

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 149

Introduced by Council Members King, Koo, Mealy, Reynoso, Rose, Wills, Koslowitz, Richards, Mendez, Constantinides, Dromm, Cohen, Crowley, Levin, Menchaca and Kallos.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the removal of snow and ice from fire hydrants

Be it enacted by the Council as follows:

Section 1. Section 15-205 of the administrative code of the city of New York, as amended by local law number 66 for the year 1991, 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 [or around the same,] a fire hydrant, (ii) within two feet of a fire hydrant or [to place, or allow to be placed, any material or thing in front thereof, from the curb line to the center of the street and to] (iii) within [ten feet from either side thereof] a fire hydrant street area. [All snow and ice accumulating in the street, within such space, shall be removed by the owner, lessee, or tenant of the premises fronting such space.] All material or things found obstructing any fire hydrant may be

forthwith removed by the officers or employees of the department, at the risk, cost and expense, of the [owner or claimant] *owner, lessee or tenant of the premises fronting such hydrant.* [The provision of this section requiring that no thing shall be placed within ten feet from either side of a fire hydrant]

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 [prior to the first day of] before August 1, [nineteen hundred seventy-nine] 1979, where the person who held the license for such newsstand on [the first day of] August 1, [nineteen hundred ninety-one] 1991 continues to be the licensee for such newsstand; provided, however, that where a newsstand which was first licensed [prior to the first day of] before August 1, [nineteen hundred seventy-nine] 1979 is reconstructed in its entirety or in substantial part, which reconstruction was commenced on or after [the first day of] August 1, [nineteen hundred ninety-one] 1991, such newsstand shall be subject to such [requirement that no thing be placed within ten feet from either side of a fire hydrant] 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.*

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. Subdivision c of section 16-123 of administrative code of the city of New York is amended to read as follows:

c. [Any person violating any provision of, or regulation adopted pursuant to, subdivisions a and b of this section shall be punished by a fine of not less than ten dollars nor more than one hundred fifty dollars, imprisonment for not more than ten days, or both] *Reserved.*

§ 3. This local law takes effect 90 days after it becomes law, except that (i) the commissioner of sanitation and the commissioner of the fire department may take such measures as are necessary for its implementation, including the promulgation of rules, before such date and (ii) section two of this local law takes 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 November 29, 2016 and approved by the Mayor on December 6, 2016.

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. 149 of 2016, Council Int. No. 300-A of 2014) 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.

STEPHEN LOUIS, Acting Corporation Counsel