



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

ANTHONY M. BORELLI
District Manager

December 13, 2005

Hon. Michael Bloomberg
Mayor
City Hall
New York, NY 10007

Re: Sidewalk Complaints Submitted Through 311

Dear Mayor Bloomberg:

Manhattan Community Board No. is deeply concerned that the 311 call center no longer accepts complaint calls for broken sidewalks in front of multi-family or commercial buildings. Complaints about dangerous conditions are generally referred to enforcement divisions of appropriate agencies so that they may inspect and issue summonses. Instead of treating sidewalk complaints similarly, 311 operators instead refer complainants to the Department of Finance for information on the owner of the adjacent property.

We understand that this change in policy reflects a 2003 change in City Council policy that shifted liability for personal and property injury due to broken sidewalks to the owner of the property that fronts the broken sidewalk, in front of buildings with four or more units.

Whoever is liable, broken sidewalks create severe risks to pedestrians, especially those with disabilities, the elderly, and people with children or strollers. Requiring callers to find and contact the building owner is a cumbersome, lengthy, and likely ineffective process. Without the threat of City enforcement, fines and ticketing, many building owners are likely to delay or avoid the cost of repair. Thus, we urge 311 to allow intake of complaints regarding defective sidewalks and to notify an appropriate agency to inspect such properties expeditiously and issue fines to property owners found in violation.

Thank you very much for the opportunity to comment on this matter.

Sincerely,

J. Lee Compton
Chair
Manhattan Community Board No. 4

Jay Marcus
Chair
Transportation Planning Committee

cc: Dept. of Transportation
Dept. of Finance
Dept. of Information Technology and Telecommunications
Corporate Legal Council
Manhattan Community Boards
Local Elected Officials