

The New York City Department of Sanitation

A Summary of Sanitation Rules and Regulations



sanitation



NYCSanitation
NYCRecycles

SUMMARY OF RULES AND REGULATIONS*

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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.*

GET ASSISTANCE OR REPORT A COMPLAINT

Citizens Service Center, visit **nyc.gov/311**
or call **311** or
212-NEW YORK

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

For information on Sanitation (DSNY), visit . . . **nyc.gov/sanitation** or
nyc.gov/dsny

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

For the Environmental Control Board (ECB)
Notice of Violation information, call **311**
or visit **nyc.gov/ecb**

For the New York State Department of
Environmental Conservation (NYSDEC)
Regional Office, visit **dec.ny.gov**
or call **718-482-4900**

To report a violation to the
New York State Department of
Environmental Conservation, visit **bit.ly/tippdec**
or call **800-TIPP-DEC**
800-847-7332

For the Business Integrity Commission
which regulates private/commercial
carter services, visit **nyc.gov/bic**

For the New York State
Department of Health visit **health.ny.gov**

PREFACE

The Department of Sanitation (DSNY) has published this booklet to inform you of your legal responsibilities to keep New York City clean. It has been updated to reflect the new laws and regulations. In addition, this booklet 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 DSNY 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 either accessing the provisions on the web at **nyc.gov**, or by writing to:

DSNY Office of the General Counsel
125 Worth Street, Room 710
New York, NY 10013

(Please note that all written requests will be handled by DSNY in accordance with the Freedom of Information Law.)

Keep NYC Clean—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 areas clean. The cleanliness of a block requires effort on everyone’s part.

In New York City, compliance with the law requires everyone’s cooperation. Sanitation Police, Sanitation Enforcement Agents, and uniformed Supervisors make a concerted effort to enforce all provisions

of the codes that apply to keeping the City clean. Violators will receive a Notice of Violation (NOV) and must pay any resulting penalties to the Environmental Control Board (ECB). Violations can be reported to the NYC Customer Service Center at **311** or **nyc.gov/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 NYC Customer Service Center at **311** or visit **nyc.gov/311**.

Environmental Control Board—DSNY issues Notices of Violation (NOV) returnable to the Environmental Control Board (ECB). If you have received a Notice of Violation, you may:

- (1) admit to the violation and pay the mail-in penalty (If you choose to admit to the violation, read the instructions on the back of your NOV. In some cases, the front of the NOV may say that you must appear at ECB even if you wish to admit to the charge); or
- (2) contest the NOV in person or by your authorized representative. If you choose to contest the NOV in person, you will have an opportunity to present your defense and any documentary evidence to an Administrative Law Judge; or
- (3) in many cases, you may present a defense by mail, online, or by phone—except in those instances which specifically state that you must be present at the hearing. Cases most suitable for mail adjudication are those where the defense is supported by documentary evidence (deed, permit, license, etc.) such as violations on property that you did not own on the date the NOV was issued.

Follow the instructions located on your NOV for further guidance. For ECB locations or hours, to reschedule a hearing, and for all other questions, call the NYC Customer Service Center at **311** or visit **nyc.gov/erb**.

Freedom of Information Law Requests—The Freedom of Information Law (FOIL) (New York State Public Officer Law sections 84 to 90) provides right of access to agency records and documents, subject to certain restrictions. All requests, which must be made in writing, may be sent by mail to:

DSNY Freedom of Information Law Officer
125 Worth Street, Room 710
New York, NY 10013

or sent directly via e-mail to **dsnyfoil@dsny.nyc.gov**.

Note that there is a charge of 25 cents per page of each document or record. In order to ensure a prompt response to your FOIL request, you must clearly indicate the document or record by name, date, or other identifying information that you are interested in obtaining from DSNY.

Comptroller Claims—A claim must be filed against the City of New York for personal injury and/or property damage by DSNY within 90 days from the date of occurrence. All claims should be sent directly to:

NYC Comptroller's Office
Bureau of Law and Adjustment
1 Centre Street, Room 1200
New York, NY 10007

Alternatively, claims can be filed electronically. Forms and additional instructions for the filing of such claims may be obtained at **comptroller.nyc.gov**.

Tips and Bribes—PLEASE NOTE: Collection of residential garbage, recyclables, and residential bulk is provided *free* to New York City residents by DSNY. Employees of 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 DSNY asks you for money or any other benefit, please call the NYC Department of Investigation at 212-825-5959 or visit **nyc.gov/doi**. 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 DSNY achieve this important goal.

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

Any person who has pled or been found guilty or in default by the Environmental Control Board (ECB) for any Notice of Violation within a certain period of time may be subject to a second, third, or subsequent violation. When “3rd+ Offense” appears, it refers to the 3rd and/or subsequent violations.

GARBAGE and RECYCLING

Do I Qualify for DSNY Collection?

DSNY provides free regularly scheduled curbside and containerized garbage and recycling collection services for every residential household, public school, public building, and many large institutions in New York City. Curbside sites are collected either two or three times per week and containerized sites are collected from one to three times per week, depending upon individual need, which is based on population density.

DSNY also provides free collection services to Special-Use buildings which are classified as a premise or structure that is exempt from real estate taxation by the City of New York.

How to Request DSNY Service

If you believe that your new construction or existing site qualifies for DSNY collection services, please contact DSNY to arrange for a site visit. Private residences or nonprofit organizations may request Department of Sanitation collection services for a specific address in writing via fax at 212-788-3915 or by mail to:

Attention: New Service
NYC Department of Sanitation
125 Worth Street, Room 700
New York, NY 10013

The service request should state that the applicant is requesting Department of Sanitation collection for his/her premises, and the following information/documentation should also be included:

- Full address of the premises
- Name and daytime telephone number of a contact person
- A copy of the Certificate of Occupancy (a temporary one is acceptable, not required for nonprofit organizations that lease or rent their space)

Additional documentation required from nonprofit organizations:

- A copy of the organization’s federal and state tax exempt documents
- A copy of the Notice of Assessment Statement from the Department of Finance showing that the building where service is being requested is tax-exempt, or a letter from a City agency stating that the organization receives funding from the agency to operate at the address for which they are requesting collection services

The applicant will be notified of the scheduled start date of services and the days of collection approximately two (2) weeks after DSNY Collection Office receives the request with all the required documents.

