



Legislation Text

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Int. No. 1279-B

By Council Members Ayala, Banks, Narcisse, Brewer and Farías

A Local Law to amend the administrative code of the city of New York, in relation to a department of sanitation rule regarding supplemental sanitation service providers placing out refuse or recycling

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 16-120 of the administrative code of the city of New York, as amended by local law number 135 for the year 2018, is amended to read as follows:

e. [(1)] 1. No person shall deposit household or commercial refuse or liquid wastes in a public litter basket placed on the streets by the department or any other person. There shall be a rebuttable presumption that the person whose name, or other identifying information, appears on any household or commercial refuse or liquid wastes deposited in such public litter basket violated this paragraph.

[(2)] 2. No person shall place household or commercial refuse in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, bulkhead, slip, navigable waterway or other area whether publicly or privately owned, except in accordance with rules of the department relating to collection (i) by the department or (ii) by a private carter that is required to be licensed or registered pursuant to chapter 1 of title 16-A of the code. There shall be a rebuttable presumption that the person whose name, or other identifying information, appears on any household or commercial refuse placed in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, bulkhead, slip, navigable waterway or other area whether publicly or privately owned violated this paragraph.

§ 2. a. Definitions. For purposes of this section, the following terms have the following meanings:

Merchant association. The term “merchant association” means a group of merchants located in a

commercial corridor that create an association to provide services and advocate on behalf of local business owners.

Neighborhood association. The term “neighborhood association” means a group of residents who advocate to improve the quality of life or organize activities within a neighborhood.

Supplemental sanitation service provider. The term “supplemental sanitation service provider” means a business improvement district established pursuant to chapter 4 of title 25 of the administrative code of the city of New York or pursuant to state law, or a non-governmental entity or organization, including a merchant association or a neighborhood association, that performs or causes others to perform cleaning services, such as manual sweeping and cleaning of public spaces or emptying of public litter baskets, for the purpose of supporting local businesses or communities.

b. Prior to August 30, 2026, any rule adopted by the commissioner of sanitation (i) prohibiting a supplemental sanitation service provider from placing refuse or recycling next to or against any public litter basket placed by the department of sanitation, or at any location described in paragraph 2 of subdivision e of section 16-120 of the administrative code of the city of New York, or (ii) requiring a supplemental sanitation service provider to place out, in rigid receptacles with tight-fitting lids, any material that such provider places out for collection by the department of sanitation, shall apply only to a supplemental sanitation service provider that:

1. Receives fiscal year 2026 discretionary expense funds, awarded pursuant to the city council discretionary funding process, for the purpose of purchasing rigid receptacles with tight-fitting lids; or
2. Does not receive such funding, except where such provider submits an application to the department of sanitation for the siting of a rigid receptacle with a tight-fitting lid no later than March 1, 2026.

§ 3. This local law takes effect immediately.