



For Sanitation Service
Requests or Information,
call 311
or Visit the DSNY Website
at
www.nyc.gov/sanitation

Michael R. Bloomberg
Mayor

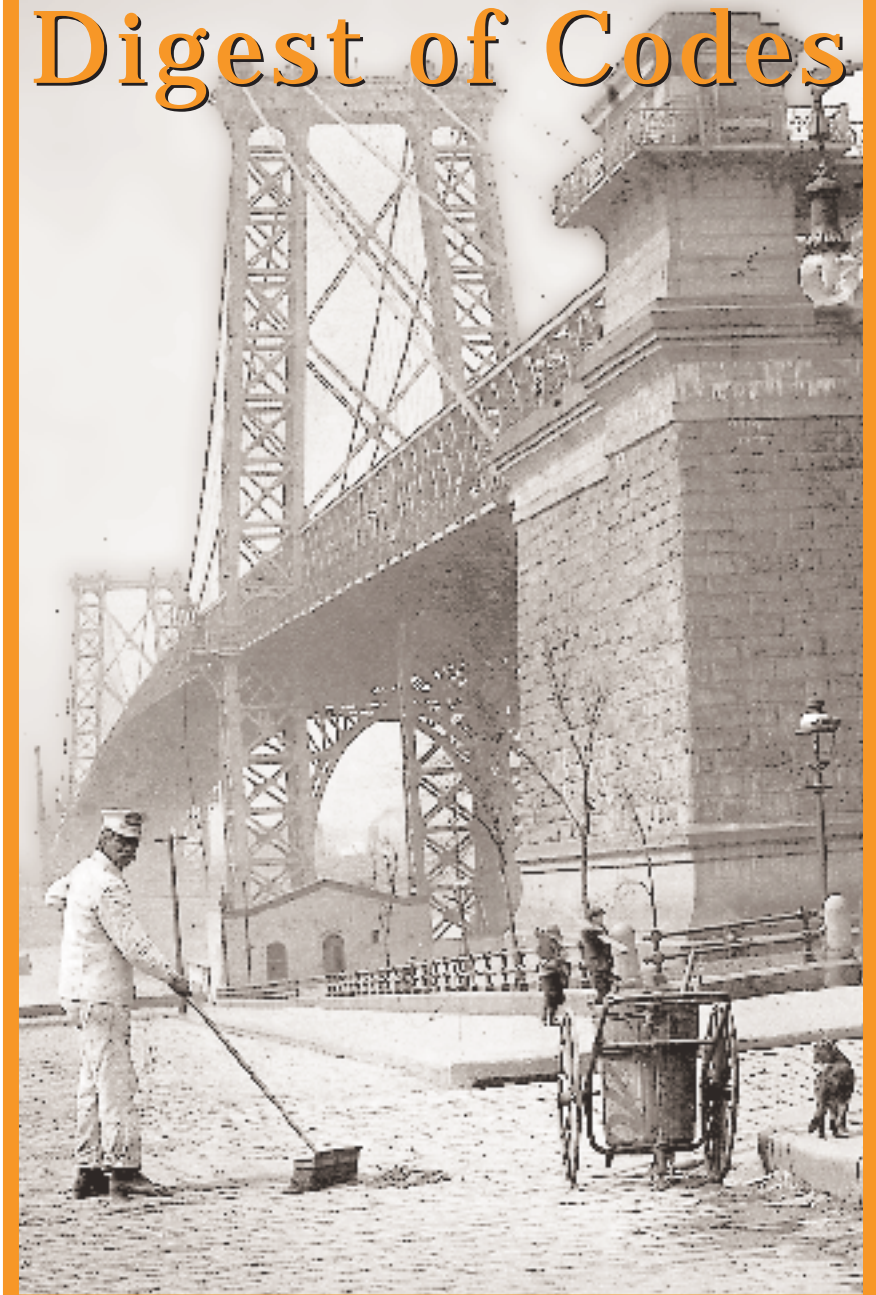


John J. Doherty
Commissioner

DS 1468 (Revised 9/04)

NEW YORK CITY DEPARTMENT OF SANITATION

Digest of Codes



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* Condensed from the New York City Health and Administrative Code. The summaries and descriptions contained herein are not intended to substitute for the full text of the law.



Revised September 2004

HELPFUL TELEPHONE NUMBERS

IF YOU NEED ASSISTANCE OR HAVE A COMPLAINT:

For questions, information, complaints and non-emergency concerns regarding Sanitation (DSNY) issues, such as recycling information, illegal dumping rewards, waste prevention tips and information, or to report abandoned/ derelict vehicles; or other New York City agency complaints or requests concerning private carters, a self-hauler registration, heat and hot water, or multiple dwelling complaints, air, noise, water sewer, hazardous material complaints, licensing sidewalk stands, the Bottle Bill of Rights, parking signs, traffic signals, pothole complaints, rats, backyard conditions, dirty lots with structures, quality of life complaints, the center for animal care and control, etc.,

CALL

THE NEW YORK CITY CITIZEN'S SERVICE CENTER
(NYCCSC) at**311**

To call NYCCSC from outside NYC call1-212-New York

You can also visit the City's website at:www.nyc.gov

For information on Sanitation (DSNY),
Visit our website at www.nyc.gov/sanitation

For New York City's Poison Control
Center, call1-212-764-7667
or the National Poison Center at 1-800-222-1222

For the Environmental Control Board, call1-212-361-1400.

For the New York State Department of
Environmental Conservation (NYSDEC)
Regional Office, call 1-718-482-4885
(Returnable Container Law, Return of Auto Batteries and Motor Oil)

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mational flyers focusing on being a good neighbor by following proper sanitation practices. Merchant associations and community groups interested in promoting cleanliness and proper sanitation in their area are supplied with a variety of Sanitation educational flyers which they can distribute in their area.

Groups interested in undertaking a Clean Community Campaign in their neighborhood can contact the DSNY Office of Community Affairs at (646) 885-4503.

Community Clean-ups/Tools and Equipment Loan

The Department of Sanitation supports local community groups and block associations in their volunteer efforts to keep their neighborhoods clean through local block and street area clean-ups. Free loans of clean-up tools and equipment (e.g. brooms, shovels etc.) are available. For information, call 311.

Citizens for New York City

Citizens for New York City is a nonprofit organization which encourages and supports volunteer action that improves the quality of life in city neighborhoods. It offers small grants, training, publications and technical assistance to neighborhood, tenant and youth associations in the five boroughs, helping New Yorkers of all ages to form new groups, strengthen existing ones and improve their neighborhoods.

For more information, contact Citizens for New York City, 305 Seventh Avenue, New York, New York, 10001, (212) 989-0909.

PREFACE

The Department of Sanitation (DSNY) has published this booklet to inform you of your legal responsibilities to keep New York City clean. The Digest has been updated to reflect the new laws and regulations, the formation of the Business Integrity Commission, and the increased schedule of minimum fines imposed by the Environmental Control Board ("ECB"). In addition, the Digest includes new sections on recycling which outline the requirements for commercial, residential, and institutional recycling.

This booklet contains summaries of existing laws as well as Department of Sanitation policy. The information contained herein is not a substitute for the full text of the laws as set forth in the New York City Health and Administrative Code. You may obtain the complete text of any of the sections referenced in this booklet by writing to: Department of Sanitation, Office of the General Counsel, 125 Worth Street, Room 708, New York, New York, 10013.

The cleanliness of a particular block will often reflect on the area's total appearance. By complying with the laws/rules summarized in this booklet, residents, merchants, homeowners and apartment dwellers set a positive example for their communities. Merchants play a key role in achieving a clean area and prosperous business community by working through chambers of commerce and merchants associations. Anti-litter and cleanliness messages are conveyed by merchants to shoppers through displays, advertisements, placement of extra litter baskets, and most importantly, by maintaining their storefronts.

