

**THE CITY OF NEW YORK
DEPARTMENT OF SANITATION**

**NOTICE OF ADOPTION OF FINAL RULES RELATING TO
RESIDENTIAL ENFORCEMENT ROUTING HOURS**

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by section 753(a) and (b) of the New York City Charter that the Department proposes to adopt the following rule governing the designation of certain hourly periods during the day when authorized Department representatives may issue notices of violation to residential property owners for litter conditions in front of their premises. This rule amends section 15-01(c) of Chapter 15 of Title 16 of the Rules of the City of New York. The Department published a Notice of Opportunity to Comment on the proposed rule in the City Record on May 16, 2008. On June 17, 2008 the Department held a public hearing on the proposed rules. Existing provisions to be deleted are shown below in brackets and new provisions are underlined.

Section 1. §15-01(c) of Chapter 15 of Title 16 of the Rules of the City of New York is amended to read as follows:

(c) *Hours of Residential Enforcement Routing.* The Department establishes the periods from 8:00 A.M. to 9:00 A.M. and from [12:00 P.M. to 1:00 P.M.] 6:00 P.M. to 7:00 P.M. as the two (2) one-hour periods during which time the Department will conduct citywide enforcement routing for residential premises.

STATEMENT OF BASIS AND PURPOSE

The Commissioner of the New York City Department of Sanitation is authorized to adopt rules relating to street cleanliness pursuant to section 753(a) and (b) of the New York City Charter. Pursuant to Administrative Code §16-118(2), owners, lessees, tenants, occupants, and persons in charge of any building or dwelling, or portion thereof, are responsible for maintaining the sidewalks in front of their premises, and eighteen inches from the curb into the street, free of litter.

Local Law No. 47 of 2007 amended §16-118.1 of the New York City Administrative Code by limiting the period of time when the Department could issue notices of violation to owners, lessees, tenants, occupants, and persons in charge of residential premises for violations §16-118(2) to two pre-determined one-hour periods each day. This local law establishes the predetermined times as 8:00 to 9:00 A.M. and 6:00 to 7:00 P.M. As a result of this local law, the Department proposes to amend its rules to establish the second, pre-determined one hour residential enforcement period as being from 6:00 to 7:00 P.M.