



Legislation Text

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Int. No. 544

By Council Members Ossé, Nurse, Louis, De La Rosa, Krishnan, Marte, Gennaro, Ung, Avilés, Gutiérrez, Schulman, Richardson Jordan, Won, Velázquez, Williams, Hudson, Restler, Narcisse, Powers, Menin, Abreu, Bottcher, Rivera, Sanchez and Vernikov (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to penalties for failure to store waste in a satisfactory manner in required receptacles and for placing waste at the curb or on the street or sidewalk prior to the specified time for collection

Be it enacted by the Council as follows:

Section 1. Subdivisions b and 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:

b. [Ashes and incinerators] Incinerator residue and ashes, refuse and liquid wastes shall be separated and placed into separate receptacles. No receptacle when filled shall weigh more than one hundred pounds.

c. [Incinerator, residue, ashes, refuse and liquid waste] (1) Refuse, incinerator residue and ashes, 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 of sanitation, department of health and mental hygiene, and the department of housing preservation and development. The receptacles shall at all times be kept covered or closed and kept in a manner satisfactory to the department of sanitation, the department of health and mental hygiene, and in the case of residential premises, the department of housing preservation and development. No receptacles may be placed at the curb or on the street or sidewalk for collection, nor may bags containing solid waste or recyclables or any refuse, incinerator residue or ashes, or liquid waste be removed

from such receptacles and placed at the curb or on the street or sidewalk for collection, prior to the time specified in section 1-02.1 of title 16 of the rules of the city of New York or any successor provision.

(2) After the contents have been removed by the department of sanitation 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 of sanitation, the department of health, and in the case of residential premises, the department of housing preservation and development.]

(3) No receptacles, refuse, incinerator residue or ashes, or liquid waste shall be kept so as to create a nuisance.

(4) Yard sweepings, hedge cuttings, grass, leaves, earth, stone or bricks shall not be mixed with household wastes.

§ 2. Subdivision f of section 16-120 of the administrative code of the city of New York, as amended by local law number 80 for the year 2021, is amended to read as follows:

f. Any person violating the provisions of this section, except subdivision e and paragraph (1) of subdivision c, shall be liable for a civil penalty of \$50 for the first violation, \$100 for a second violation within any twelve-month period, and \$200 for a third or subsequent violation within any twelve-month period. Any person violating the provisions of paragraph (1) of subdivision e of this section shall be liable for a civil penalty of \$100 for the first violation, \$250 for a second violation within any twelve-month period, and \$350 for a third or subsequent violation within any twelve-month period. Any person violating the provisions of paragraph (2) of subdivision e of this section shall be liable for a civil penalty \$75 for the first violation, \$300 for a second violation within any twelve-month period, and \$400 for a third or subsequent violation within any twelve-month period. Any person violating the provisions of paragraph (1) of subdivision c shall be liable for the penalties based on the number of units in the building or dwelling in the amounts set forth in the following

table:

<u>Number of units</u>	<u>Number of violations within a twelve-month period</u>			
	<u>1-5</u>	<u>6-10</u>	<u>11-15</u>	<u>16 or more</u>
<u>5 units or less</u>	<u>\$100</u>	<u>\$150</u>	<u>\$200</u>	<u>\$250</u>
<u>6-15</u>	<u>\$500</u>	<u>\$550</u>	<u>\$600</u>	<u>\$650</u>
<u>16-20</u>	<u>\$1,000</u>	<u>\$1,500</u>	<u>\$2,000</u>	<u>\$2,500</u>
<u>21-50</u>	<u>\$1,500</u>	<u>\$2,000</u>	<u>\$2,500</u>	<u>\$3,000</u>
<u>51 or more</u>	<u>\$2,000</u>	<u>\$2,500</u>	<u>\$3,000</u>	<u>\$3,500</u>

§ 3. This local law takes effect 60 days after it becomes law.

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