



Legislation Details (With Text)

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Title:	A Local Law to amend the administrative code of the city of New York, in relation to street cleaning and the collection and removal of solid waste and recyclable materials at street events.				
Sponsors:	Darlene Mealy, Helen Sears, Lewis A. Fidler, Robert Jackson, Melissa Mark-Viverito, Michael C. Nelson, James Sanders, Jr., Larry B. Seabrook, Alan J. Gerson, David I. Weprin, John C. Liu, Thomas White, Jr.				
Indexes:					
Attachments:	1. Int. No. 908 - 1/7/09, 2. Committee Report 1/8/09, 3. Hearing Testimony 1/8/09, 4. Hearing Transcript 1/8/09, 5. Committee Report 2/10/09, 6. Hearing Transcript 2/10/09, 7. Fiscal Impact Statement, 8. Hearing Transcript - Stated Meeting 2/11/09, 9. Local Law				

Date	Ver.	Action By	Action	Result
1/7/2009	*	City Council	Introduced by Council	
1/7/2009	*	City Council	Referred to Comm by Council	
1/8/2009	*	Committee on Governmental Operations	Hearing Held by Committee	
1/8/2009	*	Committee on Governmental Operations	Laid Over by Committee	
2/10/2009	*	Committee on Governmental Operations	Hearing Held by Committee	
2/10/2009	*	Committee on Governmental Operations	Amendment Proposed by Comm	
2/10/2009	*	Committee on Governmental Operations	Amended by Committee	
2/10/2009	A	Committee on Governmental Operations	Approved by Committee	Pass
2/11/2009	A	City Council	Approved by Council	Pass
2/11/2009	A	City Council	Sent to Mayor by Council	
2/26/2009	A	Mayor	Hearing Held by Mayor	
2/26/2009	A	Mayor	Signed Into Law by Mayor	
2/26/2009	A	City Council	Recvd from Mayor by Council	

Int. No. 908-A

By Council Member Mealy, Sears, Fidler, Jackson, Mark-Viverito, Nelson, Sanders Jr., Seabrook, Gerson, Weprin, Liu and White Jr.

A Local Law to amend the administrative code of the city of New York, in relation to street cleaning and the collection and removal of solid waste and recyclable materials at street events.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

SUBCHAPTER 8

SOLID WASTE AND RECYCLABLE MATERIALS AT STREET EVENTS.

§ 16-326 Definitions. For purposes of this subchapter, the following terms shall have the following meanings:

- a. “Producer/Event Manager” means any person or entity hired by a sponsor to organize or manage a street event.
- b. “Recyclable Materials” means metal cans, glass bottles and jars, plastic bottles and jugs, lightly-soiled aluminum foil and aluminum foil products, and any other material designated by the department for recycling at street events.
- c. “Sponsor” means any person or entity that is required to apply for and obtain a street activity permit and that either organizes or manages a street event or hires a producer/event manager to organize or manage a street event.
- d. “Street Event” means any street fair or festival on a public street where such activity may interfere with or obstruct the normal use by vehicular traffic of such street, but does not include street activities that occupy no more than one block for no more than one day where no licensed vendor participates.

§ 16-327 Sponsor and producer/event manager responsibilities at street events. a. Every producer/event manager shall ensure that solid waste and recyclable materials generated at a street event are properly disposed of or recycled.

b. 1. Every producer/event manager shall provide a sufficient number of public solid waste receptacles and public recycling receptacles for street events as determined by the department, provided that the producer/event manager shall place at least two receptacles within or near each intersection within the street event area, one for solid waste and one for recyclable materials.

2. Every producer/event manager shall regularly monitor all solid waste and recycling receptacles throughout the street event area in order to prevent spillage of solid waste and recyclable materials into the street and shall remove any solid waste that has been deposited into receptacles designated for recyclable materials and remove any recyclable materials that have been deposited into receptacles designated for solid waste.

3. Every producer/event manager shall bag and bundle separately and tie securely all accumulated solid waste and recyclable materials at the end of each day of the street event.

4. Every producer/event manager shall ensure that all bagged and bundled solid waste and recyclable materials are placed at a predetermined location designated by the department for collection.

c. Every sponsor and producer/event manager shall comply with all applicable rules governing street events, including, but not limited to, rules set forth in chapter fourteen of title sixteen of the rules of the city of New York, to the extent such rules are not inconsistent with the provisions of this subchapter.

d. The provisions of subdivisions a and b of this section shall apply to the sponsor when there is no producer/event manager.

§ 16-328 Penalties. In addition to any other applicable penalties, any producer/event manager, or any sponsor when there is no producer/event manger, who violates subdivision a or b of section 16-327 of this subchapter shall be liable for a civil penalty of one hundred dollars for each such violation, except that a sponsor or producer/event manager shall not be liable for more than five hundred dollars per day or more than two thousand dollars per street event. Such civil penalties shall be recoverable in a proceeding returnable before the environmental control board.

§2. This local law shall take effect immediately.

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1/13/09