Homeowners and other community residents frequently ask what they can do to help keep New York City clean. Neighborhood improvement groups, block associations and even individual residents can work together, formally or informally, to encourage their neighbors to help keep their neighborhoods clean. The cleanliness of a block requires effort on everyone's part.

In New York City, compliance with the law requires everyone's coop-

eration. Sanitation Police, Sanitation Enforcement Agents, and uniformed Supervisors make a concerted effort to enforce all provisions of the codes which apply to keeping the City clean. Violators will receive a Notice of Violation (“NOV”) and must pay any resulting penalties to the ECB. Violations can be reported to the New York City Citizen’s Service Center (NYCCSC) at 311. A cleaner New York is up to all of us. You can improve the cleanliness of our streets and other public areas while avoiding fines by adhering to the laws in this booklet. If you have any questions about any of these laws, call the NYCCSC at 311.

PLEASE NOTE:

Collection of residential refuse, recyclables and residential bulk is provided FREE to New York City residents by the DSNY. Employees of the DSNY are absolutely prohibited from asking for or receiving money or any other benefit in connection with their official duties. The law provides very serious penalties for bribery. A person who offers a bribe and the person receiving it are violating the law and may be subject to prison terms. If any member of this Department asks you for money or any other benefit, please call the Inspector General of the DSNY at 1-212-825-5921 or the New York City Department of Investigation at 1-212-825-5959. They will treat your phone call confidentially; you do not have to give your name. A corruption-free government benefits all of us. Please help the Department achieve this important goal.

Note: Use of Household Special Waste Drop-Off Sites is for non-commercial New York City residential special waste only. Do not bring any other household refuse or household bulk items. Material may not be from a business, industrial, “fee for service” or profit-making activity. Vehicles with commercial plates cannot use the household special waste site. Drivers must show a valid New York State Driver License and New York State Vehicle Registration, both with New York City addresses.

VOLUNTEER PROGRAMS

Adopt-A-Basket Program

The DSNY has instituted the Adopt-A-Basket Program. When a person or organization volunteers to adopt a basket, the Department and the volunteer will identify the basket to be adopted. Once the basket is identified, the program participant is given a new basket and a supply of plastic liners. The basket’s sponsor must monitor the basket. When the basket is three quarters full, the sponsor removes the loaded plastic liner from the basket, securely ties the liner and places it next to the basket for the Department to pick up. The adopter then places a new liner in the basket. Sponsors are given a schedule of the pick-up times and a contact person at the local Department office. Any person, group, store, operator, building manager, etc., may participate. To sponsor a basket, contact 311.

Clean Community Campaign

Maintaining a clean neighborhood requires joint action and cooperation between government, businesses, and residents. The Clean Community Campaign’s philosophy is to promote litter abatement, cleanliness, and civic responsibility toward proper sanitation.

The Clean Community Campaign educates the public through infor-

residents may only bring up to: 10 quarts of motor oil, 2 oil filters, 5 quarts of transmission fluid, 5 gallons of latex paint, and 2 thermostats.

* Residents can also return used auto batteries and motor oil to service stations or retailers that sell them. Retailers are required to accept up to two automobile batteries per month per person for free. (Returning an automobile battery when buying a new one saves the \$5 surcharge.) Service stations and large retailers that sell motor oil are required to accept up to five gallons per day per person at no charge. The NYSDEC is responsible for enforcing these laws. If you have problems returning automobile batteries or motor oil, call the Regional Office of the NYSDEC.

The following are Household Special Waste Drop-off sites:

Bronx	Hunts Point area - Farragut and Halleck Streets
Brooklyn	Bay 41 Street and Gravesend Bay, south of Shore Parkway (adjacent to the DSNY Brooklyn 11 garage)
Manhattan	605 West 30th Street - off the West Side Highway (Sanitation Fuel Yard)
Queens	College Point - 30 Avenue between 120 th and 122 nd Streets
Staten Island	The foot of Muldoon Avenue off the West Shore Expressway (440) adjacent to the Staten Island 3 garage.

All five locations are open Saturdays only from 10 AM to 5 PM except for the last Saturday of each month substituted by the last Friday of each month to accommodate Sabbath observers. When the site is closed, do not leave material at the entrance; it would constitute illegal dumping which is punishable by a fine and vehicle impoundment.

The sites will accept only non-commercial special waste generated by New York City residents with a valid New York State motor vehicle registration and license. Materials accepted at these sites are limited to uncontaminated latex paint, fluorescent light bulbs (only straight tubes up to four feet), motor oil and filters, transmission fluid, thermostats, household and automotive batteries, and tires (up to 4 passenger vehicle tires). For more information, residents should call 311 or visit the DSNY website at www.nyc.gov/sanitation.

GENERAL CODES/PROVISIONS

Except where specifically noted, the following laws are applicable to all residents, merchants, businesses, stores, restaurants, and commercial and residential premises.

§ Denotes section of the NYC Administrative Code unless otherwise indicated.

RCNY Denotes Rules of the City of New York.

CLEANING

Sidewalks and Gutters

The sidewalks (including areas like tree pits, grass strips, etc.) and gutter areas (18 inches from the curb into the street) along the building perimeter must be kept clean. Sweepings must be picked up and deposited in suitable containers for collection. Sanitation litter baskets may not be used for this purpose.

Enforcement Routing

Under the Enforcement Routing Program, enforcement agents patrol all areas including commercial, industrial, manufacturing and residential blocks at specified times focusing on violations for dirty sidewalks and failure to clean 18 inches into the street. During the enforcement routing time, when enforcement agents observe a dirty sidewalk or an 18 inches violation in front of/adjacent to a premise, a notice of violation will be issued. Although enforcement agents will issue notices for dirty sidewalk or failure to clean 18 inches into the street violations only during the specified routing time periods (2 one-hour periods each day), they may issue notices for all other violations at any time.

Residential Premises:

Residential routing times citywide have been set as follows:

8 AM-9 AM, 6PM-7PM

Commercial Premises:

In addition to the routing hours, all commercial premises should be maintained (the sidewalk and the area 18 inches from the curb) at the beginning and end of the day. This makes good business sense and helps keep the community clean. For more information about the program or specific routing times, call 311.

§16-118(2) & §16-118.1

FINE: \$100-\$300

Backyards, Areaways, and Alleys

Backyards, areaways, courts, alleys, and air shafts must be kept clean at all times.

§16-118(2)

FINE: \$100-\$300

Lots

The owner of a vacant lot must keep the lot clean, sanitary, and free of debris and litter. If the owner of a vacant lot fails to comply with the provisions of this section, the DSNY may provide for the cleaning of the lot at the expense of the property owner. In addition, whenever the Department of Transportation (DOT) orders such improvements, the owner of a vacant lot must erect a fence around the lot and fill any sunken part of the lot and/or cut down any raised part of the lot. If the owner fails to comply with this section, the DOT may fence the lot, fill in the lot, or raise the lot at the owner's expense.

§754 & §2904

Littering/Sweeping-Out/Throwing-Out

Littering, sweeping, throwing, or casting any material such as ashes, garbage, paper, dust or other refuse or rubbish into or upon any street or public place, vacant lot, air shaft, areaway, backyard, court, or alley is illegal. Throwing refuse out of windows (i.e., buildings or vehicles) is also a violation. In addition, no person may allow anyone under his/her control (agent or employee) to commit a littering, sweep-out, or throw-out violation. Merchants must put all sweepings into suitable garbage receptacles for pick-up by a private carter. Residential units must put sweepings into suitable garbage receptacles for pick-up by the DSNY. Sanitation litter baskets may not be used for this purpose.

