STATE OF NEW YORK

4118--C

Cal. No. 861

2019-2020 Regular Sessions

IN SENATE

February 28, 2019

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the administrative code of the city of New York, in relation to repair or replacement of damaged residential lateral sewer and water pipes

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 two new sections 24-316.1 and 24-531 to read as follows:

§ 24-316.1 Water lateral pipe repair or replacement. When at least three properties within a radius of seven hundred fifty feet have been issued a three-day notice to repair a damaged residential lateral water pipe pursuant to subdivision (p) of section 20-02 of title 15 of the rules of the city of New York within a six-month period, and, after investigation by the department of environmental protection of the city of New York and an opportunity to submit evidence to such department, in accordance with rules promulgated by such department, by any applicable public utility company, as defined in section two of the public service law, such department concludes, based on substantial evidence, that the infrastructure, electric current or other activity of any such public utility company was a cause of significant damage to such residential lateral water pipe, such public utility company shall be responsible for the repair or replacement of such pipe. In any investigation by the department of environmental protection pursuant to this section, the

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

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applicable public utility company shall cooperate with such investigation, and comply with any requests by such department relating to such investigation. Any public utility found to have caused significant damage, after an investigation as provided in this section, shall be responsible for all costs associated with such investigation, and payment shall be due for such costs within sixty days after the department of environmental protection has issued its conclusion.

§ 24-531 Sewer lateral pipe repair or replacement. When at least three properties within a radius of seven hundred fifty feet have been issued a three-day notice to repair a damaged residential lateral sewer pipe pursuant to subdivision (p) of section 20-02 of title 15 of the rules of the city of New York within a six-month period, and, after investigation by the department of environmental protection of the city of New York and an opportunity to submit evidence to such department, in accordance with rules promulgated by such department, by any applicable public utility company, as defined in section two of the public service law, such department concludes, based on substantial evidence, that the infrastructure, electric current or other activity of any such public utility company was a cause of significant damage for such residential lateral sewer pipe, such public utility company shall be responsible for the repair or replacement of such pipe. In any investigation by the department of environmental protection pursuant to this section, the applicable public utility company shall cooperate with such investigation, and comply with any requests by such department relating to such investigation. Any public utility found to have caused significant damage, after an investigation as provided in this section, shall be responsible for all costs associated with such investigation, and payment shall be due for such costs within sixty days after the department of environmental protection has issued its conclusion.

§ 2. This act shall take effect immediately.