If any building that receives free DSNY collection wishes to increase their service, they must contact DSNY. Only if DSNY declines such request may a building contract out with a private carter for the removal of garbage and/or recyclable material.

**Residents receiving private carter collection
(see also Commercial Waste)**

Residents in buildings that receive private carter service (such as an industrial conversion that hasn’t yet received a certificate of occupancy, or where owners have chosen private carter service) must follow all special handling and recycling requirements for commercial entities. They must separate the following items:

- construction waste
- metal, glass, and plastic for recycling as required for food or beverage service establishments
- paper and cardboard for recycling as required for non-food or beverage service establishments

16 RCNY §1-10(a)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Residents and City Agencies/Institutions

Set Out Requirements

Unauthorized Removal of Garbage

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

§16-118(7)..... FINE:..... \$100

Improper Disposal

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

**§16-120(a) FINE: ... \$100 1st and 2nd Offenses
\$200 3rd+ Offense**

Mixed Material

Ashes and incinerator residue, garbage, and liquid waste must be separated and placed in separate receptacles.

**§16-120(b) FINE: ... \$100 1st and 2nd Offenses
\$200 3rd+ Offense**

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:\$200 - \$400

Proper Receptacles

Household Receptacles

All buildings eligible for DSNY services must have enough receptacles to contain the waste generated in a 72-hour period

Garbage must be put into leak-proof receptacles with tightly fitting lids or in securely tied heavy duty opaque (for example, black or brown) plastic bags. Do not use blue, red, or clear bags for regular garbage. Cardboard boxes are not acceptable for use as receptacles. It is advised you do not overfill receptacles or make them any heavier than you can comfortably move. Most standard kitchen bags are not heavy-duty and should be placed in bins. Garbage bins should be no larger than 44 gallons with a maximum weight of 60 pounds when full.

In addition, recyclable materials (for example, glass, metal, plastic, and beverage cartons; mixed paper and cardboard) must be placed in clearly marked recycling receptacles or clear recycling bags. (See also Recycling Receptacles.)

§16-120(a) FINE: . . . \$100 1st and 2nd Offenses
\$200 3rd+ Offense

Covered Receptacles

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

§16-120(a) FINE: . . . \$100 1st and 2nd Offenses
\$200 3rd+ Offense

Recycling Receptacles

Recyclables (other than certain bulk items) must be put out for collection in labeled rigid containers between 18 and 32 gallons, or clear plastic bags between 13 and 55 gallons.

Rigid containers for metal, rigid plastic, glass, and cartons must be clearly labeled to be visible from any approach with DSNY’s blue recycling decals, or labeled “Recycling: Metal, Glass, and Plastic” (or something similar) in letters at least 4 inches high. It is preferred that these containers are blue.

Rigid containers for mixed paper and cardboard must be clearly labeled to be visible from any approach with DSNY's green recycling decals, or labeled "Recycling: Mixed Paper" (or something similar) in letters at least 4 inches high. It is preferred that these containers are green. Cardboard boxes are not acceptable for use as receptacles.

City Agencies, Institutions, or residential buildings that receive containerized collection service must place recyclable material out in dumpster-like containers that are acceptable to DSNY. Containers must be labeled in same fashion as rigid recycling receptacles.

16 RCNY §1-08(e) Residential

1 to 8 dwelling units	FINE:	\$25 ...	1st Offense
		\$50 ...	2nd Offense
		\$100 ...	3rd+ Offense
9 or more dwelling units	FINE:	\$100 ...	1st Offense
		\$200 ...	2nd Offense
		\$400 ...	3rd+ Offense

16 RCNY §1-09

City Agencies and Institutions	FINE:	\$100 ...	1st Offense
		\$200 ...	2nd Offense
		\$400 ...	3rd+ Offense

***Food and Yard Waste Receptacles
(Only for buildings with NYC Organics Collection)***

For entities receiving Organics Collection service, food waste should be put out for collection in a DSNY-provided or approved organics collection bin labeled with DSNY's orange "food waste" decal. Food and yard waste may be set out loose in these bins, or these bins can be lined with ONE of the following: a certified compostable plastic bag that bears the BPI-USCC logo, newspaper, a brown paper bag, or if necessary, a clear plastic bag meeting the same requirements as recycling receptacles above.

Yard waste (and not food waste) may also be set out alongside the organics collection bin in a paper lawn and leaf bag, or loose in a rigid container labeled "YARD WASTE", or (least preferable) in CLEAR plastic bags.

NOTE – Fine schedule only applies when special yard waste collection is underway. No fines are in effect for food waste organics in the pilot areas.

§16-308(f) Residential

1 to 8 dwelling units	FINE:	\$25 ... 1st Offense
		\$50 ... 2nd Offense
		\$100 ... 3rd+ Offense
9 or more dwelling units	FINE:	\$100 ... 1st Offense
		\$200 ... 2nd Offense
		\$400 ... 3rd+ Offense

16 RCNY §1-09

City Agencies and Institutions	FINE:	\$100 ... 1st Offense
		\$200 ... 2nd Offense
		\$400 ... 3rd+ Offense

Placement of Receptacles for Collection

Clean Recyclables

Recyclable metal, glass, plastic, and cartons should be emptied and rinsed prior to placement into recycling receptacle.

16 RCNY §1-08(g)(3) Residential

1 to 8 dwelling units	FINE:	\$25 ... 1st Offense
		\$50 ... 2nd Offense
		\$100 ... 3rd+ Offense
9 or more dwelling units	FINE:	\$100 ... 1st Offense
		\$200 ... 2nd Offense
		\$400 ... 3rd+ Offense

16 RCNY §1-09(g)(1)

City Agencies and Institutions	FINE:	\$100 ... 1st Offense
		\$200 ... 2nd Offense
		\$400 ... 3rd+ Offense

Placement for Collection—Storage of Receptacles

Residential units may place receptacles out for collection on the sidewalk, right by the curb, no earlier than 4:00 PM the day before their scheduled collection. Residential units must remove receptacles from their collection place by 9:00 PM on their collection day. If collection occurs after 4:00 PM, receptacles must be removed by 9:00 AM the next day.

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

Recyclable Materials

Recyclable materials must be kept separate from trash, and garbage may not be placed in recycling receptacles.

