File #: Int 0473-2024, **Version:** *

Int. No. 473

By Council Members Williams, Stevens, Restler, Salaam, Krishnan, Riley, Cabán, Gutiérrez, Hudson, Avilés, Ossé, Gennaro, Sanchez, De La Rosa, Ayala, Hanif, Louis, Marte, Banks, Hanks, Won, Brooks-Powers, Brewer and Zhuang

A Local Law to amend the New York city charter, in relation to offering community service in lieu of civil penalties for certain littering violations

Be it enacted by the Council as follows:

Section 1. The opening paragraph and paragraphs (a) and (b) of subdivision 4 of section 1049 of the New York city charter, as added by local law number 73 for the year 2016, are amended to read as follows:

4. Notwithstanding any other provision of law, in the conduct of an adjudication relating to a natural person accused of committing a specified violation, as defined in paragraph (b) of this subdivision, an administrative law judge or a hearing officer shall offer the respondent the option to perform community service in lieu of a monetary civil penalty.

(a) For purposes of this section, the term “community service” means performing services for a public or not-for profit corporation, association, institution, or agency in lieu of payment of a monetary civil penalty. Such services may include, but are not limited to, attendance at programs, either in person or web-based, designed to benefit, improve, or educate either the community or the respondent.

(b) For purposes of this section, the term “specified violation” means a violation of: subparagraph (i) of paragraph 9 of subdivision a of section 533; section 10-125 of the administrative code; subdivision 1 of section 16-118 of the administrative code; paragraph (a) of subdivision 2 of section 16-118 of the administrative code; subdivision 6 of section 16-118 of the administrative code, with respect to the act of public urination; section 18 -146 of the administrative code, excluding paragraphs 2, 3, 21, 23, and 24 of subdivision c; or subdivision (a) of

powered by Legistar™

section 24-218 of the administrative code. Specified violations shall not include violations arising during the course of conducting any commercial activity or violations arising from any activity carried out for a commercial purpose, except that a violation of paragraph 15 of section 18-146 of the administrative code is a specified violation, regardless of whether such violation arose during the course of conducting a commercial activity or from an activity carried out for a commercial purpose.

§ 2. This local law takes effect 120 days after it becomes law.

Session 13
LS #11374
1/25/2024

Session 12
SM
LS #11374
10/4/2023 11:20 AM