

**Testimony of  
Javier Lojan, Acting Commissioner  
New York City Department of Sanitation**

**Hearing before the New York City Council  
Committee on Sanitation & Solid Waste Management  
Friday, January 30, 2026 1:00 P.M.**

**Hearing on Cleanliness Legislation**

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Good afternoon, Chair Sanchez and members of the Committee on Sanitation & Solid Waste Management. I am Javier Lojan, Acting Commissioner of the New York City Department of Sanitation, and I am joined today by Joshua Goodman, Deputy Commissioner of Public Affairs & Customer Experience. Thank you for the opportunity to testify before this committee on these two pieces of legislation related to cleanliness.

DSNY is committed to keeping New York City clean, safe, and healthy. The Department sweeps the streets, empties litter baskets, tows derelict vehicles, and removes graffiti. We also clear snow and ice from city streets, which we are still in the process of doing following last weekend's snowstorm. But we can't do this alone. Property owners are our partners in maintaining street cleanliness and keeping sidewalks clear. They are required to maintain a clean sidewalk, to remove litter and debris from the first 18 inches into the street, and to set out waste at the proper time and in the proper receptacles. They are also responsible for clearing snow and ice to create a four-foot clear path on their sidewalks so people can pass safely. DSNY has the authority to enforce these requirements, and issues violations to a specific address.

First on the bill sponsored by Chair Sanchez. When DSNY traverses the city, we observe and receive complaints about dirty conditions, as well as failure to remove snow and ice at bike share stations, bus stops, and other locations that are in the public right of way. Unfortunately, it's the neighborhood's residents and property owners who have to live with these conditions every day. The Administration supports the intent of this legislation to keep the area around these structures clean. We do have some concerns with the bill as currently written and would like to work with the Council to further this goal. We thank the Chair and Speaker Menin for their focus on cleanliness, quality of life, and safety and we look forward to working with the Council and our sister agencies on this important issue.

Next on the bill sponsored by Council Member Abreu which would require DSNY to implement a pilot program to clean and remove odors and spills from sidewalks in commercial corridors using power washing machines. Keeping sidewalks clean is the responsibility of the adjacent property owner. With DSNY's limited resources, we are focused on streets and shared public spaces that the City is responsible for. That said, we are always open to testing new technologies

to enhance cleanliness and we understand there are some heavily trafficked commercial corridors where sidewalk conditions sometimes exceed the normal course of regular cleaning by adjacent property owners. Some of these commercial corridors already benefit from supplemental sanitation service provided by Business Improvement Districts. DSNY would be interested in working with the sponsor on ways to promote cleanliness of all commercial corridors, including those that do not currently benefit from a BID or supplemental sanitation provider. We look forward to discussing this goal and the bill with the Council. The Law Department is also reviewing the bill for legal issues.

Finally, while not on today's agenda, DSNY supports additional legislation related to cleanliness in commercial corridors, which would expand the hours during which the Department may enforce commercial cleanliness rules. Right now, commercial cleanliness rules can only be enforced during two one-hour blocks each day, which significantly limits our ability to keep these corridors clean. Extending enforcement authority to during business hours would give DSNY more tools to do our job and lead to cleaner commercial corridors in each of your districts.

Thank you for the opportunity to testify before you today. We look forward to working with this Committee to enhance cleanliness and improve quality of life for all New Yorkers. We now welcome any questions.

Chair Sanchez and Members of the New York City Council Sanitation and Solid Waste Management Committee, my name is Alan Sullivan, and I am the Co-Chief Executive Officer of JCDecaux Street Furniture New York, LLC, the franchisee and thus partner of the City of New York in operating the City's coordinated street furniture program.

This testimony is in opposition to pre-considered introduction T2026-0158 which would amend the administrative code of the City of New York, in relation to existing cleanliness requirements for City franchisees, like JCDecaux, and concessionaires. The proposed law would unilaterally modify the franchise agreement to contradict the current carefully designed DOT enforcement of cleanliness requirements and impose an estimated \$10 million dollars in additional operating costs, which under the franchise agreement could be passed back to the City.

Currently, the street furniture program is free to the City. In addition to providing and installing bus shelters, newsstands and automatic public toilets as well as maintenance services for that inventory, JCDecaux pays a fee to the City. In fact, we paid the City \$55 million in cash last year as part of the Franchisee Agreement. If JCDecaux fails to perform maintenance, including prompt cleaning of debris in the shelters, we are subject to liquidated damages payments under the Franchise Agreement. As I am sure you are aware, some people may leave a coffee cup on the shelter bench when they board the bus. We accept that inspecting and cleaning shelters on a regular schedule, as well as responding to a 311 complaint if a shelter has been left with debris is part of our job. We hope you agree that we, like the Department of Sanitation ("DSNY") itself, cannot have an employee at every shelter 24/7 to stop littering in every case.

Be assured we take great pride – as the world-wide leader in bus shelters and coordinated street furniture – in the quality of cleanliness and maintenance which is carried out by our union workforce. We consistently get high marks for our performance. Through the Department of Transportation ("DOT") coordinated street furniture franchise JCDecaux has installed over 4,000 different items of public service infrastructure across the City, including over 3,500 bus shelters, plus newsstands and automatic public toilets.

Allowing DSNY to have additional authority to regulate the street furniture would create a duplicative overlap of two City agencies. Additionally, as the existing contract was already negotiated in good faith between the City and JCDecaux, the proposed law would trigger certain provisions under the Franchise Agreement that would actually cost the City money. Additionally, a decision by the City to impose such consequential revisions onto its existing concessionaires and franchisees who have negotiated terms and have signed agreements will create a negative precedent for those who wish to bid on future street furniture contracts.