16 RCNY §1-08(h)(4) and 16 RCNY §1-08(g)(1) and (2) Residential

1 to 8 dwelling units FINE: \$25 1st Offense
\$50 2nd Offense
\$100 3rd+ Offense

9 or more dwelling units FINE: \$100 1st Offense
\$200 2nd Offense
\$400 3rd+ Offense

16 RCNY §1-09(g)(2)

City Agencies and Institutions FINE: \$100 1st Offense
\$200 2nd Offense
\$400 3rd+ Offense

Bulk/Large Items (items that do not fit into a container or bag)

DSNY provides free curbside removal of large non-commercial “bulk” items. Bulk items shall be set out using the same schedule and guidelines as regular garbage or recycling receptacles, however items must not be placed in the street, extend in front of another property, or impede pedestrian traffic. If you have a large quantity of items (for example, more than a dozen) you should consider placing them out over several collection days.

Flattened corrugated cardboard must be tied together with sturdy twine into bundles no more than 18 inches high, or may be broken down into small pieces and placed in recycling receptacles or in clear bags. Newspaper, magazines, catalogs, and phone books may also be bundled instead of using receptacles. In buildings with mechanized collection, corrugated cardboard boxes must be collapsed before placing into designated dumpsters.

16 RCNY §1-08(h)(2)(i) and (ii) Residential

1 to 8 dwelling units FINE: \$25 1st Offense
\$50 2nd Offense
\$100 3rd+ Offense

9 or more dwelling units FINE: \$100 1st Offense
\$200 2nd Offense
\$400 3rd+ Offense

16 RCNY §1-09

City Agencies and Institutions	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Bulk metal or plastic items (such as metal furniture, plastic toys, or plastic buckets) or any other large items that are mostly metal should be placed at the curb next to recycling receptacles or bags for recycling collection.

16 RCNY §1-08(h)(1)(i) Residential

1 to 8 dwelling units	FINE:	\$25	1st Offense
		\$50	2nd Offense
		\$100	3rd+ Offense

9 or more dwelling units	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

16 RCNY §1-09

City Agencies and Institutions	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Certain bulk items have additional handling requirements prior to placement for garbage or recycling collection. These include items such as:

appliances	medical waste
auto products	mercury-containing devices
electronics	mattresses
gas cylinders	yard waste and organics
home improvement debris	

See **Harmful Products and Special Handling** for more detail.

Recycling

All residents, agencies, and institutions that receive DSNY service are required to set out designated materials for recycling. In addition to mandatory recycling, food and yard waste recycling is available in certain pilot areas throughout the City. For those who are not located in pilot areas, food waste drop-off sites are also available.

What to Recycle

Mixed Paper and Cardboard

The following materials must be separated from household, agency, and institution garbage and set out for recycling collection (in a different recycling receptacle than the metal, plastic, glass, and carton recycling):

PAPER

- newspapers, magazines, catalogs, phone books, mixed paper
- white and colored paper (lined, copier, computer; staples OK)
- mail and envelopes (any color; window envelopes OK)
- paper bags
- wrapping paper
- soft-cover books (phone books, paperbacks, comics, etc.; no spiral bindings)
- cardboard egg cartons and trays
- smooth cardboard (food and shoe boxes, tubes, file folders, cardboard from product packaging)
- pizza boxes (remove and discard soiled liner; recycle little plastic supporter in blue bin)
- paper cups (waxy lining ok when empty and clean; plastic lids go in blue bin)
- corrugated cardboard boxes (flattened)

NOT ACCEPTED

paper with heavy wax or plastic coating
(candy wrappers, take-out containers, etc.)
soiled paper
soft paper (napkins, paper towels, tissues)
hardcover books

16 RCNY §1-08(a) Residential

1 to 8 dwelling units FINE: \$25 1st Offense
\$50 2nd Offense
\$100 3rd+ Offense

9 or more dwelling units FINE: \$100 1st Offense
\$200 2nd Offense
\$400 3rd+ Offense

16 RCNY §1-09(b)

City Agencies and Institutions FINE: \$100 1st Offense
\$200 2nd Offense
\$400 3rd+ Offense

Metal, Plastic, Glass, and Cartons

The following materials must be separated from household, agency, and institution garbage and set out for recycling collection (in a different recycling receptacle than the mixed paper and cardboard recycling):

METAL (all kinds)

- metal cans (soup, pet food, empty aerosol cans, empty paint cans, etc.)
- aluminum foil and foil products (wrap and trays)
- metal caps and lids
- household metal (wire hangers, pots, tools, curtain rods, small appliances that are mostly metal, certain vehicle license plates, etc.)
- bulk metal (large metal items, such as furniture, cabinets, etc.)

GLASS

- glass bottles and jars ONLY

PLASTIC (rigid plastics)

- plastic bottles, jugs, and jars
- rigid plastic caps and lids
- rigid plastic food containers (yogurt, deli, hummus, dairy tubs, cookie tray inserts, “clamshell” containers, other plastic take-out containers)
- rigid plastic non-food containers (“blister-pak” and “clamshell” consumer packaging, acetate boxes)

- rigid plastic housewares (flower pots, mixing bowls, plastic appliances, etc.)
- bulk rigid plastic (crates, buckets, pails, furniture, large toys, large appliances, etc.)

NOTE: Rigid plastic is any item that is mostly plastic resin, has a relatively inflexible fixed shape or form, and is capable of maintaining its shape or form.

CARTONS

- food and beverage cartons and drink boxes (for example, aseptic packaging that hold beverages and food: juice, soy milk, soup, etc.)