§16-118(1)

FINE: \$100-\$450 1st Offense

\$250-\$450 2nd Offense within 12 months

\$350-\$450 3rd & Subsequent Offenses within 12 months

Posting

It is illegal for any person to paste, post, paint, print, nail or attach or affix by any means whatsoever any handbill, poster, notice, sign, advertisement, sticker or other printed material upon any curb, gutter, flagstone, tree, lamppost, awning post, telegraph pole, telephone pole, public utility pole, public garbage bin, bus shelter, bridge, elevated train structure, highway fence, barrel, box, parking meter, mailbox, traffic control device, traffic stanchion, traffic sign (including

ers engaged in small "do-it-yourself" projects, homeowners who are undertaking large projects should contract for their own dumpster by contacting a private rubbish removal service. Bulk and construction debris generated by hired contractors or fee-for-service personnel on home repair or renovation projects is considered commercial waste and is therefore the responsibility of the contractor to arrange for appropriate private disposal.

METAL BULK

Items which are made of 100 percent metal or predominantly metal will be collected on your RECYCLING DAY. Simply place these items out for collection on your regular recycling collection day. Small metal items can be placed in your recycling container or a clear plastic recycling bag. Large metal items (e.g., appliances) should be placed at the curb next to your recycling container. For safety reasons, the law requires that hinges/locks or doors be removed from refrigerators.

Note: Before discarding a refrigerator, freezer, air conditioner, water cooler, dehumidifier or other appliance containing CFC gas, you must first call 311 to schedule an appointment day for placement of these CFC bearing bulk items curbside for DSNY processing. DSNY personnel will remove, at the curb, the CFC gas from these appliances and place on them a special TAG indicating that the CFC gas has been removed. The tagged items will then be collected on the regularly scheduled recycling day by DSNY recycling trucks.

HOUSEHOLD SPECIAL WASTE DROP-OFF SITES

New York City residents may bring the following materials to the DSNY Household Special Waste drop-off sites:

motor oil*	automotive batteries*
fluorescent light tubes	motor oil filters
(straight tubes, up to 4 feet long only)	household batteries
transmission fluid	latex paint
thermostats	tires (up to 4 passenger vehicle tires)

Each household may visit the drop-off site up to six times per year. The acceptable quantities of some special waste are limited per visit;

alogs, and telephone books may be placed out for collection in securely tied bundles, not to exceed 18 inches in height. These recyclables may be bundled with flattened corrugated cardboard. However, other mixed paper must be placed out in a rigid mixed paper recycling container or clear plastic recycling bag only.

16 RCNY §1-09

FINE: \$25

Bundle Cardboard

Tie flattened corrugated cardboard into bundles no more than 18 inches high. Corrugated cardboard should not be placed into recycling containers or bags unless it is broken into small pieces (no larger than 9 inches x 11 inches). In buildings with mechanized collection, collapse corrugated cardboard boxes and place them into designated dumpsters.

16 RCNY §1-09

FINE: \$25

Repeat Recycling Violations

Violations carry fines of \$25 (first violation), \$50 (second violation), \$100 (third violation) and \$500 (four or more violations within a six-month period).

BULK COLLECTION and HOUSEHOLD SPECIAL WASTE DROP-OFF SITES

The DSNY provides free curbside removal of large non-commercial “bulk” items from residential buildings. Bulk means any item too big to fit in your garbage receptacle. Up to six items can be placed at the curb the evening before the collection day. (See: Storage of Receptacles.) Some examples of bulk items are:

- large appliances—such as refrigerators and stoves
- furniture—such as sofas, tables, chairs, desks
- aluminum siding and other non-commercial construction materials
- lumber, tree limbs

IMPORTANT:

If you are disposing of old lumber or tree limbs, all nails etc. should be removed and wood must be securely tied in bales no more than 2 feet high and 4 feet long. Also, if you have several large items, they should be placed out a few at a time. While the Department does remove non-commercial waste from homeown-

pole), tree box, tree pit protection device, bench, traffic barrier, hydrant or other similar public item on any street. There is a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any handbill, poster, notice, sign, advertisement, sticker, or other printed material on any item or structure is in violation. Every handbill, poster, notice, sign, advertisement, sticker or other printed material shall be deemed a separate violation. Anyone found to have violated this provision, in addition to any penalty imposed, shall also be responsible for the cost of the removal of the unauthorized postings.

§10-119, §10-121(a-e, g)

FINE: \$75-\$200 1st Offense

\$150-\$300 2nd & Subsequent Offenses

Posting on Trees

It is illegal for any person to affix any handbill, poster, notice, sign, advertisement, sticker or other printed material upon any tree by means of nailing or piercing the tree by any method and it shall have an additional penalty imposed equal to the amount of the original penalty. There is a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any handbill, poster, notice, sign, advertisement, sticker, or other printed material on any item or structure is in violation. Every handbill, poster, notice, sign, advertisement, sticker or other printed material shall be deemed a separate violation. Anyone found to have violated this provision, in addition to any penalty imposed, shall also be responsible for the cost of the removal of the unauthorized postings.

§10-119, §10-121(a-e, g)

FINE: \$150-\$200 1st Offense

\$300-\$550 2nd & Subsequent Offenses

Unlawful Placement of Handbills on Vehicles

In accordance with State law, it is illegal for any person to affix any handbill, poster, notice, sign, advertisement, sticker or other printed material on any windshield, under windshield wipers, or on any part of a motor vehicle. Fines start at \$75 per handbill, poster, sticker, or other form of advertisement. There is a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any handbill, poster, notice, sign, advertisement, sticker, or other printed material is in violation. Every handbill, poster, notice, sign, advertisement, sticker or other printed material shall be deemed a separate violation. The Environmental

Control Board will adjudicate all summonses issued in New York City.
 NYSVTL §375(1) FINE: \$75-\$100 1st Offense
 \$150-\$200 2nd & Subsequent Offenses

Unlawful Placement of Stickers and/or Decals on Public or Private Property

It is illegal for any person to affix or attach any sticker or decal on any public or private building or structure. There is a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any sticker or decal is in violation. Every sticker or decal shall be deemed a separate violation. Anyone found to have violated this provision, in addition to any penalty imposed, shall also be responsible for the cost of the removal of the unauthorized sticker or decal.

§10-117(a) FINE: \$150-\$500

Protection of City Advertisements

It is unlawful for any person to tear down, deface, or destroy any handbill, poster, notice, sign, advertisement, sticker or other printed material put up or posted by or under the direction of the City Council, or by or under the direction of any other City agency. Every defacement of a handbill, poster, notice, sign, advertisement, sticker or other printed material shall be deemed a separate violation.

§10-120, §10-121(a-e, g) FINE: \$75-\$300

Removal of Snow and Ice

Every owner, lessee, tenant, occupant, or other person having charge of any lot or building must clean snow and/or ice from the sidewalk within 4 hours after the snow has stopped falling, or by 11:00 AM if the snow has stopped falling after 9:00 PM the previous evening. Snow may NOT be thrown into the street.

If the snow or ice becomes frozen so hard that it cannot be removed, the sidewalk may be strewn with ashes, sand, sawdust, or similar suitable material within the same time limits. The sidewalk must be thoroughly cleaned as soon as the weather permits.

§16-123 FINE: \$100-\$150 1st Offense
 \$150-\$350 2nd Offense
 \$250-\$350 3rd & Subsequent Offenses

Note: Before discarding a refrigerator, freezer, air conditioner, water cooler, dehumidifier or other appliance containing CFC gas, you must first call 311 to schedule an appointment day for placement of these CFC-bearing bulk items curbside for DSNY processing. DSNY personnel will remove, at the curb, the CFC gas from these appliances and place on them a special TAG indicating that the CFC gas has been removed. The tagged items will then be collected on the regularly scheduled recycling day by DSNY recycling trucks.

Implementation and Notification

City agencies and institutions must establish recycling programs within their offices and other facilities and must notify their employees of program requirements. Agencies and institutions should appoint recycling coordinators to ensure compliance with recycling requirements.

16 RCNY §1-09 FINE: \$25

Separating Recyclables

City agencies and institutions, and their employees, must separate recyclable materials from regular trash. Regular refuse may not be placed in recycling containers. Clearly label all recycling containers.

