

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2010**

No. 38

Introduced by Council Member Lappin and The Speaker (Council Member Quinn), and Council Members Brewer, Comrie, Dickens, Dromm, Fidler, Gentile, Gonzalez, James, Koppell, Koslowitz, Lander, Mark-Viverito, Palma, Recchia, Rodriguez, Vann, Williams, Crowley, Rose, Eugene, Jackson, Nelson, Gennaro, Van Bramer, Levin, White, Vallone, Chin, Ferreras, Barron, Garodnick, Mealy and Reyna

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to public space recycling and a citywide textile reuse and recycling program, and the repeal and reenactment of section 16-310 of the administrative code of the city of New York, relating to batteries and tires.

Be it enacted by the Council as follows:

Section 1. Section 16-310 of the administrative code of the city of New York is REPEALED and a new section 16-310 is added to read as follows:

§16-310 Public space recycling. a. The department shall expand its public space recycling program by increasing the number of public space recycling receptacles for the collection of recyclable materials including, but not limited to, metal, glass, plastic and paper designated as recyclable materials by the commissioner, to a cumulative total of at least five hundred public space recycling receptacles within three years of the effective date of this section, and to a cumulative total of at least one thousand public space recycling receptacles within ten years of the effective date of this section, at public locations in the city, which shall be in or near public parks, transit hubs, or commercial locations with high-pedestrian traffic. As part of such expansion, the department shall place public space recycling receptacles in all business

improvement districts that provide public litter basket maintenance. Wherever practicable, public space recycling receptacles placed pursuant to this section shall be placed adjacent to public litter baskets.

b. Notwithstanding the provisions of subdivision a of this section, the department shall not be required to expand the public space recycling program beyond existing or newly-established collection routes that can be efficiently serviced by the department. The commissioner shall have the authority to remove any public space recycling receptacle placed pursuant to this section, provided that the department replaces any such public space recycling receptacle, within thirty days of removal, with additional public space recycling receptacles at the same or in a different location on a one-to-one basis.

c. No person responsible for removing or transporting recyclable materials placed in public space recycling receptacles shall commingle such recyclable materials with non-recyclable materials or otherwise improperly dispose of such recyclable materials.

d. The department shall report the total number of public space recycling receptacles added during the relevant reporting year, and the locations in which they were placed. Such report shall be included as part of the department's annual recycling report required pursuant to subdivision k of section 16-305 of this chapter.

e. The department may enter into sponsorship or partnership agreements with entities such as for-profit and not-for-profit corporations and district management associations established in accordance with section 25-414 of the code to further the goals of this chapter.

§2. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-310.1 to read as follows:

§16-310.1 Textile reuse and recycling program. a. On or before January first, two thousand eleven, the department shall establish a citywide textile reuse and recycling program that shall, at a minimum, provide for the recovery of textiles by placing department-approved publicly accessible textile drop-off bins at appropriate locations on city property or property maintained by the city and organizing public textile reuse and recycling sites throughout the city that provide convenient drop-off locations for all city residents. In addition, the commissioner shall explore opportunities to work cooperatively with private entities, including, but not limited to, not-for-profit corporations and religious institutions, to promote expanded siting of publicly accessible textile drop-off bins on private property throughout the city. The department shall consider using department personnel and/or facilities in order to implement the provisions of this section.

b. No publicly accessible textile drop-off bin placed pursuant to this section shall be placed on city property or property maintained by the city, or on a public sidewalk or roadway, unless otherwise authorized by the city. No publicly accessible textile drop-off bin shall be placed on private property without the written permission of the property owner or the property owner's authorized agent. The owner or other person responsible for each such bin shall report at least every three months to the department the amount of textiles collected in such bin by weight. Each publicly accessible textile drop-off bin shall prominently display on the front and on at least one other side of the bin, the name, address and telephone number of the owner or other person responsible for the bin. This information shall be printed in characters that are plainly visible. In no event shall a post office box be considered an acceptable address for purposes of this subdivision.

c. The department shall report by weight the amount of textiles collected in publicly

accessible textile drop-off bins located on city property or property maintained by the city, through public textile reuse and recycling sites pursuant to subdivision a of this section and in publicly accessible textile drop-off bins maintained on private property. Such report shall be included as part of the department's annual recycling report required pursuant to subdivision k of section 16-305 of this chapter.

§3. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onJuly 29, 2010..... and approved by the Mayor onAugust 16, 2010.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 38 of 2010, Council Int. No. 158-A) contains the correct text and was passed by the New York City Council on July 29, 2010, approved by the Mayor on August 16, 2010 and returned to the City Clerk on August 16, 2010.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel