STATE OF NEW YORK

5373

2019-2020 Regular Sessions

IN SENATE

April 29, 2019

Introduced by Sen. COMRIE -- 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 requiring the department of sanitation to remove any snow or ice accumulation in front of fire hydrants

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 15-205 of the administrative code of the city of New York, as amended by local law number 149 of the city of New York for the year 2016, is amended to read as follows:

§ 15-205 Obstruction of fire hydrants. a. For the purposes of this section, the term "fire hydrant street area" means, with respect to a fire hydrant, any space that is located:

1. In a street; and

2. Between the center of such street and a line that (i) is 20 feet in length, (ii) has such hydrant at its center point and (iii) runs parallel to the curb nearest such hydrant.

b. 1. It shall be unlawful in any manner to obstruct the use of any fire hydrant, or to throw or pile, or allow any snow or ice or other material or thing to be thrown or piled (i) upon a fire hydrant, (ii) within two feet of a fire hydrant or (iii) within a fire hydrant street area. All material or things found obstructing any fire hydrant [~~may be forthwith~~] **shall be** removed by the officers or employees of the department, at the risk, cost and expense, of the [~~owner, lessee or tenant of the premises fronting such hydrant~~] **department of sanitation**.

2. No newsstand may be located within ten feet from either side of a fire hydrant, except that this prohibition shall not apply to any newsstand which was first licensed by the department of consumer affairs before August 1, 1979, where the person who held the license for such newsstand on August 1, 1991 continues to be the licensee for such newsstand; provided, however, that where a newsstand which was first

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

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licensed before August 1, 1979 is reconstructed in its entirety or in substantial part, which reconstruction was commenced on or after August 1, 1991, such newsstand shall be subject to such prohibition.

c. All snow and ice accumulating within a space identified in paragraph 1 of subdivision b of this section shall be removed by the [~~owner, lessee or tenant of the premises fronting such space within four hours after the snow ceases to fall, except that (i) such owner, lessee or tenant shall not be required to remove snow and ice from the fire hydrant street area or from the property of such owner, lessee or tenant and (ii) the time between 9:00 p.m. and 7:00 a.m. shall not be included in the aforementioned period of four hours~~] **department of sanitation**.

d. Notwithstanding section 15-216, a violation or knowing violation of this section shall be punishable in the same manner as a violation of subdivision a of section 16-123, except that a knowing violation of subdivision b of this section may in addition be punishable by imprisonment not to exceed one day.

e. In addition to the department, the department of sanitation may enforce the provisions of this section.

§ 2. This act shall take effect immediately.