



NEW YORK STATE SENATOR

Tony Avella

## Root Canal! Avella and Homeowners Ask City to Take Responsibility for City Tree Roots Penetrating Their Sewer Lines

TONY AVELLA September 28, 2012

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(Jamaica, QUEENS) On August 17th, Senator Tony Avella joined several homeowners to ask the Department of Parks and Recreation (DPR) to take responsibility for City tree roots penetrating their sewer lines. Since taking office last year, Avella has received dozens of complaints from constituents who say that a City tree has roots that are penetrating their sewer pipe, causing a constant sewage back-up.

Homeowners are constantly forced to clean up the overflow of dirty water flooding into their basements, which is extremely costly and a nuisance. Other homeowners are forced to hire plumbers to cut the roots, but this has only temporarily relieved the problem. They are told that they need to either hire someone to

cut the roots every six months or replace the sewer pipe, at a cost that is too much to bear for these middle class homeowners.

Unfortunately, DPR's only response is that this is likely a result of a preexisting leak in the pipe itself and are therefore refusing to take any responsibility. They state that tree roots cannot damage sound pipes and only intrude if there is access to water.

Avella stated, "How does the Parks Department expect middle-class homeowners to engage in the expensive and complicated process of preventive work to protect their pipes against the infiltration of City roots? Homeowners cannot protect their pipes against the infiltration of City roots until the line is clogged, at which point it is already too late to engage in preventive work. It is extremely unreasonable to make homeowners bear the entire cost of replacing their sewer pipe if the primary cause of pipe blockage was induced by a City-owned tree."

Lawrence McClean, District Manager of Community Board 13, stated, "The City says that that these occurrences are 'Acts of God.' But God didn't plant those trees there, the Parks Department did. If the City is responsible for maintaining these trees, then they should be responsible for any damage done by the tree."

"I am grateful that Senator Tony Avella came to my house to see the problems that this tree has been giving me for years. The tree roots penetrated my garden and eventually my sewer. My plumber cleaned the sewer and showed me the roots that were in the pipe. This led to a sewer back-up in my basement, creating a foul odor and a health hazard. I complained to the Parks Department many times, but nothing happened. I hope this problem is solved as soon as possible," stated Shah Ahmed, a Jamaica resident.

"The response from the Parks Department releasing themselves of any responsibility is simply unacceptable. The City must accept responsibility for addressing these complaints," concluded Avella.