

From: mhberger@aol.com (Murray Berger)  
Subject: Message to Commissioner, DOS

Below is the result of your feedback form. It was submitted by  
Murray Berger (mhberger@aol.com) on Sunday, June 1, 2008 at 23:48:35

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This form resides at  
<http://www.nyc.gov/html/mail/html/maildos.html>

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Message Type: Misc. Comments

Topic: Enforcement Issues

Contact Info: Yes

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Message: On June 4th (9:30am-12:30pm) the Dept of Sanitation will be holding a hearing on its proposed regulations for implementing the Litter Law ---"governing the distribution of advertisements on private property." (State mandated penalty for such littering: 250 up to 1,000.)

The rules for implementation of the Litter Law, as proposed by Dept of Sanitation (5 pages, click below -- and available on the DOS web site at nyc.gov) -- and to be commented on at or before the Public Hearing on June 4th -- are absolutely asinine. They impose a severe burden on the property owner and are most likely never to be pursued by most homeowners!!.

They would require the homeowner to download a complaint affidavit form or to call 3-1-1 for one [no problem]. The homeowner would then have to get the form notarized and mail it together with the literature deposited to DOS in Brooklyn, and then be available to attend a hearing, presumably in Manhattan, if the

adjudicating officer asks him to appear and testify.

Notarizing, with its costs and inconvenience, should be eliminated; the homeowner's identity can be confirmed by providing a copy of a recent tax bill or by having DOS refer to the Dept of Finance web site. How many homeowners will want to get involved if they face an appearance at a hearing in Manhattan, or elsewhere????

The law only authorizes DOS enforcement people to issue tickets when they witness the littering; the NYPD should be authorized to do so as well.

To facilitate such advertosing distribution, perhaps the distributing agency could provide a "mailbox" designated for such a purpose to willing homeowners, similar to what newspaper home delivery people do.

Please react in the community's favor.

--- Murray H. Berger (Incensed Executive Chairman), Kew Gardens Civic Association, Inc. (718-263-7180 or mhberger@aol.com or 631-749-0743)

Lawn Litter law: Proposed rules (5 pages):  
Click here: [DSNY - Rules and Regulations - Rulemaking: Notices of Adoption](#)

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