



Legislation Details (With Text)

File #: Int 0459-2022 **Version:** A **Name:** Rat mitigation zones.

Type: Introduction **Status:** Enacted

In control: Committee on Sanitation and Solid Waste Management

On agenda: 6/2/2022

Enactment date: 11/18/2022 **Enactment #:** 2022/110

Title: A Local Law to amend the administrative code of the city of New York, in relation to rat mitigation zones

Sponsors: Shaun Abreu, Sandy Nurse, Farah N. Louis, Crystal Hudson, Gale A. Brewer, Rita C. Joseph, Jennifer Gutiérrez, Mercedes Narcisse, Alexa Avilés, Lincoln Restler, Lynn C. Schulman, Christopher Marte, Chi A. Ossé, Marjorie Velázquez, Nantasha M. Williams, Kristin Richardson Jordan, Kevin C. Riley, Diana I. Ayala, Shahana K. Hanif, Keith Powers, Tiffany L. Cabán, James F. Gennaro, Carmen N. De La Rosa, Robert F. Holden, Kamillah Hanks, Eric Dinowitz, Julie Won, Amanda C. Fariás, Ari Kagan, Linda Lee, Darlene Mealy, Rafael Salamanca, Jr., (in conjunction with the Brooklyn Borough Presiden

Indexes: Agency Rule-making Required

Attachments: 1. Summary of Int. No. 459-A, 2. Summary of Int. No. 459, 3. Int. No. 459, 4. June 2, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 6-2-22, 6. Minutes of the Stated Meeting - June 2, 2022, 7. Committee Report 6/21/22, 8. Hearing Testimony 6/21/22, 9. Hearing Transcript 6/21/22, 10. Proposed Int. No. 459-A - 10/4/22, 11. Committee Report 10/26/22, 12. Hearing Transcript 10/26/22, 13. October 27, 2022 - Stated Meeting Agenda, 14. Hearing Transcript - Stated Meeting 10-27-22, 15. Minutes of the Stated Meeting - October 27, 2022, 16. Int. No. 459-A (FINAL), 17. Fiscal Impact Statement, 18. Mayor's Letter, 19. Local Law 110

Date	Ver.	Action By	Action	Result
6/2/2022	*	City Council	Introduced by Council	
6/2/2022	*	City Council	Referred to Comm by Council	
6/21/2022	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
6/21/2022	*	Committee on Sanitation and Solid Waste Management	Laid Over by Committee	
6/21/2022	*	Committee on Public Housing	Hearing Held by Committee	
6/21/2022	*	Committee on Public Housing	Laid Over by Committee	
10/26/2022	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
10/26/2022	*	Committee on Sanitation and Solid Waste Management	Amendment Proposed by Comm	
10/26/2022	*	Committee on Sanitation and Solid Waste Management	Amended by Committee	
10/26/2022	A	Committee on Sanitation and Solid Waste Management	Approved by Committee	Pass
10/27/2022	A	City Council	Approved by Council	Pass
10/27/2022	A	City Council	Sent to Mayor by Council	
11/16/2022	A	Mayor	Hearing Held by Mayor	
11/18/2022	A	Mayor	Bill Signing Scheduled by Mayor	

11/18/2022	A	Mayor	Signed Into Law by Mayor
11/22/2022	A	City Council	Recved from Mayor by Council

Int. No. 459-A

By Council Members Abreu, Nurse, Louis, Hudson, Brewer, Joseph, Gutiérrez, Narcisse, Avilés, Restler, Schulman, Marte, Ossé, Velázquez, Williams, Richardson Jordan, Riley, Ayala, Hanif, Powers, Cabán, Gennaro, De La Rosa, Holden, Hanks, Dinowitz, Won, Farías, Kagan, Lee, Mealy and Salamanca (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to rat mitigation zones

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 16-120 of the administrative code of the city of New York, as amended by local law number 6 for the year 2006, is amended to read as follows:

c. 1. Incinerator[,] residue, ashes, refuse and liquid waste shall be stored in the building or dwelling or at the rear of the building or dwelling as may be required by the department of health and mental hygiene or the department of housing preservation and development until time for removal and kept in tightly covered metal receptacles or containers made of other materials of a type and grade acceptable to the department, the department of health and mental hygiene, and the department of housing preservation and development. After the contents have been removed by the department or other collection agency any receptacles remaining shall be removed from the front of the building or dwelling before 9:00 p.m. on the day of collection, or if such collection occurs after 4:00 p.m., then before 9:00 a.m. on the day following collection. The receptacles shall at all times be kept covered or closed and kept in a manner satisfactory to the department, the department of health and mental hygiene, and in the case of residential premises, the department of housing preservation and development. No receptacles, refuse, incinerator residue or ashes, or liquid waste shall be kept so as to create a nuisance. Yard sweepings, hedge cuttings, grass, leaves, earth, stone or bricks shall not be mixed with household wastes.