If the City wants to set higher standards, we urge the Council to take the time to analyze and assess the standards of the current franchise agreements, and to ask DOT, OTI and other franchise granting agencies to comment on this proposed law. Second, we urge you to make any changes apply only when a new RFP is issued and these new terms can be negotiated as part of the bidding process. That way, any responses can account for the material change in the economics of the franchise service program. Specifically, we urge the committee to speak to DOT to better understand the regulatory authority the agency has over the coordinated street

furniture program and to revise the bill language to exempt any franchise and concession where the agreement has provisions that govern the cleanliness of the structures. We are attaching a proposed revision of the bill that would accomplish that change.

Thank you for your attention and consideration.

Alan Sullivan  
Co-Chief Executive Officer  
JCDecaux Street Furniture New York, LLC

Int. No.

By Council Member J. Sanchez

A Local Law to amend the administrative code of the city of New York, in relation to street cleanliness requirements for city concessionaires and franchisees

Be it enacted by the Council as follows:

1           Section 1. Subdivision 2 of section 16-118 of the administrative code of the city of New  
2           York is amended by adding a new paragraph (c) to read as follows:

3           (c) Every person in charge of a permanent or semi-permanent structure (“Structures”)  
4           installed or placed upon a sidewalk, street, alley, park, highway, or right of way (collectively,  
5           “Sidewalk”) pursuant to a concession or franchise agreement with the city shall keep and cause to  
6           be kept the sidewalk, flagging and curbstone abutting said structure free from obstruction and  
7           nuisances of every kind, and shall keep said sidewalks, flagging and curbstones free from garbage,  
8           refuse, rubbish, litter, debris and other offensive material. When the location described in the  
9           applicable concession or franchise agreement with the city abuts a curbstone, such persons shall  
10           also remove garbage, refuse, rubbish, litter, debris and other offensive material between the  
11           curbstone abutting the border of the location and the roadway area extending one and one-half feet  
12           from all sides into the street on which such location fronts. When the location described in the  
13           applicable concession or franchise agreement with the city is within a park or otherwise does not  
14           abut a curbstone, such persons shall remove garbage, refuse, rubbish, litter, debris and other  
15           offensive material from area extending six feet from all sides of such location.

16           § 2. Subdivision 2 paragraph c of section 16-118 of the administrative code of the city of  
17           New York, as added by section one of this local law, shall not apply to a concession or franchise  
18           agreement which has: i) provisions regarding the cleanliness of Structures and Sidewalks; and, ii)  
19           enforcement provisions.

1           § 3. Paragraph a of subdivision 9 of the section 16-118 of the administrative code of the  
2 administrative code of the city of New York, as amended by local law number 67 for the year  
3 2024, is amended to read as follows:

4           a. (1) not less than \$50 and not more than \$250 for a first violation, except that the civil  
5 penalty shall be not less than \$250 and not more than \$350 for a second violation of subdivision 4  
6 or 6 of this section within any 12 month period, and not less than \$350 and not more than \$450 for  
7 a third or subsequent violation of subdivision 4 or 6 of this section within any 12 month period;

8           (2) notwithstanding subparagraph (1) of paragraph a of this subdivision, \$50 for a first  
9 violation of paragraph (a) of subdivision 2 or of subdivision 3 of this section, or of any rules  
10 promulgated pursuant thereto, \$100 for a second violation of such paragraph or subdivision or of  
11 any rules promulgated pursuant thereto within any 12 month period, and \$100 for a third or  
12 subsequent violation of such paragraph or subdivision or of any rules promulgated pursuant thereto  
13 within any 12 month period; [and]

14           (3) notwithstanding subparagraphs (1) and (2) of paragraph a of this subdivision, where the  
15 owner, occupant, lessee, tenant, or person in charge of any commercial, manufacturing, or  
16 industrial building, including any mixed-use building, but excluding any solely residential  
17 building, has violated the provisions of paragraph (a) of subdivision 2 of this section, or of any  
18 rules promulgated thereto, such owner, occupant, lessee, tenant, or person in charge shall be liable  
19 for a civil penalty of \$50 for the first violation, \$300 for the second violation committed on a  
20 different day within any 12 month period, and \$500 for the third and each subsequent violation  
21 committed on a different day within any 12 month period; and

22           (4) notwithstanding subparagraphs (1), (2), and (3) of paragraph a of this subdivision, and  
23 except for persons exempt pursuant to the provisions of Section 2, any person violating paragraph

1 (c) of subdivision 2 of this section, or of any rules promulgated pursuant thereto, shall be liable for  
2 a civil penalty of \$500 for the first violation, \$2500 for the second violation committed on a  
3 different day within any 12 month period, and \$3500 for the third and each subsequent violation  
4 committed on a different day within any 12 month period.

5 § 34. This local law takes effect 90180 days after it becomes law.

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THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

Name: Michelle Craven (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: DOT

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in favor     in opposition

Date: \_\_\_\_\_

Name: Rick Rodriguez (PLEASE PRINT)

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I represent: DOT

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in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Javier Lojan

Address: \_\_\_\_\_

I represent: NYC Dept. of Sanitation

Address: \_\_\_\_\_

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**THE COUNCIL  
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*Javier Lojan*  
*NYC Dept. of Sanitation*  
*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Joshua Goodman

Address: \_\_\_\_\_

I represent: NYC Dept. of Sanitation

Address: \_\_\_\_\_

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