

STATE OF NEW YORK

1398

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sens. LIU, ADDABBO, PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

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 24-532 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
23 payment shall be due for such costs within sixty days after the depart-
24 ment of environmental protection has issued its conclusion.

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

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1 § 24-532 Sewer lateral pipe repair or replacement. When at least
2 three properties within a radius of seven hundred fifty feet have been
3 issued a three-day notice to repair a damaged residential lateral sewer
4 pipe pursuant to subdivision (p) of section 20-02 of title 15 of the
5 rules of the city of New York within a six-month period, and, after
6 investigation by the department of environmental protection of the city
7 of New York and an opportunity to submit evidence to such department, in
8 accordance with rules promulgated by such department, by any applicable
9 public utility company, as defined in section two of the public service
10 law, such department concludes, based on substantial evidence, that the
11 infrastructure, electric current or other activity of any such public
12 utility company was a cause of significant damage for such residential
13 lateral sewer pipe, such public utility company shall be responsible for
14 the repair or replacement of such pipe. In any investigation by the
15 department of environmental protection pursuant to this section, the
16 applicable public utility company shall cooperate with such investi-
17 gation, and comply with any requests by such department relating to such
18 investigation. Any public utility found to have caused significant
19 damage, after an investigation as provided in this section, shall be
20 responsible for all costs associated with such investigation, and
21 payment shall be due for such costs within sixty days after the depart-
22 ment of environmental protection has issued its conclusion.

23 § 2. This act shall take effect immediately.