NOT ACCEPTED:

- | | |
|--|----------------|
| batteries | 3-ring binders |
| foam plastics (commonly called “Styrofoam”) | umbrellas |
| flexible plastic (such as wrappers and pouches) | garden hoses |
| film plastic (such as plastic bags and product wrap) | luggage |
| cigarette lighters and butane gas lighters | sponges |
| cassette and vhs tapes | sport balls |
| pens and markers | |
| cables, wires, cords | |

16 RCNY §1-08(a) Residential

1 to 8 dwelling units	FINE:	\$25	1st Offense
		\$50	2nd Offense
		\$100	3rd+ Offense

9 or more dwelling units	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

16 RCNY §1-09(b)

City Agencies and Institutions	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Food and Yard Waste

For entities that receive NYC Organics Collection, the following materials may be separated from household, agency, and institution garbage and set out for food and yard waste recycling collection (also in different receptacles than the mixed paper and cardboard recycling, and the metal, plastic, glass, and carton recycling):

ALL FOOD

vegetables and fruit	baked goods
nuts	dairy products
cereal	prepared foods
meat, fish, and bones	eggs and eggshells
pasta and rice	flour and grains

FOOD-SOILED PAPER

paper towels	paper plates
brown paper bags	napkins
coffee filters and tea bags	paper food boats and trays

LEAF AND YARD WASTE

lawn and leaf waste	garden trimmings
yard waste	leaves
grass clippings	

NOT ACCEPTED:

recyclable items	plastic or foam containers & packaging
hygiene or medical items	plastic shopping bags
pet waste	cleaning products

Note: This list differs from the materials that can be dropped off at food waste drop-off sites. These sites generally do not accept yard waste, meat, or dairy products.

Residential Building Setup (4 or more residential units)

Recyclable Material Storage Area

Residential building owners or managers must have one or more recycling area(s) for the storage of designated recyclables prior to collection.

Unless recyclables are collected directly from individual dwelling units (by building staff), storage areas must be reasonably accessible to residents;

Recycling areas must be within the building, unless no reasonably accessible area is available, in which case the recycling area can be in an accessible area behind the property line;

Recycling areas must be maintained and designated recyclable materials must be stored so as not to create a nuisance or sanitary problem;

A sufficient number of recycling receptacles must be provided in each recycling storage area to prevent spillage or improper disposal;

Only clear plastic recycling bags (no colored bags) may be used to line recycling receptacles, or receptacles may also be unlined.

The recycling receptacles must be clearly labeled to indicate what recyclable materials may be placed inside. DSNY provides labels for this purpose.

NOTE: It is preferred that recycling areas be located as close to trash areas as possible to enhance the convenience of recycling and reduce contamination.

16 RCNY §1-08(f)(2) Residential

1 to 8 dwelling units	FINE:	\$25	1st Offense
		\$50	2nd Offense
		\$100	3rd+ Offense
9 or more dwelling units	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Recycling Education

Residential building owners or managers must notify residents of their recycling requirements:

At least one (minimum 8.5 inches x 11 inches) sign must be posted with the following information:

- what materials are required to be separated for recycling, including which are the appropriate containers;
- where recycling area is located;
- requirement to rinse recyclables;

- any additional disposal instructions for the specific building, such as requirement to bundle cardboard or other materials. Other instructions could include, but are not limited to, locations for the placement of bulk recyclables.

Requirements for posting of this sign depend on each building’s requirements as follows:

- if the recycling area is inside, the sign must be posted in said area;
- if the recycling area is outside, the sign may be posted in the recycling area, near the building entrance, in the mailbox area, or in any other public and routinely visited area;
- if recyclables are collected at the back of each residential unit, sign must be posted at each area;
- if recyclables are collected at the front of each residential unit, signs must be prominently posted on each floor.

NOTE: It is preferred that buildings post these signs in as many locations as possible to ensure tenant understanding.

Any trash area which is not also a recycling area must include a sign to notify residents where to bring recyclables.

DSNY has created signage which can be used for these purposes.

16 RCNY §1-08(f)(1) Residential

1 to 8 dwelling units	FINE:	\$25	1st Offense
		\$50	2nd Offense
		\$100	3rd+ Offense
9 or more dwelling units	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Agency and Institution Recycling Setup

Implementation and Notification Requirements

City agencies and institutions must establish recycling programs within their offices and other facilities. This includes:

- Appointing recycling coordinators responsible to oversee the establishment and operation of the recycling program;

- The submission of a plan to DSNY including facility location information, recycling coordinator contact information, the types of solid waste generated at facilities, and the number of employees and customers at each facility or some other DSNY-approved method for estimating the amount of waste generated at each facility;
- Notifying employees of the requirements of the recycling program including what must be recycled.

16 RCNY §1-09	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Harmful Products and Special Handling

With the exception of specific items listed in this section, residents with small residual quantities of commonly used harmful household products (or household hazardous waste) can discard these in the trash. If practical, use kitty litter, newspapers, or other absorbent material to prevent leakage. These household items may include bleach, paint, paint thinner, ammonia, metal polishers, wood finishing products, pesticides, and pool chemicals.

Highly corrosive liquids (for example, hydrofluoric, sulfuric, or muriatic acids) or highly flammable liquids (for example, gasoline) should never be disposed of in the trash. All Harmful Household Products can be accepted at SAFE Disposal events and latex paint can be discarded at DSNY Household Special Waste Drop-off Sites.

NOTE: Different rules apply to commercial entities, including businesses, government agencies, and institutions, based based on the quantity of material generated.

Appliances

Appliances such as freezers, refrigerators, air conditioners, water coolers, or dehumidifiers cannot be discarded or recycled without removal of refrigerants (CFC/Freon). Residents, agencies, and institutions who receive DSNY service must schedule an appointment to place appliance(s) out at the curb for CFC recovery and recycling; call **311** or visit **nyc.gov/dsny**.

Alternatively, look for a manufacturer, retailer, or utility company program to recycle old appliances.

Large appliances that do not contain refrigerants such as ovens, washers, and dryers can be placed out as bulk recycling.

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.

New York City Health Code §131.13(c) FINE: \$200 - 400

Automotive Products

Automotive Batteries

Automotive batteries may not be discarded as trash or recycling. Retailers or service providers who sell auto batteries must accept them for recycling. They are also accepted at DSNY Household Special Waste Drop-Off Sites, or SAFE Disposal events. Contact the NY State Department of Environmental Conservation at bit.ly/tippdec or **800-TIPP-DEC (800-847-7332)** if a service station or retailer refuses to accept your auto batteries.

New York State

Environmental Conservation Law §27-1701.3 FINE: \$50

Motor Oil

Motor oil may not be discarded as trash or recycling. Motor oil includes transmission fluid and hydraulic fluids. Large retailers or service establishments who sell or change oil must accept up to five gallons of oil per day per person at no charge. Motor oil may also be brought to DSNY Household Special Household Waste Drop-off Sites or SAFE Disposal events. Contact the NY State Department of Environmental Conservation at bit.ly/tippdec or **800-TIPP-DEC (800-847-7332)** if a service station or retailer refuses to accept your motor oil.

