

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 68

Introduced by Council Members Farías, Ayala, Hudson, Williams, Riley, Mealy, Louis and Narcisse.

A LOCAL LAW

To amend the New York city charter and the administrative code of the city of New York, in relation to eliminating certain outdated and unnecessary advisory boards, task forces and commissions, to repeal subdivision f of section 1403 of such charter, relating to the resource recovery task force, to repeal subdivision j of section 2704 of such charter, relating to the mayor’s task force on service delivery, to repeal section 3-111 of such code, relating to the mayor’s drug enforcement and drug abuse task force, to repeal section 10-117.1 of such code, relating to an anti-graffiti task force, to repeal subdivision c of section 10-160 of such code, relating to a temporary task force on limited access entry door requirements for automated teller machines, to repeal chapter 3 of title 15 of such code, relating to an arson strike force, to repeal subdivision h of section 17-196 of such code, relating to an advisory panel and report on an electronic death registration system, to repeal section 17-349 of such code, relating to a dangerous dog advisory board, to repeal section 17-361 of such code, relating to an advisory committee on health issues related to tattooing, to repeal subdivisions c, d, and e of section 18-136 of such code, relating to an advisory committee on surfacing materials used around play equipment, to repeal section 19-101.5 of such code, relating to an advisory committee on electric vehicles, to repeal section 19-306 of such code, relating to a temporary citywide boater safety and wake reduction task force, to repeal section 20-521 of such code, relating to an interagency advisory council on tow truck licenses, to repeal section 21-118 of such code, relating to a commission for the foster care of children, to repeal section 21-120.3 of such code, relating to a temporary task force on child care funding, to repeal section 21-123 of such code, relating to a temporary commission on childhood and child caring programs, and to repeal chapter 8 of title 21 of such code, relating to day laborer job centers

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 753 of the New York city charter, as added by local law number 24 for the year 1977 and paragraph 4 of such subdivision as amended by local law number 59 for the year 1996, is amended to read as follows:

a. Except as otherwise provided by law, the commissioner shall have charge and control of and be responsible for all those functions and operations of the city relating to the cleanliness of the streets and the disposal of waste, including, without limitation, the following:

(1) the sweeping, cleaning, sprinkling, flushing, washing and sanding of the streets;

(2) the removal and disposition of ashes, street sweepings, garbage, refuse, rubbish and waste;

(3) the removal of ice and snow from the streets;

(4) the removal of encumbrances from the streets and the storage or disposal of such encumbrances; *and*

(5) plans, design, construction, operation, alteration, repair, maintenance, replacement, enlargement and regulation of the use of incinerators, landfills and other plants, facilities and equipment necessary for or useful for performing the functions and exercising the powers and duties enumerated in this section[; and

(6) the powers and duties of the commissioner with respect to the resource recovery task force set forth in subdivision f of section fourteen hundred and three, of this charter].

§ 2. Subdivision f of section 1403 of the New York city charter is REPEALED and a new subdivision f is added to read as follows:

f. Reserved.

§ 3. Subdivision j of section 2704 of the New York city charter is REPEALED and a new subdivision j is added to read as follows:

j. Reserved.

§ 4. Section 3-111 of the administrative code of the city of New York is REPEALED.

§ 5. Section 10-117.1 of the administrative code of the city of New York is REPEALED.

§ 6. Section 10-158.2 of the administrative code of the city of New York, as added by local law number 117 for the year 2005, is amended to read as follows:

§ 10-158.2 Wake reduction educational material. *a. Definitions. For purposes of this section, the following terms have the following meanings:*

Operator. The term “operator” means any person or governmental entity that owns or operates a water-borne vessel.

Water-borne vessel. The term “water-borne vessel” means any water craft operating within the city or its territorial waters, including any commuter ferry, tugboat, speedboat, motorboat and personal watercraft, but excluding any seaplane.

b. The commissioner of parks and recreation, in consultation with the police commissioner, shall prepare and make available to operators of water-borne vessels[, as defined in section 19-306 of this code, within the city of New York or its territorial waters], and operators of piers, marinas and boat repair yards educational materials related to the dangers of wakes to the safety of boaters in water-borne vessels in the water; the potentially adverse impact of wakes to piers and other shoreline structures, waterfront recreational facilities and parks, the shoreline itself, and wetlands along the city’s waterfront; the importance of minimizing wakes as a water-borne vessel operates in a vessel regulation zone or “no wake area[;]”; and which government entities have jurisdiction over rule-making and enforcement in the territorial waters of the city [of New York].

