

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 10

Introduced by Council Members Gennaro, Brewer, Chin, Fidler, James, Koppell, Lander, Mark-Viverito, Nelson, Williams, Van Bramer, Levin, Garodnick, Crowley, Vallone, Gonzalez, Weprin, Vann, Lappin, Koslowitz, Rodriguez, Rivera, Greenfield, Vacca, Jackson, Dromm, Arroyo, Barron, Eugene, Koo, Palma, Ulrich and Halloran.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that the PlaNYC Sustainable Stormwater Management Plan of 2008 recommends the use of green infrastructure as a desirable means to control and detain stormwater. Such control and detention is important because combined sewer overflows (CSOs) discharge over 27 billion gallons of sewage and polluted rainwater into the New York harbor every year. The Council also finds that initiatives undertaken by the City of New York, including the Green Infrastructure Plan, contemplate planting thousands of trees and many thousands of plants annually. Therefore the Council finds that it is in the best interests of the City to use stormwater-tolerant plantings to maximize the capacity for stormwater retention and infiltration.

§2. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-140 to read as follows:

§18-140 Stormwater retention planting manual. a. Not later than November 1, 2013, the

commissioner shall promulgate a stormwater retention manual applicable to all plantings conducted by the department that shall maximize the use of stormwater retentive plantings. Such manual shall, at a minimum:

1. identify plants suitable for the purpose of facilitating stormwater retention and describe their qualities, including, but not limited to, the appropriate hydrological and soil conditions, necessary sunlight, drought and salt water tolerance, coloring, shade cover, compatibility with other plants and usefulness as a habitat;

2. identify suitable planting materials, soil types and mulch, for the purpose of facilitating stormwater retention; and

3. set forth guidelines for the planning and organization of plantings, including the appropriate mixes of plants.

b. The manuals developed pursuant to this section shall be accessible for use by property owners and professional land managers to increase stormwater retention and shall be made available on-line on the department's website.

c. All plantings conducted by the department after May 1, 2014, shall conform to the stormwater retention planting manual.

§3. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 6, 2013 and approved by the Mayor on February 25, 2013.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 10 of 2013, Council Int. No. 75-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.