



Legislation Text

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Int. No. 110-A

By Council Members McMahon, Addabbo Jr., Fidler, Gentile, Koppell, Mark-Viverito, Martinez, Mendez, Nelson, Recchia Jr., Sanders Jr., Weprin, Liu, Jackson, Gonzalez, Vallone Jr., Felder, Sears, Gennaro and The Public Advocate (Ms. Gotbaum).

A Local Law to amend the administrative code of the city of New York, in relation to increasing fines for dumping household and commercial refuse into public litter baskets.

Be it enacted by the Council as follows:

Section 1. Subdivision e and f of section 16-120 of the administrative code of the City of New York as amended by local law 1 of the year 2003 are amended to read as follows:

e. No person shall deposit household or commercial refuse [, incinerator residue or ashes,] or liquid wastes in [an open mesh] a public litter basket placed on the streets by the department or any other person. There shall be a rebuttable presumption that the person whose name, or other identifying information, appears on any household or commercial refuse or liquid wastes deposited in such public litter basket violated this subdivision.

f. Any person violating the provisions of this section, except subdivision e, shall be liable for a civil penalty of not less than twenty-five nor more than one hundred dollars for the first violation, [except that for a second violation of this section within any twelve-month period such person shall be liable for a civil penalty of] not less than one hundred dollars nor more than two hundred dollars for a second violation within any twelve-month period, and [for a third or subsequent violation within any twelve-month period such person shall be liable for a civil penalty of] not less than two hundred dollars nor more than three hundred dollars for a third or subsequent violation with any twelve-month period. Any person violating the provisions of subdivision e of this section shall be liable for a civil penalty of not less than one hundred dollars nor more than three hundred dollars for the first violation, not less than two hundred fifty dollars nor more than three hundred fifty dollars for a second violation within any twelve-month period, and not less than three hundred fifty dollars nor more than four hundred dollars for a third or subsequent violation within any twelve month period.

§2. This local law shall take effect thirty days after it is enacted into law.

Int. 102/2004
CJC