§ 7. Paragraph (2) of subdivision b of section 10-160 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, is amended to read as follows:

(2) [within six months after the submission of the report of the temporary task force required by subdivision c of this section,] entry doors equipped with locking devices which permit entry to such facility only to persons using an automated teller machine card or access code issued by a

bank for that purpose. Provided, however, that any automated teller machine facility located within the interior of a building that is not equipped with such entry door locking devices [within six months after the submission of such report] shall [thereafter] have at least one security guard stationed therein during the period of time after regular banking hours when such automated teller machine facility is available to banking customers.

§ 8. Subdivision c of section 10-160 of the administrative code of the city of New York is REPEALED and a new subdivision c is added to read as follows:

c. Reserved.

§ 9. Section 15-304 of the administrative code of the city of New York is renumbered section 15-233, and such renumbered section is added to chapter 2 of title 15 of such code.

§ 10. Chapter 3 of title 15 of the administrative code of the city of New York is REPEALED.

§ 11. Subdivision h of section 17-196 of the administrative code of the city of New York is REPEALED and a new subdivision h is added to read as follows:

h. Reserved.

§ 12. Section 17-349 of the administrative code of the city of New York is REPEALED.

§ 13. Section 17-361 of the administrative code of the city of New York is REPEALED.

§ 14. Subdivision b of section 18-136 of the administrative code of the city of New York, as added by local law number 19 for the year 2010, is amended to read as follows:

b. The department shall on an ongoing basis consult with the department of health and mental hygiene to identify and evaluate new surfacing materials that have not been previously used for any playgrounds or athletic fields by the department to determine whether such materials may benefit the public by enhancing recreational activities and to evaluate potential health or safety impacts. In performing such an evaluation, the department shall assess reasonably available

information on new surfacing materials to determine if such surfacing materials are appropriate for recreational activities in parks and meet existing safety and health standards, including, but not limited to the standards of the American society for testing and materials, the American national standards institute, and the United States consumer products safety commission guidelines set out in its “Handbook for Public Playground Safety”, applicable to such materials. Such evaluation shall also include an assessment of reasonably available information regarding whether or not such materials may present any health or safety risk, including whether such materials retain high levels of heat or contain hazardous levels of known carcinogens [and/or] *or* toxic substances, and of any available studies of such materials that address environmental issues. Such evaluation shall also include an assessment of alternative surfaces and technologies considered, including natural surfacing. The department shall use best efforts to locate all pertinent sources of information on any surfacing material under evaluation, provided that nothing in this section shall be construed to require the performance of an exhaustive search of all information available on any such material. [The department shall at least every six months provide to the advisory committee described in this section a report regarding any evaluation of new surfacing materials intended to be used by the department and prior to such use by the department, or provide to the advisory committee a written statement that no such report exists.]

§ 15. Subdivisions c, d, and e of section 18-136 of the administrative code of the city of New York are REPEALED.

§ 16. Section 19-101.5 of the administrative code of the city of New York is REPEALED.

§ 17. Section 19-306 of the administrative code of the city of New York is REPEALED.

§ 18. Section 20-521 of the administrative code of the city of New York is REPEALED.

§ 19. Section 21-118 of the administrative code of the city of New York is REPEALED.

§ 20. Section 21-120.3 of the administrative code of the city of New York is REPEALED.

§ 21. Section 21-123 of the administrative code of the city of New York is REPEALED.

§ 22. Chapter 8 of title 21 of the administrative code of the city of New York is REPEALED.

§ 23. This local law takes effect on the same date as a local law amending the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary reports and studies, as proposed in introduction number 1004-A for the year 2023, takes effect.

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 April 27, 2023 and returned unsigned by the Mayor on May 30, 2023.

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. 68 of 2023, Council Int. No. 986-A of 2023) 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

STEPHEN LOUIS, Acting Corporation Counsel.