

# STATE OF NEW YORK

6100--A

Cal. No. 174

2023-2024 Regular Sessions

## IN ASSEMBLY

April 3, 2023

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Cities -- ordered to a third reading, amended and ordered reprinted, retaining its place on 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:

1 Section 1. The administrative code of the city of New York is amended  
2 by adding two new sections 24-316.1 and 24-534 to read as follows:

3 § 24-316.1 Water lateral pipe repair or replacement. When at least  
4 three properties within a radius of seven hundred fifty feet have been  
5 issued a three-day notice to repair a damaged residential lateral water  
6 pipe pursuant to subdivision (p) of section 20-02 of title 15 of the  
7 rules of the city of New York within a six-month period, and, after  
8 investigation by the department of environmental protection of the city  
9 of New York and an opportunity to submit evidence to such department, in  
10 accordance with rules promulgated by such department, by any applicable  
11 public utility company, as defined in section two of the public service  
12 law, such department concludes, based on substantial evidence, that the  
13 infrastructure, electric current or other activity of any such public  
14 utility company was a cause of significant damage to such residential  
15 lateral water pipe, such public utility company shall be responsible for  
16 the repair or replacement of such pipe. In any investigation by the  
17 department of environmental protection pursuant to this section, the  
18 applicable public utility company shall cooperate with such investi-  
19 gation, and comply with any requests by such department relating to such  
20 investigation. Any public utility found to have caused significant  
21 damage, after an investigation as provided in this section, shall be  
22 responsible for all costs associated with such investigation, and

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

LBD02968-04-4

1 payment shall be due for such costs within sixty days after the depart-  
2 ment of environmental protection has issued its conclusion.

3 § 24-534 Sewer lateral pipe repair or replacement. When at least  
4 three properties within a radius of seven hundred fifty feet have been  
5 issued a three-day notice to repair a damaged residential lateral sewer  
6 pipe pursuant to subdivision (p) of section 20-02 of title 15 of the  
7 rules of the city of New York within a six-month period, and, after  
8 investigation by the department of environmental protection of the city  
9 of New York and an opportunity to submit evidence to such department, in  
10 accordance with rules promulgated by such department, by any applicable  
11 public utility company, as defined in section two of the public service  
12 law, such department concludes, based on substantial evidence, that the  
13 infrastructure, electric current or other activity of any such public  
14 utility company was a cause of significant damage for such residential  
15 lateral sewer pipe, such public utility company shall be responsible for  
16 the repair or replacement of such pipe. In any investigation by the  
17 department of environmental protection pursuant to this section, the  
18 applicable public utility company shall cooperate with such investi-  
19 gation, and comply with any requests by such department relating to such  
20 investigation. Any public utility found to have caused significant  
21 damage, after an investigation as provided in this section, shall be  
22 responsible for all costs associated with such investigation, and  
23 payment shall be due for such costs within sixty days after the depart-  
24 ment of environmental protection has issued its conclusion.

25 § 2. This act shall take effect immediately.