16 RCNY §1-09 FINE: \$25

Clean Recyclables

City agencies and institutions must rinse or clean food residue from recyclable glass containers, metal cans, aluminum foil products, beverage cartons, and plastic bottles and jugs.

16 RCNY §1-09 FINE: \$25

Collection Requirements for Recyclable Material

City agencies and other institutions receiving DSNY curbside collection must place separated recyclable material at curbside no sooner than the evening before the recycling collection day. Recyclable material must be placed out for collection in clearly labeled recycling containers or in clear plastic recycling bags, as appropriate (see Recycling Containers).

Newspapers, magazines, catalogs, and phone books may either be placed with other mixed paper into rigid mixed paper recycling containers, or clear plastic bags. In addition, newspapers, magazines, cat-

must separate the following materials for recycling: glass bottles and jars; metal cans; plastic bottles and jugs; beverage cartons; aluminum foil and aluminum foil products and metal items (i.e., items 100 percent metal or predominantly metal); newspapers; magazines; catalogs; phone books; corrugated cardboard and mixed paper (i.e., junk mail, smooth cardboard, white and colored paper, manila folders, envelopes, and soft cover books).

16 RCNY §1-09

FINE: \$25

Recycling Containers

City agencies and other institutions must place separated recyclables out for collection in containers that comply with the following: for plastic, glass, metal and beverage cartons—either 18–32 gallon rigid containers, preferably blue, labeled on both sides and the lid with the words “RECYCLING: BOTTLES AND CANS” in letters at least 4 inches high or labeled with DSNY Metal, Glass and Plastic Recycling Program decals (blue decal); or 13 - 55 gallon clear plastic recycling bags. For paper - either 18 - 32 gallon rigid containers, preferably green, labeled on both sides and the lid with the words “RECYCLING - MIXED PAPER” in letters at least 4 inches high or labeled with DSNY Mixed Paper Recycling Program decals (green decal); or 13 - 55 gallon clear plastic recycling bags. Bundle and tie corrugated cardboard separately from mixed paper (unless broken down into small pieces to fit in a recycling container or bag).

Those institutions that receive containerized collection service must place recyclable material out in dumpster-like containers that are acceptable to the Department. Clearly label the containers with the words “RECYCLING: BOTTLES AND CANS” or “RECYCLING: MIXED PAPER”.

16 RCNY §1-09

FINE: \$25

Bulk Metal

Large metal items that are too big to fit in a rigid recycling container or clear plastic recycling bag, such as metal shelving, large appliances or any other large item that is 100 percent metal or predominantly metal, should be placed at the curb next to recycling containers or bags on the recycling collection day.

16 RCNY §1-09

FINE: \$25

Failure to Remove Canine Waste

Each person who owns, possesses, has custody of, or controls a dog must remove any feces left by that dog on any sidewalk, gutter, street, or other public area. The person may remove the feces and carry it away with him/her for disposal in a toilet. The feces may also be placed in a non-leaking container and deposited in a DSNY litter basket. The container may be, but is not limited to, either a paper or plastic bag. The provisions of this law do not apply to a guide dog accompanying any blind person.

New York State Public Health Law §1310

FINE: \$50–\$100

Unleashed Dogs

A person who owns, possesses, or controls a dog may not permit it to be in any public place or in any open or unfenced field abutting a public place, unless the dog is effectively restrained by a leash or chain not more than six feet long.

New York City Health Code §161.05

FINE: \$100-\$1,000

Dust

No mat, carpet, or cloth may be shaken or beaten so that litter or dust is created. Reasonable precautions must be taken to prevent the scattering or blowing of lime, ashes, coal, sand, hair, feathers, or similar substances likely to be strewn about by the wind.

§16–118(3)

FINE: \$100–\$450

Street Cleaning Regulations (SCR)

Cars must be moved as Alternate-side Parking/Street Cleaning Rule Signs indicate so that the DSNY can clean the streets with mechanical sweepers. This also applies to the no-parking regulations in metered areas. When parking is prohibited by sign or rule and an unattended parked vehicle interferes with the cleaning of the streets by the DSNY, Department personnel are authorized to affix a sticker on the operator’s side back seat window of the vehicle informing the operator of said violation and interference, and this is in addition to any penalty imposed.

34 RCNY §4-08 (d)(1)

FINE: \$45-\$65

34 RCNY §4-08(10)(ii)

Notification Sticker

CONTAINERS, REFUSE COLLECTION and DISPOSAL

Proper Receptacles

Refuse must be put into leak-proof receptacles with tightly fitting lids or in securely tied heavy duty opaque (e.g., black/brown bag, etc.) plastic bags. (Note: Do not use blue, red or clear bags for regular refuse.) Merchants and residential units must have enough receptacles to contain the waste generated in a 72-hour period. In addition, residential units must put recyclable materials (e.g., glass, metal, plastic, paper and beverage cartons) into clearly marked recycling containers. (See Residential Recycling.)

§16-120(a) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Covered Receptacles

Garbage receptacles (including dumpsters) must be covered at all times with securely fitting covers/lids.

§16-120(a) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Storage of Receptacles

Refuse must be kept within the building or at the rear of the premises until time of collection. Residential units may not place receptacles out for collection earlier than 5 PM the day before the scheduled collection, Fridays no earlier than 4 PM during the winter months (October-April).

Commercial Premises Commercial refuse put out for private collection must be placed on the sidewalk against the building, not at the curb or in the gutter. Commercial establishments may not keep their refuse on the street during the day if the carter picks the refuse up after closing. If the refuse is picked up after closing, the merchant may place refuse out for collection within one hour of closing. If the collection service is performed during the day, the commercial waste may not be placed out for collection unless it is within two hours of actual collection time. In the event the commercial establishment has metal containers (dumpsters), the establishment must remove these containers at the time of collection. NOTE: if your collection is scheduled after close of business, and no employee is present at your establishment, the Department will allow a reasonable length of time for removal and storage of the container. Usually a one-hour grace period is granted from the time an employee is on the premises before

in maintenance areas to inform maintenance staff of recycling requirements. Building managers must also give tenants and employees written notice of recycling requirements.

16 RCNY §1-10(f)(1)(i) FINE: \$25

Responsibilities of Commercial Tenants

Tenants or occupants of commercial premises must separate designated recyclable materials from regular trash, following their office's or building's recycling program. Tenants or occupants must notify their employees, customers and clients of applicable source separation requirements. Businesses must also post signs and/or provide labeled containers for recycling.

16 RCNY §1-10(f)(2)(i) FINE: \$25

Customer Education & Containers

Prominently post signs notifying customers and clients about what and how to recycle. Place labeled recycling containers where designated materials are routinely discarded (e.g., restaurants and company cafeterias where customers buy drinks in cans or bottles must post and provide labeled containers for customers to recycle bottles and cans. Copy shops where customers discard paper must post and provide labeled containers in a public area for customers to recycle paper).

16RCNY §1-10(f)(2)(ii) FINE: \$25

Repeat Recycling Violations

Violations carry fines of \$25 (first violation), \$50 (second violation), \$100 (third violation) and \$500 (four or more violations within a six-month period).

CITY AGENCY/INSTITUTIONAL RECYCLING

Note: This synopsis of city agency/institutional recycling rules incorporates requirements for mixed paper, beverage cartons and small metal items. Recycling requirements for these materials, however, have not yet been formally incorporated into the Department's rules.

Recyclable Materials

City agencies and other institutions receiving DSNY collection service

Separating Recyclable Material

All businesses must separate recyclable material from regular trash. Businesses must contract with a private carter or recycler for collection of separated recyclable materials. Businesses should establish through their carter a collection schedule and specific set-out requirements, subject to the minimum requirements that are set forth below. Businesses should also consider recycling additional materials, such as mixed paper.

