



**THE COUNCIL OF THE CITY OF NEW
YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 147-A

**COMMITTEE: Sanitation and Solid
Waste Management**

TITLE: A local law to amend the administrative code of the city of New York, in relation to recycling outreach, education and enforcement, to repeal subdivisions d and e of section 16-305 of such code and to repeal and reenact section 16-311 of such code.

SPONSORS: Council Member Fidler and The Speaker (Council Member Quinn) and Council Members Barron, Brewer, Chin, Comrie, Crowley, Dickens, Dromm, Ferreras, Gentile, James, Koppell, Koslowitz, Lander, Lappin, Mark-Viverito, Nelson, Palma, Recchia, Rodriguez, Seabrook, Vann, Williams, Rose, Eugene, Jackson, Gennaro, Van Bramer and White

SUMMARY OF LEGISLATION: Proposed Int. No. 147-A reorganized the fine structure for recycling violation. Current fines are \$25, \$50, and \$100 for first, second, and third violations, respectively. The fine structure does not distinguish between small and large buildings or commercial and residential properties. The new fine structure would create two tiers for fines, with fines for first time violations for small buildings remaining at their current level. For residential buildings with between 1 and 8 units, the fines would remain \$25, \$50, and \$100 for first, second, and third offenses; for residential buildings with 9 units or more or non-residential buildings, the first, second, and third offense fines would be \$100, \$200, and \$400. The bill would also require that the Department establish a recycling education and enhancement program. The recycling education and enhancement program would require the Department to establish a training program for the owners or managers of buildings of nine units or more that have reviewed three or more notices of violation within a twelve month period.

Proposed Int. No. 147-A also establishes a procedure for issuing notices of violation to the owners of publicly accessible textile recycling bins that are improperly placed on city property, property maintained by the City, or on any public sidewalk or roadway. Notice must be sent to the owner of the bin, as well as affixed to the bin, that the bin is improperly placed. If, after thirty days, the owner of such bin has not removed the bin or proved that the bin is not improperly placed, the owner would be liable for civil penalties in the amount of \$100 for each day after the thirty day notice period.

Proposed Int. No. 147-A would require the Department to distribute recycling guides and expand its efforts to conduct a variety of types of public education about recycling.

EFFECTIVE DATE: This local law shall take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2012

FISCAL IMPACT STATEMENT:

| | Effective FY11 | FY Succeeding Effective FY12 | Full Fiscal Impact FY12 |
|-------------------------|---------------------------|---|------------------------------------|
| Revenues (+) | \$2,500,000 | \$2,500,000 | \$2,500,000 |
| Expenditures (-) | \$1,300,000 | \$1,000,000 | \$1,000,000 |
| Net | \$1,200,000 | \$1,500,000 | \$1,500,000 |

IMPACT ON REVENUES: This bill will increase fine revenue collected by the agency by \$2,500,000 annually.

IMPACT ON EXPENDITURES: This bill will have an impact on expenditures of \$1,300,000 in FY 2011 and \$1,000,000 in FY 2012 and outyears.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: City Council Finance Division

Estimate Prepared By: Jonathan Rosenberg, Deputy Director
Michael Strasburg, Legislative Financial Analyst

HISTORY: On April 14, 2010, Proposed Intro. 147-A was introduced by the Council and referred to the Committee on Sanitation and Solid Waste Management. On April 26, 2010, the Committee held a hearing regarding this legislation, which was then laid over. On July 29, 2010, the full Council will vote on Proposed Intro. 147-A

DATE SUBMITTED TO COUNCIL: April 14, 2010