

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 8

Introduced by Council Members Maisel, Cohen, Richards, Gentile, Koo, Koslowitz, Chin, Rosenthal, Menchaca, Kallos, Constantinides, Rodriguez, Rose, Greenfield, Miller and Ulrich.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to repairing of ponding conditions on roadways

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 19-159.1 to read as follows:

§ 19-159.1 The verification and repair of ponding conditions on roadways a. Definitions. As used in this section, the following term has the following meaning:

Ponding condition. The term “ponding condition” means standing water in a depression that is removed only by percolation, evaporation or transpiration that lasts greater than seven days.

b. Upon receiving a complaint of a ponding condition on a roadway under its jurisdiction, the department shall verify such complaint within 45 days, except where weather conditions or other circumstances do not permit the timely completion of such verification.

c. Upon verification, the department shall assess the roadway to determine what work may be necessary to repair such ponding condition. Such assessment shall be conducted jointly with the department of environmental protection, where necessary.

1. If such assessment concludes that such ponding condition can be repaired through resurfacing, such resurfacing shall be prioritized by the department to be performed (i) when department resurfacing operations next take place in the community district where such ponding is located, or (ii) within 18 months from the date of such assessment, whichever is earlier. This paragraph shall not be interpreted in such a way as to impair the department's discretion to prioritize the most urgent resurfacing needs, impede the department's expeditious resurfacing operations, or prevent the department from conducting emergency resurfacing.

2. If such assessment concludes that such ponding condition can only be repaired through work other than resurfacing, such work shall be prioritized by the department or the department of environmental protection.

d. In instances where a council member or a community board has made a complaint in writing to the department of a ponding condition on a roadway under the department's jurisdiction, within 10 days of conducting an assessment of such location as required by paragraph 1 of subdivision c of this section, the department shall notify, in writing, such council member or community board in whose district the ponding condition is located of the results of such assessment.

§ 2. 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 30, 2017 and returned unsigned by the Mayor on January 5, 2018.

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. 8 of 2018, Council Int. No. 1251-A of 2016) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.