16 RCNY §1-10(c)(1) FINE: \$25

Separation Requirements for Food or Beverage Service Establishments

Place designated glass, metal and plastic containers, and aluminum foil products together in a clear plastic bag. These items may also be placed together in a rigid container, without being put in bags, but only if your carter runs a separate collection truck for these materials. Tie or bale corrugated cardboard. Prepare bulk metal items per your agreement with your carter.

16 RCNY §1-10(c)(2) FINE: \$25

Separation Requirements for All Other Businesses

Office buildings, retail stores, supermarkets, warehouses, manufacturers, printers, etc.

Businesses may place corrugated cardboard, high grade office paper, newspaper, magazines, catalogs and phone books together for recycling collection. However, some private carters and recyclers may request that high grade office paper or corrugated cardboard be kept separate from other paper material. A business must separate textiles if textiles are 10% or more of its waste stream.

In addition, a business that operates a food or beverage service establishment as part of its business (i.e., a cafeteria within an office building or a cafe within a movie theater) must comply with recycling requirements for food or beverage service establishments.

16 RCNY §1-10(c)(1) FINE: \$25

Building Managers Implementation and Notice Requirements

The person who arranges for private carting services must have a written agreement with the carter or other recycler for recycling services. Building management must set up an on-premise recycling program, including providing containers, as necessary, and posting signs

issuing a summons (a notice of violation). Containers (dumpsters) are to be removed from the sidewalks/streets and placed inside or in the rear of the premises. Containers must at all times be maintained in a neat, clean, and closed condition, and the area around them must also remain neat and clean. Refuse may never be left out on a holiday or weekend.

§16-120(c) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Removal of Hinges on Discarded Refrigerators

A person who discards a refrigerator must remove the locking device or hinges from the refrigerator before placing it out for collection.

(See Residential Recycling - Metal Bulk for collection information.)
New York City Health Code §131.041 FINE: \$100-\$1,000

Improper Disposal

A person may not use another person's receptacles without permission, or place his/her refuse in front of a premises other than the building in which he/she resides or works.

§16-120(a) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Improper Use of Department of Sanitation Litter Basket

Sanitation litter baskets are designed for use by pedestrians. They are intended as containers for pedestrian trash such as candy wrappers, cigarette packages, fruit skins and similar light refuse. Litter baskets may NOT be used for the disposal of household refuse, for the disposal of sweepings, or for the disposal of commercial refuse by storekeepers.

§16-120(e) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Loose Rubbish

Light refuse or rubbish which is likely to be blown or scattered about the street shall be securely bundled, tied or packed before being placed out for collection.

§16-120(d) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Exposure of Material

Rags, damaged merchandise, barrels, boxes, and broken bales of merchandise or goods may not be placed where they, or particles from them, will pass into any street, public place, or occupied premises.

New York City Health Code §153.07 FINE: \$100-\$1,000

Mixed Material

Yard sweepings, hedge cuttings, grass, leaves, earth, stones or bricks may not be mixed with household waste. Ashes and incinerator residue, refuse, and liquid wastes must be separated and placed in separate receptacles.

§16-120(b & c) FINE: \$100 1st & 2nd Offenses
\$200 3rd & Subsequent Offenses

Noxious Liquids

No swill, brine, offensive animal matter, noxious liquid or other filthy matter of any kind shall be allowed by any person to fall upon or run into any street or public place, or be taken to or put therein.

§16-118(6) FINE: \$100-\$450

Household Hazardous Waste

Household Hazardous wastes include household products such as bleach, ammonia, metal polishers, paint thinner, wood finishing products, pesticides and pool chemicals. You can discard small residue quantities of most of these items in your household trash. However, to protect children, pets, and sanitation workers—use kitty litter or other absorbent material to soak up liquid waste to keep it from leaking. If you have a large amount of household hazardous waste or a type of waste that is extremely dangerous (check container labels), consult the Yellow Pages under Waste Disposal Services or contact the Department of Environmental Protection for further guidance. Discarding with residential waste any hazardous waste used or generated as part of a business or commercial endeavor is illegal. (See also: Household Special Waste Drop-off sites.)

Asbestos

No person shall transport, store or dispose of waste containing asbestos or cause or permit any person to transport, store or dispose of such waste except as in accordance with applicable law and regulation. No person may place asbestos out for collection by the DSNY.

§16-117.1 FINE: \$10,000

Buildings with ten or more apartments that receive four or more violations within a six-month period can be fined \$500 for each bag that violates recycling requirements, up to a maximum of 20 bags within a 24-hour period. This translates to a maximum fine of \$10,000 per day.

COMMERCIAL RECYCLING

Requirements:

All commercial businesses/commercial tenants are required by law to recycle. This applies to stores, restaurants and other businesses with private carters.

Recyclable Materials

The following materials must be separated from regular refuse and set out for recycling collection: glass bottles and jars; metal cans; plastic bottles and jugs; beverage cartons; aluminum foil, aluminum foil products and metal items (i.e., items 100 percent metal or predominantly metal); newspapers; magazines; catalogs; phone books; corrugated cardboard and mixed paper (i.e., junk mail, smooth cardboard, white and colored paper, manila folders, envelopes, and soft cover books).

16 RCNY §1-08(a) FINE: \$25

Food or Beverage Service Establishments

All food or beverage service establishments must separate the following materials for recycling: glass bottles and jars; metal cans; plastic bottles and jugs; aluminum foil and aluminum foil products; corrugated cardboard; metal components of bulk waste; and construction waste, excluding plaster, wall coverings, drywall, roofing shingles, wood and lumber, and glass window panes.

16 RCNY §1-10(a) FINE: \$25

All Other Businesses

All businesses other than food or beverage services establishments must separate the following materials for recycling: high grade office paper; newspapers; magazines; catalogs; phone books; corrugated cardboard; metal components of bulk waste; construction waste, excluding plaster, wall coverings, drywall, roofing shingles, wood and lumber, and glass window panes; and textiles generated by establishments whose solid waste stream routinely contains at least 10 percent textiles.

16 RCNY §1-10(a) FINE: \$25

papers, magazines, catalogs, phone books or corrugated cardboard into bundles, this requirement must be included on the posted sign.

If the area designated for the collection and storage of recyclable materials is other than the regular solid waste collection area, the owner or manager of the building must post a sign in the regular solid waste collection area informing residents of where to bring recyclable materials. In buildings where the recycling collection area is outside, a sign or signs containing the above required information may be posted near the entrance to the building, the building's resident mailbox area, or in some other public area in the building routinely visited by all building residents. In buildings where the recycling collection area is at the back entrance of individual dwelling units, a sign must be posted at each collection area. In buildings where the recycling collection area is at the front entrance of individual dwelling units, a sign must be conspicuously posted on each floor.

16 RCNY §1-08(f)(1)

FINE: \$25

Recyclable Material Storage Area

The owner or manager of a residential building containing three or more dwelling units must provide one or more reasonably accessible storage area(s) in the building for the storage of designated recyclable materials prior to DSNY collection. If reasonably practicable storage space is not available in the building, and space reasonably accessible to all residents is available behind the property line of the building, the space behind the property line may be designated for storage of recyclable material. The owner, net lessee, or person-in-charge must maintain the storage area(s) and store designated recyclable materials so as not to create a nuisance or sanitary problem. In addition, the building owner must provide a sufficient number of recycling containers in each storage area to prevent containers from spilling over and to avoid the improper disposal of designated recyclable materials. The recycling containers must be clearly labeled with letters of a conspicuous size to indicate what recyclable materials may be properly placed inside.

16 RCNY §1-08(f)(2)

FINE: \$25

Repeat Recycling Violations

Violations carry fines of \$25 (first violation), \$50 (second violation), \$100 (third violation) and \$500 (four or more violations within a six-month period.)

