used exclusively for residential purposes, and any board of managers  
8 of a condominium that is used exclusively for residential purposes may  
9 elect to opt-out of a plan to plant a tree or trees pursuant to a  
10 systematic street tree planting program adopted by the city of New York  
11 on property owned by such city that is between the sidewalk and the curb  
12 of the roadway, adjacent to the property line of such residential real  
13 property. Such city shall provide notice to such property owners, coop-  
14 erative corporation or board of managers of a planned tree planting and  
15 shall grant the property owners, cooperative corporation or board of  
16 managers thirty days within which to notify the city of their desire to  
17 opt-out of the planned tree planting.

18 § 2. This act shall take effect on the one hundred twentieth day after  
19 it shall have become a law.

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

LBD01252-02-7