



Legislation Text

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Int. No. 105-A

By Council Members McMahon, Koppell, Recchia Jr., Weprin, Liu, Gerson, Gennaro, Gentile, Sears, Nelson and Reyna

A Local Law to amend the administrative code of the city of New York, in relation to regulating publicly accessible collection bins.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-165 to read as follows:

§ 10-165 Regulation of publicly accessible collection bins.

a. Definition. For purposes of this section,

“Publicly accessible collection bin” shall mean any outdoor container, other than any container placed by any government or governmental agency, or its contractors or licensees, that allows for any member of the public to deposit items into the container for the purpose of collection by the provider of such container.

b. Requirements. All publicly accessible collection bins shall comply with the following provisions:

1. Each individual publicly accessible collection bin shall prominently display on the front and on at least one other side of the bin, the name, address and telephone number of the provider of the bin. This information shall be printed in characters that are plainly visible. In no event shall a post office box be considered an acceptable address for purposes of this paragraph.

2. No publicly accessible collection bin may be placed on any city property or property maintained by the city, or on any public sidewalk or roadway.

3. No publicly accessible collection bin shall be placed on any private property without the written

permission of the property owner or the property owner's designated agent.

4. In addition to penalties provided for in any other provisions of law, in the event that a publicly accessible collection bin is placed on city property, or property maintained by the city, or on any public sidewalk or roadway, the owner of the publicly accessible collection bin, if the address of such owner is ascertainable, shall be notified by the department of sanitation by certified mail, return receipt requested, that such publicly accessible collection bin must be removed within thirty days from the mailing of such notice. A copy of such notice, regardless of whether the address of such owner is ascertainable, shall also be affixed to the publicly accessible collection bin. This notice shall state that if the address of the owner is not ascertainable and notice is not mailed by the department of sanitation, such publicly accessible collection bin must be removed within thirty days from the affixation of such notice. This notice shall also state that the failure to remove the publicly accessible collection bin within the designated time period will result in the removal and disposal of the publicly accessible collection bin by the department of sanitation. This notice shall also state that if the owner objects to removal on the grounds that the bin is not on city property, or property maintained by the city, or on any public sidewalk or roadway, such owner may send written objection to the department of sanitation at the address indicated on the notice within twenty days from the mailing of such notice or, if the address of such owner is not ascertainable and notice is not mailed by the department of sanitation, within twenty days from the affixation of such notice, with proof that the bin is on private property. Proof that the bin is on private property shall include, but not be limited to, a survey of the property prepared by a licensed surveyor that is certified to the record owner of such property.

§ 2. This local law shall take effect ninety days after it shall have become a law.