Disposing of Regulated Medical Waste

Storage, treatment, transport, and disposal of regulated medical waste must be carried out in accordance with applicable law (i.e., New York State Public Health Law, Environmental Conservation Law, New York City Administrative Code) and rules and regulations. Such waste may not be disposed of in the New York City municipal solid waste system. Regulated medical waste includes laboratory, dialysis or biological waste, waste generated in the diagnosis, treatment, or immunization of people or animals, human pathological waste, blood, cultures, sharps (scalpel blades, needles, etc.), contaminated animal carcasses, waste which may have come in contact with infectious agents, and materials contaminated with blood, etc. Generators of such waste must file copies of any reports required to be submitted to the Commissioner of Environmental Conservation and a removal plan with the DSNY.

The DSNY will not collect or receive solid waste from any person required to be licensed by the city or state to provide health, medical, pharmaceutical, or laboratory services unless the person certifies that the waste contains only material which may be legally disposed of in the New York City solid waste disposal system.

§16-120.1

FINE: Up to \$50,000/day

CIVIL PENALTY: \$50 - \$10,000

Syringe Disposal (Prescription Home Sharps)

People who must take medication at home with a syringe must assure proper disposal of their syringes. Used syringes/sharps must be placed in leak-proof, puncture resistant containers prior to disposal in the trash. Suitable containers include empty resealable household items like metal coffee cans or heavy duty plastic laundry or bleach jugs. When the container is full, seal the lid securely, tape the lid closed, and then place the container with refuse for regular collection by the Department of Sanitation (You may write "Home Sharps" on the tape). DO NOT PLACE THE "HOME SHARPS" CONTAINER IN THE RECYCLING CONTAINER.

The American Diabetes Association recommends clipping the needles from syringes after using them, never placing a syringe/sharp in the garbage without first sealing it in a container, wrapping heavy tape around the lid of the container, and never flushing syringes down the toilet.

16 RCNY §1-04

FINE: \$100 - \$250

Improper Disposal of Automotive Batteries

Automotive batteries may only be disposed of at Household Special Waste Drop-off sites or by delivery to a retailer, distributor, collector, or recycler of automotive batteries. Automotive batteries may not be disposed of in the municipal solid waste system. Automotive battery retailers are required by State law to accept up to two batteries per month per person for free. There is a \$5 surcharge added to the purchase price of all new auto batteries. If an auto battery is returned at the time a new battery is purchased or within 30 days after purchasing a new battery, the \$5 surcharge will be waived or refunded.

New York State Environmental Conservation Law

§27-1701.3

FINE: \$50

Motor Oil

Used motor oil should be taken to service stations that change oil or to large retailers that sell oil. State law requires that they accept up to five gallons of oil per day per person at no charge. Motor oil may also be brought to Special Household Waste Drop-off sites.

New York State Environmental Conservation Law

§23-2307

The New York State Department of Environmental Conservation (NYSDEC) is responsible for enforcing the State laws regarding the return of automobile batteries and motor oil. If you have problems returning auto batteries or motor oil, you may call the NYSDEC Regional Office.

Tires

The DSNY does not collect old tires. Old tires should be returned when buying new tires. NYC residents may bring up to four passenger car tires to any DSNY district garage Monday through Saturday, except holidays, between 8 AM and 4 PM. NYC residents may also dispose of up to four tires from passenger cars at the Department's Household Special Waste Drop-off sites on Saturdays only from 10 AM to 5 PM except for the last Saturday of each month substituted by the last Friday of each month to accommodate Sabbath observers. The special waste sites for tires are located as follows:

(South) Bronx:	Farragut & Halleck Streets
(Southwest) Brooklyn:	Bay 41st Street & Gravesend Bay
(North Shore) Queens:	30th Avenue between 120th & 122nd Streets
(Muldoon) Staten Island:	Muldoon Avenue & West Shore Expressway

Collection Requirements for Recyclable Material

Owners/managers of multiple dwellings and residents of one or two family homes must place separated recyclable material at curbside no sooner than the evening before the recycling collection day. Recyclable material shall be placed out for collection in clearly labeled recycling containers covered with a tight fitting lid or in securely tied clear plastic recycling bags (see Recycling Containers).

Newspapers, magazines, catalogs, and phone books may either be placed with other mixed paper into rigid labeled mixed paper recycling containers, or clear plastic bags. In addition, newspapers, magazines, catalogs, and telephone books may be placed out for collection in securely tied bundles, not to exceed 18 inches in height. These recyclables may be bundled together with flattened corrugated cardboard. However, other mixed paper must be placed out for collection in a rigid labeled mixed paper recycling container or clear plastic recycling bag only.

Material that is not required to be recycled must be removed from recycling containers prior to the containers being placed out for collection.

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Bundle Cardboard

Flattened corrugated cardboard must be tied together with sturdy twine into bundles no more than 18 inches high and shall not be placed in recycling containers or bags unless it is broken into small pieces (no larger than 9 inches x 11 inches). In buildings with mechanized collection, corrugated cardboard must be collapsed and placed into designated dumpsters.

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Note: Recycling containers or bags, bundled cardboard etc., and bulk metal should be placed out for collection no sooner than the evening before the recycling collection day. See: Storage of Receptacles.

Resident Education

The owner or manager of a residential building containing three or more dwelling units must notify the residents of the requirements of the New York City Recycling Law by, at a minimum, posting and maintaining one or more signs in the recycling collection areas. Posted signs must describe what materials are required to be source separated and how to dispose of the materials in that building, including the rinsing requirement. In buildings in which residents are required to tie news-

For paper, either 18 to 32 gallon rigid containers, preferably green, labeled on both sides and the lid with the words "RECYCLING—MIXED PAPER" in letters at least 4 inches high or labeled with Department of Sanitation Mixed Paper Recycling Program decals (green decal); or 13 to 55 gallon clear plastic recycling bags. Corrugated cardboard must be bundled and tied separately from mixed paper (unless broken down into small pieces to fit in a recycling container or bag).

16 RCNY §1-08(e)

FINE: \$25

Bulk Metal

Large metal items that are too big to fit in a rigid recycling container or clear recycling bag, such as metal shelving, large appliances or any other large item that is 100 percent metal or predominantly metal, should be placed at the curb next to recycling containers or bags on the recycling collection day.

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Note: Before discarding a refrigerator, freezer, air conditioner, water cooler, dehumidifier or other appliance containing CFC gas, you must first call the New York City Citizen's Service Center (NYCCSC) at 311 to schedule an appointment day for placement of these CFC-bearing bulk items curbside for DSNY processing. Department of Sanitation personnel will remove, at the curb, the CFC gas from these appliances and place on them a special TAG indicating that the CFC gas has been removed. The tagged items will then be collected on the regularly scheduled recycling day by DSNY recycling trucks.

Separating Recyclable Material

Residents must separate recyclable materials from regular trash. Regular refuse may not be placed in recycling containers. Residents of multiple dwellings (three or more units) must place separated recyclable materials in the recycling containers provided by the building owner/manager. In addition, in multiple dwellings, where required by building management, residents must tie newspapers, magazines, catalogs, phone books and corrugated cardboard into bundles not exceeding 18 inches in height.

16 RCNY §1-08(g)(1)

FINE: \$25

Clean Recyclables

Residents must rinse or clean food residue from recyclable glass containers, metal cans, aluminum foil products, beverage cartons, and plastic bottles and jugs.

16 RCNY §1-08(g)(2)

FINE: \$25

Residents disposing of tires at any Department location must present to the officer in charge of the location a valid New York State Driver's License and a valid New York State Vehicle Registration, both with New York City addresses indicating that they are New York City Residents.

VEHICLES WITH COMMERCIAL LICENSE PLATES ARE NEVER ALLOWED.

Commercial Waste Disposal

Every merchant, commercial establishment, business etc., is obliged to dispose of its refuse in a legal manner. A merchant, commercial establishment, business, etc., can either arrange with a private carter to have its refuse collected, or obtain a "Self-Hauler" registration from the Business Integrity Commission and transport the refuse in a vehicle with commercial license plates.

