

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

No. 80

Introduced by Council Members Gennaro, Brewer, Chin, Comrie, Fidler, Gonzalez, James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Palma, Rose, Van Bramer, Rodriguez, Barron, Eugene, Greenfield and Mealy.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to a study on permeable roadway and sidewalk materials.

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-155 to read as follows:

§19-155 Study of alternative roadway and sidewalk materials. a. The department and the department of environmental protection shall conduct a study on the possible use of permeable materials on roadways and sidewalks under the jurisdiction of the department. Such study shall include the following: (i) various types of permeable material for roadway and sidewalk use; (ii) the expected costs of such materials and the projected feasibility of such materials, including but not limited to durability, operational function and performance; (iii) the volume of stormwater anticipated to be permeated through such materials; (iv) recommendations and limitations regarding the use of permeable materials on roadways and sidewalks under the jurisdiction of the department; (v) the maintenance practices for such roadways and sidewalks and estimated costs of such practices; (vi) the effect on utilities and other entities that will need to make cuts in such roadways and sidewalks; (vii) methods to restore the porosity of such roadways and sidewalks and

an estimate of the costs of such methods; (viii) recommendations regarding the use and limitations of permeable materials by private property owners on private roadways, parking lots and sidewalks; and (ix) a determination on whether a uniform standard on the use of permeable materials in sidewalks within the city of New York is appropriate, based on the results of the study and pilot required pursuant to subdivisions a and b of this section. If such uniform standards are deemed appropriate, the department, in consultation with other agencies including but not limited to the department of parks and recreation and the department of design and construction, shall make recommendations and exceptions to such uniform standard. Such study shall be completed and delivered to the speaker of the council and posted on the department's website not more than thirty months following the effective date of the local law that added this section.

b. The department shall undertake a pilot program on the use of permeable materials on roadway and sidewalk surfaces as part of the study required pursuant to subdivision a of this section. Such pilot program shall include evaluation of permeable materials in three different types of roadway conditions and three different types of sidewalk conditions, with such conditions including but not limited to roadway and pedestrian volume and locations susceptible to flooding. The department shall consult with the department of environmental protection prior to choosing the locations for such pilot program. A report on such pilot program shall be completed and delivered to the speaker of the council and posted on the department's website not more than one hundred twenty days following the completion of the pilot program.

§ 2. 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 September 24, 2013 and approved by the Mayor on October 2, 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. 80 of 2013, Council Int. No. 1088-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.