New York State

Environmental Conservation Law §23-2307

Tires

Tires may not be discarded in trash or recycling. When purchasing new tires, old tires should be taken to retailer or service provider that sells new tires. NYC residents may also bring up to four passenger-car tires to any DSNY district garage Monday through Saturday, except holidays, between 8:00 AM and 4:00 PM or to DSNY Household Special Waste Drop-off Sites. Contact the NY State Department of Environmental Conservation at bit.ly/tippdec or **800-TIPP-DEC (800-847-7332)** if a service station or retailer refuses to accept your tires.

New York State

Environmental Conservation Law §27-1911/§27-1913

Electronic Equipment

Computers, TVs, and Peripherals

Effective 2015, electronic equipment cannot be discarded in trash or recycling for DSNY collection. Apartment buildings in NYC can enroll in the e-cycleNYC program, or residents can recycle working and non-working electronics through drop-off, trade-in, or mail-back programs (drop-off programs include Goodwill, Salvation Army, Best Buy, Staples, or the Gowanus E-Waste Warehouse). Electronics can also be brought to upcoming SAFE Disposal events.

Covered electronics include:

cable and satellite boxes	mp3 players
computers	printers/scanners
fax machines	small servers
keyboards	tablets
laptops	tv's
mice	vcrs/dvrs/dvd players
monitors	video game consoles

Small businesses and nonprofits may be able to use similar programs listed above, whereas large businesses may need to pay for recycling of their electronics. All entities should check with the manufacturers of their products or find an electronics recycler for further information.

Contact the NY State Department of Environmental Conservation at bit.ly/tippdec or **800-TIPP-DEC (800-847-7332)** if a manufacturer does not have a program for your products.

New York State

Environmental Conservation Law §27-2611 Fine:..... \$100

Cell Phones

Cell phones can be recycled through charities, as well as mail-back or drop-off programs offered by wireless providers. These programs must be available at any wireless provider store or at any retailer that sells wireless telephone service. Cell phones can also be taken to SAFE Disposal events.

New York State

Environmental Conservation Law §27-2303

Rechargeable Batteries

Rechargeable batteries cannot be discarded as trash or recycling. All rechargeable batteries should be returned to a retailer that sells rechargeable batteries (or products containing rechargeable batteries) for recycling. To locate a retailer that accepts rechargeable batteries for recycling, go to call2recycle.org. Contact the NY State Department of Environmental Conservation at bit.ly/tippdec or **800-TIPP-DEC (800-847-7332)** if a retailer refuses to accept your rechargeable batteries.

Rechargeable batteries include:

- nickel cadmium
- nickel metal hydride
- lithium ion
- sealed lead-acid batteries

These types of rechargeable batteries are found in commonly used electronic devices including digital cameras, laptop computers, mp3 players, pagers, cellular and cordless phones, cordless power tools, two-way radios, camcorders, and remote control toys. Look for the Battery Recycling Seal on the battery.

NOTE: Non-rechargeable alkaline batteries no longer contain mercury. These items can be discarded in the trash or all batteries can be taken to a DSNY Household Special Waste Drop-Off Site or a SAFE Disposal event.

New York State

Environmental Conservation Law §27-1805

Gas Cylinders

DSNY will not pick up propane tanks or other gas cylinders because they are pressurized and may explode when compressed in a truck. Exchange empty tanks at a local dealer when refilling. If not refilling, look for propane dealers or scrap metal recyclers.

Home Improvement Debris

While DSNY does remove non-commercial waste from homeowners 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 it is therefore the responsibility of the contractor to arrange for appropriate private disposal.

When placing bulk items (such as lumber or carpets) out for collection, be sure all nails or similar are removed. Material should be tied in bales no more than 2 feet high and 4 feet long.

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 DSNY.

§16-117.1 **FINE:** **\$10,000**

Mattresses

Improper Disposal of Bedding

Any person disposing of bedding for DSNY collection shall enclose such bedding within a plastic bag. Such bag shall be constructed in such a manner and be of such size as to readily contain the bedding to be disposed of. Such bag must be securely sealed after the bedding is placed inside.

§16-120(a) **FINE:** **\$100** **1st and 2nd Offenses**
\$200 **3rd+ Offense**

Used Mattresses

Under the NY State Bedding Law, sellers and repairers/renovators/rebuilders of used bedding must sanitize and label any used bedding offered for sale and must register with the State of NY to certify these standards. Donation outlets in NY State may not accept used bedding if they are unable to meet these standards.

New York State General Business Law §25-A

Medical Waste

Sharps (Syringes and Lancets)

Place used syringes and lancets (needles clipped if possible) in a “sharps” container or other leak-proof, puncture-resistant container, such as a laundry detergent bottle; carefully seal; and label “HOME SHARPS.” Used sharps can be taken to any hospital or nursing home in New York State (call first for hours and locations) or to SAFE Disposal events. Alternatively, sharps placed in such a container can be discarded in the trash (not in recycling or flushed down the toilet). Medical offices cannot discard home sharps in the trash; they must follow guidelines for disposing of Regulated Medical Waste below. Contact the NY State Department of Health at **800-522-5006** if a hospital or nursing home refuses to accept your sharps.

16 RCNY §1-04 FINE:\$100 - \$250

Unwanted Medication

Unwanted medication should not be flushed down the drain or in the toilet. Residents can bring medications to SAFE Disposal events, look for collection programs, or check with pharmacies if they accept medications. Residents can discard in the trash by first placing medications in a container with undesirable material, such as coffee grounds or kitty litter, and sealing containers. Medications that include syringes and lancets should be discarded as indicated above in Sharps. Medical offices cannot discard used medication in the trash; they must follow guidelines for disposing of Regulated Medical Waste below.

New York State

Environmental Conservation Law §27-2701, §27-2703

Radiation Therapy

Patients who have recently received inpatient or currently receive home radiation therapy (for example, with radioiodine or iodine-131 commonly used for the treatment and diagnosis of cancer) should not dispose their tissues, diapers, or sanitary napkins in the trash or toilet. They should contact their health care provider or the DSNY Environmental Police Unit **212-837-8452**) for disposal instructions.

