



## Legislation Text

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**File #:** Int 0549-2007, **Version:** \*

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### Int. No. 549

By Council Members Felder, Gentile, Arroyo, Nelson, White Jr., Brewer, Fidler, Foster, Koppell, Mealy, Palma, Recchia Jr., Seabrook, Sears, Vallone Jr., Weprin, Stewart, Vacca, Mark-Viverito, Gonzalez, Rivera, Barron, Gennaro, Liu, Mendez, Comrie, Avella, Gerson, Yassky, Baez, Sanders Jr., Dickens, Jackson, James, Vann and Ignizio

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

Be it enacted by the Council as follows:

Section 1. Subdivision 9 of section 16-118 of the administrative code of the city of New York, is amended to read as follows:

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

b. Any person who is receiving a senior citizen homeowners' exemption pursuant to section 11-245.3 of this code or a disabled homeowners' exemption pursuant to section 11-245.4 of this code from the department of finance for the year in which a civil penalty is imposed, shall only be liable for fifty percent of any civil penalty imposed as a result of a violation of this section. The person presiding over the adjudicatory proceeding at which a civil penalty is imposed shall determine if such person qualifies for a reduced penalty.

§2. Subdivision f of section 16-120 of the administrative code of the city of New York, is amended to

read as follows:

f. Any person violating the provisions of this section shall be liable for a civil penalty of not [less] more than [twenty-five nor more than one hundred] fifty 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] more than [one hundred dollars nor more than two hundred] seventy-five dollars and for a third or subsequent violation within any twelve-month period such person shall be liable for a civil penalty of not [less] more than [two hundred] one hundred dollars [nor more than three hundred dollars]. Any person who is receiving a senior citizen homeowners' exemption pursuant to section 11-245.3 of this code or a disabled homeowners' exemption pursuant to section 11-245.4 of this code from the department of finance for the year in which a civil penalty is imposed, shall only be liable for fifty percent of any civil penalty imposed as a result of a violation of this section. The person presiding over the adjudicatory proceeding at which a civil penalty is imposed shall determine if such person qualifies for a reduced penalty.

§3. Subdivision h of section 16-123 of the administrative code of the city of New York, is amended to read as follows:

h. Any person violating the provisions of subdivisions (a) or (b) of this section shall be liable and responsible for a civil penalty of not less than ten dollars nor more than one hundred fifty dollars for the first violation, except that for a second violation of section subdivision of (a) or (b) within any twelve-month period such person shall be liable for a civil penalty of not less than one hundred fifty dollars nor more than two hundred fifty dollars and for a third or subsequent violation of subdivision (a) or (b) within any twelve-month period such person shall be liable for a civil penalty of not less than two hundred fifty dollars nor more than three hundred fifty dollars. Any person who is receiving a senior citizen homeowners' exemption pursuant to section 11-245.3 of this code or a disabled homeowners' exemption pursuant to section 11-245.4 of this code from the department of finance for the year in which a civil penalty is imposed, shall only be liable for fifty percent of any civil penalty imposed as a result of a violation of this section. The person presiding over the

adjudicatory proceeding at which a civil penalty is imposed shall determine if such person qualifies for a reduced penalty.

§4. This local law shall take effect thirty days after enactment.

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