



Legislation Text

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Int. No. 170

By Council Members McMahon and Fidler (by request of the Mayor); also Council Members Comrie, Koppell and Liu

A Local Law to amend the administrative code of the city of New York, in relation to penalties for recycling violations.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 16-324 of the administrative code of the city of New York, as added by local law number 19 for the year 1989, is amended to read as follows:

a. Any person who violates this chapter or any rule or regulation promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner or in proceeding returnable before the environmental control board in an amount of [twenty-five] fifty dollars for the first violation, [fifty] one hundred dollars for the second violation and [one] two hundred dollars for the third and each subsequent violation, provided that the court before which such civil action is brought or such board may waive the penalty for the first violation upon a showing of good cause. A person committing a fourth and any subsequent violation within a period of six months shall be classified as a persistent violator and shall be liable for a civil penalty of [five hundred] one thousand dollars for each violation. For a persistent violation only, except where such violation occurs at a building of less than nine dwelling units, each container or bag containing solid waste that has not been source separated or placed out for collection in accordance with the regulations promulgated by the commissioner pursuant to this chapter shall constitute a separate violation, provided that no more than twenty separate violations are issued on a per bag or per container basis during any twenty-four hour period. Before issuing any further notice of violations to a persistent violator after the fourth

violation within a period of six months, the commissioner shall give such violator a reasonable opportunity to correct the condition constituting the violation.

§ 2. This local law shall take effect on the thirtieth day after it shall have become a law.