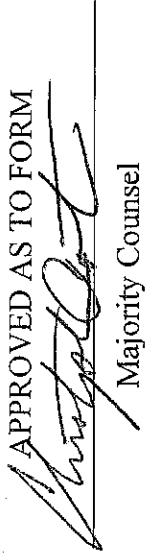


Introduced by: Legislator Dennis Dunne

LOCAL LAW 2 - 2017

A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF NASSAU COUNTY TO REQUIRE THE ANALYSIS AND APPROVAL OF A PROFESSIONAL ENGINEER PRIOR TO THE USE OF HEAVY EQUIPMENT ON OR OVER BRIDGES IN NASSAU COUNTY

APPROVED AS TO FORM



Majority Counsel

Passed by the Nassau County Legislature on February 27, 2017.

Voting: ayes: 19 nays: 0 abstaines; 0

Became a law on March 1, 2017 with the approval of the County Executive.

WHEREAS, Nassau County owns and maintains 88 bridges within its borders; and

WHEREAS, maintenance of these bridges often requires the repaving and/or reconstruction of bridge decks; and

WHEREAS, vibrations from the use of heavy construction equipment on bridge rehabilitation projects may result in stress or damage to bridge components; and

WHEREAS, unless approved by the Commissioner of the Department of Public Works, use of heavy construction equipment on bridge decks is limited by New York law to the use of jackhammers; and

WHEREAS, before such approval to use heavy equipment on a bridge deck is granted, it is reasonable to require the certification of a professional engineer that the use of heavy equipment will not damage bridge components; NOW THEREFORE

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. §12.13.0 of the Administrative Code of Nassau County is amended to include the following subdivision:

c. Prior to the use of heavy equipment on a bridge, the Commissioner of the Department of Public Works shall require the certification of a New York State certified professional engineer that in the opinion of the professional engineer such use of heavy equipment will not damage bridge components including, but not limited to foundations, abutments, substructures, beams, concrete, steel, bearings, pins, hangers, and superstructures. For the purposes of this section:

- i. "Heavy equipment" is defined as any equipment that would require any special permissions of any County, state or federal official under any state or federal law, rule or regulation prior to its use on a County bridge.
- ii. "Damage" is defined as any condition that may undermine the integrity of the bridge including but not limited to cracking, microcracking, buckling, spalling, deformation, or any condition that may contribute to or result in bridge failure.

§2. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

§3. SEQRA Determination. It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section 1611 of the County Government Law of Nassau County, that this Local Law will not have a significant impact on the environment and that no further environmental review or action is required.

§4. Effective Date. This law shall take effect immediately after becoming a law.

APPROVED


County Executive

DATE

March 1, 2017