

May 8, 2003

The Honorable Iris Weinshall, Commissioner
New York City Department of Transportation
40 Worth Street
New York, NY 10013

Re: Sidewalk Repair Policies and Procedures

Dear Commissioner Weinshall,

The Transportation Planning Committee of Manhattan Community Board No. 4, having received persistent unresolved complaints regarding sections of sidewalk within our Board district, has found the City's manner of pursuing timely sidewalk repairs to be lacking. We urge NYC DOT and other relevant agencies to review and revise sidewalk repair policies and procedures to ensure prompt repairs and safe conditions on New York City sidewalks.

The problems have come to light as we've worked on two particular sidewalk complaints: uneven conditions on the south side of 20th Street, between 7th and 8th Avenue; and a severely sunken slab on the northwest corner of 22nd Street and 7th Avenue. In the case of 20th Street, longstanding violations have persisted for years, even though residents at Harmony House, a residence for people with HIV (many of whom have vision or mobility impairments) have complained on multiple occasions. In the case of the 22nd Street corner, a dramatically unsafe condition remains unrepaired, even though the board has made numerous requests. Because of the current policies and procedures, dangerous conditions will persist for the indefinite future, one-half of a busy avenue's sidewalk is semi-permanently roped off from public use, and no person or agency can take responsibility for restoring public safety.

The problems:

Violations do not carry sufficiently strong penalty to spur repairs. Many of the sidewalks we receive complaints about have had standing violations for years, if not decades. The violation itself does not carry fine or penalty substantial enough to encourage property owner to make repairs, as is their duty.

City is slow to make repairs when property owners fail to. Under the current system, a property owner has 45 days to make a repair following a violation. After that, the violation gets put on a City list of needed repairs, and when the City makes the repair, the cost is billed back to

Weinshall
May 8, 2003
Page 2 of 2

the property owner in the form of a lien on his property. Unfortunately the City does not make it a priority to make these repairs and many of them remain on the list for decades.

City cannot make certain repairs and is unable to compel owners to do so. When a particularly dangerous sidewalk violation occurs, NYC DOT will sometimes do a “make safe” emergency repair. Unfortunately, the City will not undertake such a repair, even if the violating sidewalk presents severe trip conditions, if the sidewalk is vaulted, as is the case at 22nd Street and 7th Avenue.

The Board recognizes that making sure that a large city’s sidewalks are maintained and repaired in an attentive and timely manner is a challenge under the best conditions and that the City’s current financial stress does not make this job easier. That said, our sidewalks are the lifelines of our communities, and their care and maintenance deserves better. We urge NYC DOT and other relevant agencies to review the system of violations, fines, and City-conducted repairs to ensure safe walking conditions in a City famous for and dependent on its pedestrian environment.

Thank you for your consideration of this important matter.

Sincerely,



Simone Sindin
Chair
Manhattan Community Board No. 4



Joshua David
Co-Chair
Transportation Planning Committee

Walter Mankoff
Co-Chair
Transportation Planning Committee

cc: Local Elected Officials