NOTE: Regulated Medical Waste, which is generally medical waste other than material generated at a household, cannot be discarded in the garbage. See Regulated Medical Waste in Retail and Service Provider Requirements for details.

Mercury-Containing Products

Thermostats

Mercury thermostats cannot be discarded in the trash. If using a contractor to replace HVAC systems, request that they remove and recycle old mercury thermostats. Wholesalers and distributors must accept mercury thermostats for recycling; visit **thermostat-recycle.org** for participating locations. Alternatively, thermostats can be taken to DSNY Household Special Waste Drop-Off Sites or SAFE Disposal events. New thermostats sold in NY State do not contain mercury. Contact the NY State Department of Environmental Conservation at **bit.ly/tippdec** or **800-TIPP-DEC (800-847-7332)** if a wholesaler or distributor refuses to accept your mercury thermostats.

New York State Environmental Conservation Law §27-2105 **FINE: Up to \$100**

Thermometers and Other Devices Containing Mercury

Mercury thermometers and other devices (such as blood pressure cuffs) cannot be discarded in the trash. Thermostats can be taken to DSNY Household Special Waste Drop-Off Sites or SAFE Disposal events. New thermometers and household medical equipment sold in NY State do not contain mercury.

New York State Environmental Conservation Law §27-2105 **FINE: Up to \$100**

Fluorescent Tubes and CFLs

Fluorescent tubes and lamps contain small quantities of mercury, but may be discarded in household trash. It is recommended that residents double bag any bulbs before discarding. Alternatively, compact fluorescent lamps (CFLs) can be taken to retailers such as Home Depot, Lowes, or Ikea. All household fluorescent lamps are accepted at DSNY Household Special Waste Drop-Off Sites or SAFE Disposal events.

Businesses and agencies must recycle all fluorescent lamps (with the exception of small businesses with 100 or fewer employees disposing of 15 or fewer non-hazardous waste lamps per month).

New York State Environmental

Conservation Law §27-2113 FINE: Up to \$100

Yard Waste and Organics

Tree Prunings, Firewood, and Other Organic Wood Debris (other than Christmas trees)

Residents of Brooklyn and Queens must schedule an appointment for special Department of Parks and Recreation pick-up because of the Asian Long-horned Beetle. Call the NYC Customer Service Center at **311** or visit **bit.ly/wood-debris** to schedule an appointment for wood debris collection.

The quarantine areas for Asian-Long-horned Beetle are subject to change. The locations above are accurate as of the publication of this guide.

Christmas Trees

Christmas trees are generally collected for mulching and recycling following the holiday season. DSNY will notify the public of the collection schedule. Residents should remove all tree stands, tinsel, lights, and ornaments from trees before placing them out for collection. Trees should not be placed in plastic bags. Residents also have the option to recycle trees at the NYC Department of Parks and Recreation MulchFest events.

Landscaper Generated Waste

Households utilizing landscapers cannot leave such waste on the curb for DSNY collection. See Retail and Service Provider requirements for more information.

Commercial Businesses and Institutions/ Residential Buildings using Private Carters

Collection

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

NOTE: Certain professional establishments doing business in residential buildings may be eligible for DSNY collection. (See Professional Establishments Doing Business in Residential Portions of Buildings for more information.)

Commercial Waste Disposal – Private Carter Decal

Merchants and businesses that use the services of a private carter must post a decal that clearly and legibly states the private carter’s name and the days and times the garbage and recycling is picked up. Merchants that transport their waste personally must post their Business Integrity Commission Self-Hauler registration.

This provision provides a cure period for a first time violation of this provision. You may cure the violation by following the following steps:

- 1) You *must* follow the instructions outlined on the back of the Notice of Violation and appear at the Environmental Control Board. Such appearance can be in person, by mail, online, or via telephone
- 2) You may receive a mitigated penalty of \$0 if you provide proof to the Environmental Control Board, at the time of your hearing, that the violation was corrected before the date of the initial hearing

Such proof may include:

- a copy or photograph of the actual decal; or
- written receipts that indicate that a private carter is utilized, or an agreement from the private carter

\$16-116(b) **FINE:** **\$100**

NOTE: A merchant who disposes of a negligible amount of garbage (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 documentation 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 establishment(s). Under no circumstances can a merchant dispose of any garbage or recyclable materials in a DSNY litter basket or join with another establishment that receives DSNY collection service.

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 \$10,000

*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. Private 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; call **311** or visit **nyc.gov/bic**.*

To transport garbage 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.

Professional Establishments Doing Business in Residential Portions of Buildings (Professional Fee Program)

The Commissioner of 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 required to separate the same materials designated for residential recycling. Moreover, DSNY 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 in this Professional Fee for Service program. An application for DSNY Waste Collection and Disposal Service for Professionals may be obtained by calling the NYC Customer Service Center at **311** or at **nyc.gov/dsny**.

§16-114 and §16-114.1 FINE: \$50 - 100

Receptacles

Proper Receptacles

Garbage must be placed in leak-proof receptacles with tightly fitting lids (metal or plastic are ok) or in securely tied heavy duty opaque (for example, black or brown) plastic bags.

NOTE: Do not use blue, red, or clear bags for regular garbage. Businesses must have enough receptacles to contain waste generated in a 72-hour period. Recycling set out varies by entity (see recycling guidelines below).

**§16-120(a) FINE: \$100 1st and 2nd Offenses
\$200 3rd+ Offense**

Covered Receptacles

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

**§16-120(c) FINE: \$100 1st and 2nd Offenses
\$200 3rd+ Offense**

Metal Containers (dumpsters)

If garbage is scheduled to be picked up using metal containers (dumpsters):

- containers must be removed immediately after collection;
- if the collection service occurs either at night or in the early morning hours and a responsible party is not present to remove the containers, a reasonable amount of time (usually one hour from the time a responsible party is on the premises) for removal is allowed before DSNY will issue 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.

**§16-120(c).....FINE:..... \$100....1st and 2nd Offenses
\$200....3rd+ Offense**

Improper Disposal

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

**§16-120(a).....FINE:..... \$100....1st and 2nd Offenses
\$200....3rd+ Offense**

Improper Use of DSNY 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 garbage.

