



Legislation Text

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Int. No. 1123

By Council Members Hudson, Abreu, Powers, Menin, Restler, Louis and Won

A Local Law to amend the administrative code of the city of New York, in relation to stationary on-street containers for the storage and collection of residential waste

Be it enacted by the Council as follows:

Section 1. Section 16-114 of the administrative code of the city of New York, as amended by local law 41 for the year 1992, is amended to read as follows:

§ 16-114. The commissioner may charge for the collection and disposal of ashes, street sweepings, garbage, refuse, rubbish, dead animals, night soil and offal, and all wastes, including trade waste from business, industrial, manufacturing, or other establishments conducted for profit, at rates established by the council by local law, upon recommendation of the commissioner, and on such terms and conditions as the commissioner shall prescribe and subject to rules of the department governing such collection and disposal. Nothing in this section shall be construed to limit the authority of the commissioner to charge annual fees for costs related to stationary on-street containers pursuant to section 16-114.2.

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-114.2 to read as follows:

§ 16-114.2 Stationary on-street containers. a. Definitions. As used in this section, the following terms have the following meanings:

Authorized vendor. The term “authorized vendor” means a vendor selected by the department through a competitive procurement process to produce city of New York stationary on-street containers.

Mitchell-Lama development. The term “Mitchell-Lama development” means a housing development

organized pursuant to article 2 of the private housing finance law.

Residential building. The term “residential building” means a building containing dwelling units.

Stationary on-street container. The term “stationary on-street container” means a container for the storage and collection of residential waste that the city of New York procures from an authorized vendor and that the department places in the public right of way.

b. Stationary on-street container program. The department shall establish and maintain a program to require, by no later than June 1, 2032, all residential buildings with 10 or more dwelling units to place residential waste in stationary on-street containers supplied by the department, provided that:

1. Such program shall not apply to any residential building with less than 10 dwelling units or to any residential building, regardless of size, that receives off-street collection, including collection from inside a loading dock;

2. The department shall allow the owner of a residential building with less than 31 dwelling units to opt out of such program on the condition that such building set out its residential waste for collection by the department at the curb in rigid receptacles with tight-fitting lids in accordance with rules promulgated by the commissioner; and

3. The department shall not place a stationary on-street container upon a street or sidewalk without authorization from the department of transportation. Nothing in this subdivision shall prohibit the department of transportation from authorizing the placement of multiple stationary on-street containers at one time.

c. Rulemaking. The commissioner may adopt and implement rules as necessary to effectuate this section. Such rules may include, but need not be limited to, designating areas within the city of New York in which the program established pursuant to subdivision a will be implemented prior to June 1, 2032, establishing an annual fee of not more than 55 dollars per dwelling unit to be paid by the owner of a residential building to the city of New York for costs related to stationary on-street containers, and any waiver as deemed necessary by the commissioner of such fee requirements. Such costs may include acquisition, shipping, assembling,

installing, repairing, cleaning, and maintaining such stationary on-street containers. Any such fee shall be collected on behalf of the department by the commissioner of finance and deposited in the general fund. Such fees shall be wholly or partially discounted for Mitchell-Lama developments.

§ 3. Section 16-120 of the administrative code of the city of New York, as amended by local law 111 for the year 2022, is amended by adding a new subdivision j to read as follows:

j. Subdivisions a, b, c, and d of this section shall not apply to residential waste placed in a stationary on-street container pursuant to the program established under section 16-114.2, except as provided by the commissioner by rule.

§ 4. This local law takes effect immediately.

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