§16-116(a)

FINE: \$100

A merchant who disposes of a negligible amount of refuse (less than 20 gallons over seven consecutive days) can share private carter service with one or more other merchants. Merchants sharing private carter services must be offered a written contract by the private carter and given a free decal. For merchants sharing private carter service, the private carter should agree on a point of collection which should be at one of the merchant's establishments, and within walking distance of the other merchant(s) establishment(s). A copy of the contract must remain "on site" and be produced upon the request of DSNY personnel.

Decal—Commercial Waste Disposal

Merchants and businesses must post a decal provided by their private carter that clearly and legibly states the private carter's name and the days and times the refuse is picked up. Merchants that transport their refuse personally must post their Business Integrity Commission Self-Hauler registration.

§16-116(b)

FINE: \$100

To transport refuse personally, a merchant, business, firm, etc., must obtain a Self-Hauler registration from the Business Integrity Commission and arrange to dump at a permitted private transfer station.

Private Carter Registration

It is unlawful for any person to remove, collect or dispose of trade waste generated in the course of a person's or firm's business without first having registered with the Business Integrity Commission.

§16-505(b) FINE: Up to \$1,000

NOTE: Private carters must be licensed by the Business Integrity Commission which also regulates the conduct of private carters. Private carters are responsible for placing waste containers inside or to the rear of the customer's premises after they have been emptied. Carters are also responsible for removing spillage during collection. This does not relieve the merchant, commercial establishment or business from their responsibility to keep their area clean or remove containers. Questions and/or complaints about private carters should be addressed to the Business Integrity Commission.

Professional Establishments Doing Business in Residential Portions of Buildings

The Commissioner of the DSNY may collect and dispose of waste generated by professional establishments doing business in residential portions of buildings in New York City. To qualify for this program, the business must meet one of the following criteria:

- 1) be authorized by law to engage in an occupation in part of the home in addition to its residential use;
- 2) be a licensed New York State lawyer or chiropractor or licensed New York State physician or dentist authorized to engage in an individual or group medical practice in a basement or on the first or second floor in the residential portion of the building;
- 3) be in a residential portion of a residential building that has been used for occupational purposes since December 15, 1961.

Professional establishments are still required to separate recyclable materials. Moreover, the Department will not collect or dispose of regulated medical waste. Disposing of regulated medical waste in the municipal waste system is illegal. The rates for collecting and disposing of solid waste from home occupations, medical offices/group medical centers, and other residential offices are included on the application and may be obtained by calling the New York City Citizen's Service Center (NYCCSC) at 311.

§16-114 & §16-114.1

FINE: \$50-\$100

RESIDENTIAL RECYCLING

Requirements:

All New York City residents are required by law to recycle. Residents must keep recyclable materials separate from garbage and set them out for recycling collection no sooner than the evening before their designated recycling day. (See: Storage of Receptacles.) Place mixed paper, newspapers, magazines, catalogs and phone books in a labeled recycling container, preferably green, or a clear plastic bag; flatten corrugated cardboard and tie it with sturdy twine into bundles no taller than 18 inches high. Newspapers, magazines, catalogs and phone books may also be tied and bundled. Rinse and place beverage cartons, plastic bottles and jugs, glass bottles and jars, metal cans, aluminum foil products, and small metal items in a labeled recycling container, preferably blue, or a clear plastic bag. Place large metal items (100 percent metal or predominantly metal) that are too big to fit in a container or bag—such as furniture and large appliances—at the curb next to recycling containers or bags.

Recyclable Materials

The following materials must be separated from regular refuse and set out for recycling collection: glass bottles and jars; metal cans; plastic bottles and jugs; beverage cartons; aluminum foil, aluminum foil products and metal items (i.e., items 100 percent metal or predominantly metal); newspapers; magazines; catalogs; phone books; corrugated cardboard; and mixed paper (i.e., junk mail, smooth cardboard, white and colored paper, manila folders, envelopes, and soft cover books).

16 RCNY §1-08(a)

FINE: \$25

Recycling Containers

All buildings that receive curbside collection service must put recyclable materials out for collection in clearly marked recycling containers:

For plastic, glass, metal and beverage cartons - either 18 to 32 gallon rigid containers, preferably blue, labeled on both sides and the lid with the words "RECYCLING: BOTTLES AND CANS" in letters at least 4 inches high or labeled with Department of Sanitation Metal, Glass and Plastic Recycling Program decals (blue decal); or 13 to 55 gallon clear plastic recycling bags.

Any person who has pled or been found guilty or in default by the Environmental Control Board (ECB) for 12 or more Notices of Violation within a 12-month period will be deemed a repeat violator. Repeat violator designation applies even if the penalties are paid. Under this program, penalties will automatically be levied at the maximum chargeable amount. Repeat violators may plead by mail; they do not have to appear in person. The violations that are included in this Repeat Violator program are:

	Minimum	Maximum
Failure to Clean Sidewalk	\$100	\$300
Failure to Clean 18 Inches from Curb Into Street	\$100	\$300
Street Obstruction	\$100	\$150
Sidewalk Obstruction	\$100	\$300

Returnable Container Law

New York State Law requires that beverage dealers provide a cash refund on returns of beverage containers (beer, soda, mineral water) which have a New York State deposit. Empty beverage containers may be returned to any beverage dealer who sells the same brand, type and size, whether purchased from the dealer or not and without proof of purchase. Dealers must accept returns any day and at any hour except during the first and last half hour of the dealer’s business day. Returned containers must be emptied and intact. While not required, washing containers is strongly recommended to maintain sanitary conditions. Violations may be reported to the New York State Department of Environmental Conservation Regional Office.

New York State Environmental Conservation Law §27-10 FINE: Up to \$500 per day

Bottle Bill of Rights – Sign

Local law requires that beverage dealers in New York City conspicuously post a sign(s) which summarizes the rights and obligations of redeemers under the New York State Environmental Conservation Law. Violations may be reported to the New York City Department of Consumer Affairs by calling the New York City Citizen’s Service Center (NYCCSC) at 311.

§27-748 FINE: \$50-\$250

STREETS AND SIDEWALKS

Sanitation-Related Responsibilities of Street Event Sponsors
Sponsors of street events or their representatives are responsible for ensuring the cleanliness of street event areas during the event and upon its conclusion, and for the collection and removal of refuse and recyclable materials generated during street events. Sponsors or their representatives, and vendors participating at street events, must also arrange for the separation and collection of certain recyclable materials generated at street events. Recycling materials that must be separated from all other refuse include: metal cans, glass bottles and jars, plastic bottles and jugs, lightly-soiled aluminum foil wrap and trays, and any other material(s) designated by the DSNY for street events.

16 RCNY §14-01(c) FINE: \$50-\$100

Sidewalk Obstruction

Sidewalk areas must be kept free from any obstruction that could impede pedestrian traffic. Obstructions may include, but are not limited to, refuse, refuse containers, merchandise, bins, racks, coin operated rides, sandwich or A-frame signs, and over-extended sidewalk displays/stands.

Stores are permitted to have outside displays of merchandise. The items displayed must consist of goods which are available for sale inside the store and all sales must occur inside the premise. Structures for merchandise displayed outside the store may extend no more than 3 feet into the sidewalk from the building line and no higher than 5 feet. However, streets that are designated “zero sidewalk display” streets may not have any displays placed on the sidewalks. In addition, sidewalk displays are not allowed on a street during the time when general vending or food vending is prohibited on that street by law or by Street Vendor Review Panel action. However, veterans who were disabled with a service-related injury may vend on a restricted street with a proper permit from the Department of Consumer Affairs. To find out if a street is a “zero sidewalk display” street or is a street restricted from general vending or food vending, contact the Department of Small Business Services (DSBS) or the Department of Consumer Affairs.