- 1) Litter baskets may NOT be used for the disposal of household garbage, for the disposal of sweepings, or for the disposal of commercial garbage by storekeepers. Persons picking up dog feces can use these receptacles, providing the feces are properly wrapped.
- 2) DSNY personnel are authorized to examine the contents of any material disposed of to identify a responsible party. There is a rebuttable presumption that the person whose name, or other identifying information, appears on any household or commercial

garbage deposited in such litter basket is in violation. (DSNY personnel are authorized to examine the contents of any material disposed of to identify a responsible party.)

- 3) Litter baskets may not be used for the display of merchandise or wares.

§16-120(e)	FINE:	\$100	1st Offense
		\$250	2nd Offense
		\$350	3rd+ Offense

Set Out Requirements

Commercial Premises—Set Out of Containers

If garbage is scheduled to be picked up after closing, the merchant may place garbage out for private collection within one hour of closing provided that the establishment’s scheduled collection occurs before the establishment next reopens for business.

If the collection service is performed while an establishment is open for business, the commercial waste must be placed out for collection within two hours of actual collection time. In the event the commercial establishment has metal containers (dumpsters), the establishment must remove these containers immediately after collection.

If the collection service occurs either at night or in the early morning hours and a responsible party is not present to remove the containers, DSNY will allow a reasonable amount of time (usually one hour from the time a responsible party is on the premises) for removal before issuing a Notice of Violation. Containers (dumpsters) are to be removed from the sidewalks/streets and placed inside or in the rear of the premises. Garbage may never be left out on a holiday or weekend.

§16—120(c)	FINE:	\$100	1st and 2nd Offenses
		\$200	3rd+ Offense

Harmful Products

Businesses, including nonprofits and other entities, have different guidelines than residences on how to discard harmful products. These guidelines are generally based on the type of material and the quantity generated by the business. Businesses, nonprofits, and institutions should review applicable laws, including the New York State Environmental Conservation Law, to better understand their requirements.

Recycling for Businesses

What to Recycle

All commercial businesses/commercial tenants are required by law to recycle. This applies to all business entities including stores, restaurants, offices, and other entities serviced by private carters. The materials required depend on the type of business.

All Business Establishments

Construction Waste

The following materials must be separated from garbage and set out for recycling collection (also separate from other recycling collections):

- construction waste

EXCLUDING:

plaster	roofing shingles
drywall	wood and lumber
wall coverings	glass window panes

16 RCNY §1-10(a) **FINE:** **\$25**

Food or Beverage Service Establishments

Metal, Glass, and Plastic

The following materials must be separated from food or beverage service establishment garbage and set out for recycling collection (also separate from cardboard recycling):

METAL (all kinds)

- metal containers (soup, pet food, empty aerosol cans, empty paint cans, etc.)
- aluminum foil and foil products (wrap and trays)
- metal bulk waste (furniture, cabinets, etc.)

GLASS

- glass bottles and jars

PLASTIC (bottles and jugs)

- PET bottles and jugs (labeled #1 plastic)
- HDPE bottles and jugs (labeled #2 plastic)

Additional metal, glass, and plastic recyclables may also be collected for recycling if the private carter has included as a recyclable by written agreement.

16 RCNY §1-10(a)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Corrugated Cardboard

The following materials must be separated from food or beverage service establishment garbage and set out for recycling collection (also separate from metal, glass, and plastic recycling):

- corrugated cardboard boxes (flattened and tied)

NOT ACCEPTED:

corrugated cardboard, textiles, or other paper substantially soiled with food, paint, wax, or some other contaminating material

Additional paper (such as newspaper and magazines) or recyclable wood may also be collected for recycling if the private carter has included as a recyclable by written agreement.

16 RCNY §1-10(a)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

**Non-Food or Beverage Service Establishments
(such as offices, stores, supermarkets, manufacturers)**

Paper and Cardboard

The following materials must be separated from non-food or beverage service establishment garbage and set out for recycling collection:

PAPER

- newspapers, magazines, catalogs, phone books, high-grade office paper

CARDBOARD

- corrugated cardboard boxes (flattened and tied)

Additional paper and cardboard recyclables may also be collected for recycling if the private carter has included the material as a recyclable by written agreement.

16 RCNY §1-10(a)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Bulk Metal

Metal bulk waste such as furniture, cabinets, etc., must be separated from non-food or beverage service establishment garbage and set out for recycling collection.

16 RCNY §1-10(a)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Businesses that Generate Textile Waste (textile and garment industries)

Textile Waste

In addition to the recyclables listed above, if 10% of your waste stream consists of textiles, these items must be separated from the waste stream.

16 RCNY §1-10(a)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Separation Requirements

Due to different types of waste coming from different businesses, and because there could be various collection options, commercial entities can separate their recyclables in various different manners. These separation requirements fall on the tenant or occupants who are generating the recyclables.

In areas where customers are routinely generating recyclables (for example, take-out restaurants or copy shops) the separation requirements include making labeled recycling bins or areas available to ensure proper recycling.

16 RCNY §1-10(e)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

All Business Establishments

Construction Waste

Must be separated from other garbage and recyclables, but may be collected with other construction waste.

16 RCNY §1-10(c)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Food or Beverage Service Establishments

Metal, Glass, and Plastic

Must be separated from all other garbage and recyclables;

Must be placed out for collection in transparent or translucent bags unless the collection vehicle has a designated compartment;

Bulk metal may be separated in different streams as well.

16 RCNY §1-10(c)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Corrugated Cardboard

Must be separated from other garbage and recyclables, with the exception of unsoiled bulk metal;

Must be tied or baled if not bagged.

16 RCNY §1-10(c)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Bulk Metal

May be co-mingled with:

metal, glass, and plastic; or corrugated cardboard; or non-designated materials (still must be recycled).

16 RCNY §1-10(c)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Non-Food or Beverage Service Establishments (such as offices, stores, supermarkets, manufacturers)

Paper and Cardboard

Must be separated from other garbage and recyclables, with the exception of unsoiled textiles or bulk metal. Corrugated cardboard or newspapers must be tied or baled if not bagged.

16 RCNY §1-10(c)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Bulk Metal

May be co-mingled with:

corrugated cardboard, textiles, non-designated materials (still must be recycled).