2. Notwithstanding paragraph 1 of this subdivision, the department may set by rule requirements for the set-out of solid waste or recyclable material for collection by the department. Such requirements shall

prioritize:

(a) Minimizing rodent harborage associated with such waste or material set-out; and

(b) Minimizing the amount of time that such waste or material is placed at the curb prior to collection by the department.

3. Notwithstanding paragraphs 1 and 2 of this subdivision, if the department sets by rule requirements for the set-out of solid waste or recyclable material pursuant to paragraph 2 of this subdivision, the department shall set by rule alternative requirements for the set-out of solid waste or recyclable material for collection by the department for multiple dwellings containing nine or more dwelling units, in furtherance of the goals identified in subparagraphs (a) and (b) of paragraph 2 of this subdivision, provided that any such requirements allow such multiple dwellings to opt in to such requirements and provided further that any such requirements allow for solid waste or recyclable material to be set out for collection by the department no more than four hours prior to the start of the scheduled collection shift. Such four hour time shall not apply to solid waste or recyclable material that is stored in a receptacle that is kept covered or closed in a manner to prevent rodent harborage and in a manner satisfactory to the department, the department of health and mental hygiene and the department of housing preservation and development. Any multiple dwelling that does not opt in to such requirements, or that opts out of such requirements, shall be subject to the requirements set by rule pursuant to paragraph 2 of this subdivision.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-133.2 to read as follows:

§ 17-133.2 Rat mitigation zones. a. No later than April 1, 2023, the department shall designate, by rule, one or more rat mitigation zones. In designating such zones, the department shall consider the following criteria:

1. The number and percentage of inspections for rat activity for properties within a given sanitation district or community district that resulted in the issuance of an order pursuant to section 151.02 of the New

York city health code or an agency referral letter related to rat activity, and the location of such properties within such sanitation or community district;

2. The number and percentage of inspections for rat activity for properties within a given sanitation district or community district that have resulted in the issuance of a notice of violation pursuant to section 3.05 or section 151.02 of the New York city health code, and the location of such properties within such sanitation or community district;

3. The number of rat exterminations at properties within a given sanitation district or community district executed by the department pursuant to section 17-147, following a failure to comply with an order issued pursuant to section 151.02 of the New York city health code, and the location of such properties within such sanitation or community district;

4. The number and nature of 311 requests for service or complaints related to rat activity within any 12-month period within a given sanitation district or community district; and

5. The susceptibility of any properties managed by the department of parks and recreation within a given sanitation district or community district to rat infestation.

b. The department shall periodically review the criteria set forth in subdivision a of this section and may, by rule, and in accordance with such review, eliminate existing rat mitigation zones, change the boundaries of existing rat mitigation zones, or designate new rat mitigation zones.

c. The department may, in conjunction with any action taken pursuant to subdivision a or b of this section, and in consultation with the department of sanitation, review the boundaries of sanitation districts, or sections within sanitation districts, and may establish boundaries of rat mitigation zones that are, in whole or in part, coterminous with sanitation districts, or sections within sanitation districts.

d. The department may, in conjunction with any action taken pursuant to subdivision a or b of this section, consider the availability of resources to implement rat mitigation measures and, in designating rat mitigation zones, eliminating existing rat mitigation zones, or changing the boundaries of existing rat mitigation

zones, exercise its discretion to maximize the efficient use of such resources.

e. If the department, following any review of a rat mitigation zone conducted pursuant to subdivision b of this section, determines, in consultation with the department of sanitation, that any rat mitigation measure applicable pursuant to law or rule only within a rat mitigation zone should be continued, then the department need not eliminate or change the boundaries of a rat mitigation zone, even if such review otherwise indicates that such rat mitigation zone should be eliminated, or its boundaries changed.

§ 3. This local law takes effect immediately.

Session 12
XC/JSA
LS #8501
10/3/2022 10:22PM

Session 11
NKA
LS 4540
5/1/2018 9:17PM