During the month of December, displaying and selling coniferous trees (Christmas trees) is legal, except where specifically stated by law. Additionally, palm branches, willow branches, myrtle branches, and citrons may be displayed and sold in the months of September and October. The display of these items may exceed the 3’ by 5’ requirement. However, a clear path for pedestrians must be maintained.

Revocable Consents

A Revocable Consent may be granted to an individual or organization to construct and maintain certain structures on the property of the City (e.g., sidewalks).

Revocable Consents for sidewalk cafes are granted by the Department of Consumer Affairs.

Revocable Consents for items such as (partial list): stands for a food court on public property, large planters, planted areas, flagpoles, clocks, enclosure for trash receptacle, etc., on city sidewalks are granted by the Department of Transportation.

§16-118(2) FINE: \$100-\$300
 §19-136(4) FINE: \$50-\$250

Licensed Stands

Fruit and vegetable, cigar, cigarette, tobacco, confectionery, ice cream, soft drink, flower, and shoe shine stands must be licensed by the Department of Consumer Affairs. Each licensed stand may extend no more than 4 feet from the front of the store, but where the sidewalk is at least 16 feet wide, the licensed stand may extend 5 feet from the front of the store. Each stand may be no more than 10 feet long and 7 feet high. The stand must be a permanent structure (i.e., not boxes set on crates), enclosed on the ends with no protruding objects, and must not extend beyond the property line. In addition, items must not be placed in front of the stand, and sales must occur inside the store. Stands and displays are not permitted in front of residential houses or buildings.

§16-118(2) FINE: \$100-\$300
 §20-237 FINE: \$100 per day

Coin Operated Rides

Coin operated rides may be placed on a sidewalk adjacent to a commercial establishment. However, no portion of any ride may extend more than five feet from the building line. In addition, at least nine and one-half feet of unobstructed sidewalk must be maintained between any ride and the street. Coin operated rides may not be bolted to the sidewalk or chained to lampposts or other street furniture. Coin operated rides must be removed from the sidewalk between the hours of 9:00pm and 9:00am every day. The rides must comply with all other laws and with any rules promulgated by the Commissioner of the Department of Transportation. No more than three rides may be placed in front of a commercial establishment. Any ride found in violation of this section may be impounded and forfeited, and the ride's owner may be charged

reward, the Commissioner will consider the amount and type of material dumped, and the specificity of information provided, including, but not limited to, the license plate number, the make or model of the vehicle, and the location, date or time of the violation. For information, call the New York City Citizen's Service Center (NYCCSC) at 311.

MISCELLANEOUS

Interfering with Sanitation Department Work

DSNY employees may not be obstructed when they are sweeping or cleaning a street or removing ashes, garbage, rubbish (including recycling), snow, or ice.

§16-118(7)(a) FINE: \$100-\$300

Unauthorized Removal of Refuse

No one, other than an authorized employee or agent of the DSNY, shall disturb or remove ashes, garbage, refuse (including recycling) or rubbish placed by householders, tenants or occupants within the stoop line or in front of houses for removal.

§16-118(7)(b) FINE: \$100-\$300

Repeat Violators

Listed below are two categories of the repeat violator's program: Any person who has pled or has been found guilty or in default by the Environmental Control Board (ECB) for one or more Notices of Violation within a 12-month period will be deemed a repeat violator. Repeat violator designation applies even if the penalties are paid. Repeat violators may plead by mail; they do not have to appear in person. The violations included in this part of the Repeat Violator program are:

	Minimum	Maximum
Littering/Sweep-out/Throw-out	\$250	\$450
Dust	\$250	\$450
Noxious Liquids	\$250	\$450
Proper Receptacles	\$100	\$300
Covered Receptacles	\$100	\$300
Storage of Receptacles	\$100	\$300
Improper Disposal	\$100	\$300
Improper Use of Dept. of Sanitation Litter Basket	\$100	\$300
Loose Rubbish	\$100	\$300
Mixed Material	\$100	\$300
Spillage from Truck/Receptacle	\$250	\$450
Removal of Snow and Ice	\$150	\$350

ILLEGAL DUMPING and REWARDS

Illegal Dumping

It is illegal for any person to dump, deposit, or otherwise dispose of any dirt, sand, gravel, clay, loam, stone rocks, rubble, building rubbish, sawdust, shavings, trade or household waste, refuse, ashes, manure, garbage, rubbish, or debris of any sort being transported in a dump truck or other vehicle in or upon any street, lot, park, public place, or other area whether publicly or privately owned. In addition, no person may allow anyone under his/her control (agent or employee) to engage in illegal dumping.

Penalties for this offense include a fine and vehicle impoundment. Both the owner and driver of the vehicle are liable for illegal dumping. If the owner of the vehicle has been convicted of, or found liable for a violation of this Code provision three or more times within an 18 month period, or if the owner has been convicted of, or found liable for a violation one time in which the material dumped is defined as hazardous waste or acute hazardous waste under State Law, the vehicle is forfeited to the City pursuant to a court determination and auctioned no sooner than 30 days after the determination. The convicted owner of the vehicle is not entitled to repurchase it. The driving and/or vehicle registration privileges of any person who fails to pay a fine imposed by the Environmental Control Board for violation of the local law prohibiting unlawful dumping in New York City may be suspended.

§16-119

FINE: \$1,500-\$20,000

REWARD AVAILABLE

PROVIDE TIPS/INFORMATION FOR REWARD

If the Commissioner of the DSNY determines that any individual provides information which results in the conviction of or the imposition of a fine or civil penalty for illegally dumping, the Commissioner may offer to the individual a reward up to 50% of any fine or civil penalty collected or up to five hundred dollars when a criminal conviction is obtained but no fine or civil penalty is imposed. In determining the amount of the

with reasonable costs for removing and storing the ride.

§16-118(2)

FINE:\$100-\$300

§19-136(j)

FINE: Up to \$7,500

CIVIL PENALTY: Up to \$500

Street Obstruction

It is illegal for anyone to place or leave any box, barrel, bale of merchandise, or other moveable property (regardless of ownership), upon any public street or any public place. This law also applies to large construction or demolition containers which may not be placed on the street without an appropriate permit from the Department of Transportation. For more information on how to obtain a permit for a construction container, call 311.

§16-122(b)

FINE: \$100-\$150

Abandoned Vehicles

No person may cause any vehicle to be abandoned. There is a rebuttable presumption that the last registered owner of an abandoned vehicle caused the vehicle to be abandoned. Owners must arrange for proper disposal of their unwanted vehicles. (Look in the Yellow Pages under "Automobile Wrecking.") Failure to pay any fines for abandoning a vehicle can result in suspension of the license of a New York State driver or denial of a license to an unlicensed driver.

New York State Vehicle and Traffic Law

§1224

FINE: \$250-\$1,000

Spillage from Truck/Receptacle

No person in control of a vehicle or receptacle may litter, drop, spill, or permit to be littered, dropped, or spilled any dirt, sand, gravel, or other material in or upon any street or public place.

§16-118(4)

FINE: \$100-\$450

Uncovered Vehicles/ Transportation of Loose Cargo

An open truck or trailer being utilized for the transportation of any loose substances may not be operated on any public highway unless the truck or trailer has a cover, tarpaulin, or other device approved by the Commissioner of The Department of Transportation. The cover must completely close the opening on the truck or trailer while it is being operated to prevent any substances from falling. However, if the load is arranged so that no loose substance can fall from or blow out of the truck, the covering is not necessary.

New York State Vehicle and Traffic Law

§380(a)(1)

FINE: Up to \$300

Examples of Common Violations



Failure to Sweep 18 Inches into the Street
See "Sidewalks and Gutters"



Sidewalk Obstruction



Dirty Sidewalk
See "Sidewalks and Gutters"



Uncovered Receptacles
See "Receptacles," "Covered" and "Proper"