



Legislation Text

File #: Int 0089-2002, **Version:** *

Int. No. 89

By Council Members Reed, Baez, Comrie, DeBlasio, Koppell, McMahon, Martinez, Monserrate, Nelson, Quinn, Reyna, Rivera, Sears and Liu

A Local Law to amend the administrative code of the city of New York, in relation to increasing civil penalties for the improper disposal of commercial and residential solid waste.

Be it enacted by the Council as follows:

Section 1. Legislative Findings and Intent. The Council hereby finds that rats are a persistent health hazard and a quality of life concern throughout New York City and garbage can provide a crucial food source for these pests. Therefore, to prevent their proliferation it is important that the City enhance compliance with its existing laws relating to the proper disposal of commercial and residential trash. One mechanism for fostering compliance is through the imposition of civil penalties against those who are inattentive to those violations. However, the current civil penalty for improper disposal of garbage is not adequate to induce widespread compliance and must be addressed.

§2. Subdivisions f and h of section 16-120 of the administrative code of the city of New York are amended to read as follows:

f. Any person violating the provisions of this section shall be liable for a civil penalty of [not less than twenty-five nor more than one hundred dollars] one hundred seventy-five dollars for the first violation; three hundred fifty dollars for the second violation committed within a two-year period; seven hundred dollars for the third violation committed within that same two-year period; and for the fourth or subsequent violation committed within that same two-year period, the penalty shall be double the penalty that may be imposed for the immediately prior violation.

h. In the event that a person fails to answer such notice of violation within the time provided [therefor] by the environmental control board, that person shall become liable for additional penalties. The additional penalties shall not exceed [fifty] one hundred dollars for each violation.

§3. This local law shall take effect immediately.