16 RCNY §1-10(c)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Businesses that Include both Food or Beverage Service Establishments and Other Business Functions (such as office building with a cafeteria, hotel or theater with a bar or restaurant)

Mixed businesses must meet separation requirements based on individual areas.

- In areas where food or beverages are served, business must meet the requirements of a food or beverage service establishment;
- In areas where food or beverages are not served, business must meet the requirements of a non-food or beverage service establishment.

Recycling Education and Setup

Building Owners or Managers

Building owners or managers who are responsible to arrange for the collection of recyclables in a building must:

- notify tenants, occupants, and employees in writing what and how materials must be separated for recycling;
- post and maintain at least one sign in areas where garbage is collected and/or stored indicating what materials must be separated for recycling and how they shall be collected;
- provide containers or another method of collecting recyclables in public areas where these items are common.

16 RCNY §1-10(f)(1)	FINE:	\$100	1st Offense
		\$200	2nd Offense
		\$400	3rd+ Offense

Tenants/Occupants

Any entity (other than residents) in a building which is generating waste must notify their employees, customers, clients, etc., about what and how to separate materials for recycling by:

- posting one or more signs in common areas routinely visited; and/or
- placing containers labeled with what to recycle.

16 RCNY §1-10(f)(2)(i)..... **FINE:** **\$100** **1st Offense**
\$200 **2nd Offense**
\$400 **3rd+ Offense**

Retail and Service Provider Requirements

Street Events

Recycling is required at all NYC street events, including block parties and street fairs. Sponsors of street events or their representatives are responsible for the separation, collection, and removal of garbage and recyclable materials generated during street events. The following materials must be recycled at street events:

- paper and corrugated cardboard;
- metal, glass, and plastic such as metal cans, plastic bottles and jugs, glass bottles and jars, lightly soiled aluminum foil wrap and trays.

Recycling receptacles must be clearly labeled to ensure compliance.

§16-327 **FINE:** **\$100**

Plastic Bags

All stores that provide plastic carry out bags to customers, except any store with fewer than 5,000 square feet or any non-chain store with less than 10,000 square feet, must accept plastic bags for recycling during normal business hours. These retailers must also utilize plastic bags that contain at least the following: “Please Return to a Participating Store for Recycling” or a similar message approved by the NY State Department of Environmental Conservation. Retailers must offer reusable bags for sale.

For further information regarding your responsibilities, including record keeping requirements, contact the NYS DEC at **dec.ny.gov**.

New York State

Environmental Conservation Law §27-2703, §27-2705

Expanded Polystyrene Foam

By July 1st, 2015, no food service establishment, mobile food commissary, or store will be able to use, sell, or offer expanded polystyrene single service food items or loose fill packaging (commonly known as packaging peanuts). Banned items include single-service items such as cups, bowls, plates, takeout containers, and trays. This law will be enforced as of January 1, 2016.

§16-329 FINE: \$250 1st Offense
\$500 2nd Offense within 12 months
\$1,000 3rd+ Offense within 12 months

Electronic Equipment (computers, televisions, and computer peripherals – see list on page 22)

Manufacturers of electronic equipment are required to establish a program for the free and convenient collection of electronics for recycling. In addition, retailers that sell electronics must meet certain sales and public information requirements. For further information, regarding manufacturer or retailer responsibilities under this law, contact the NYS DEC at **dec.ny.gov**.

New York State
Environmental Conservation Law §27-2601-27-2621

Cell Phones

Wireless telephone-service providers (including retailers who sell cell phones with service plans) must accept, at no charge, any type of mobile phone for recycling.

New York State
Environmental Conservation Law §27-2303

Rechargeable Batteries

All stores that sell rechargeable batteries or products containing rechargeable batteries, except any food store with less than 14,000 square feet of display space, must accept rechargeable batteries for recycling at no cost. This collection system can be fully funded by rechargeable battery manufacturers. Rechargeable batteries include nickel cadmium, nickel metal hydride, lithium ion, and small sealed lead acid batteries. Retailers can visit: **call2recycle.org** for more information.

New York State

Environmental Conservation Law §27-1801-27-1811

Deposit Containers

Retailers and distributors of beverages in containers for off-premises consumption in NY State must collect a 5¢ deposit on the sale of each container, accept covered types of containers for recycling and pay refunds during normal business hours.

New York State

Environmental Conservation Law §27-1001-27-1019

Local law requires that beverage dealers in New York City prominently post a sign(s) which summarizes the rights and obligations of redeemers under the NY State law.

New York State

Environmental Conservation Law §27-748 FINE: Up to \$250

Landscaper Generated Waste

Yard waste generated by landscapers cannot be set out for DSNY collection nor dispersed in or around the curb or street. Landscapers must collect and dispose of any yard waste that they generate at a permitted composting facility.

However, if the DSNY Commissioner gives written notice that there is not sufficient capacity at permitted composting facilities within NYC (or within 10 miles of the borough where yard waste was generated), landscapers may dispose of yard waste at any permitted solid waste facility.

§16-308(g) FINE: \$250 1st Offense
\$1,000 2nd Offense within 12 months
\$2,500 3rd+ Offense within 12 months

Mercury Thermostats

All thermostat wholesalers must accept used mercury thermostats for recycling at no cost. Thermostat manufacturers must provide a system for collecting, transporting, recycling, and disposing of used mercury thermostats to thermostat wholesalers. Anyone interested in this program should visit **thermostatrecycling.org** for more information.

New York State

Environmental Conservation Law §27-2903

Sharps (Syringes and Lancets)

All NY hospitals and nursing homes must accept properly contained sharps (including syringes and lancets) from residents in a convenient but secure location for proper disposal. Pharmacies and other service providers may also choose to participate.

New York State Public Health Law §1389-dd

Regulated Medical Waste

Storage, treatment, transport, and disposal of Regulated Medical Waste must be carried out in accordance with local and state laws and regulations. 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. Regulated Medical Waste cannot be discarded in regular trash or recycling.

Generators of such waste must file reports to the NYS Department of Environmental Conservation (NYS DEC) and file a removal plan (along with copies of NYS DEC reports) with DSNY.

Offices which require health, medical, pharmaceutical, or laboratory licenses who wish to utilize DSNY collection service must certify that their waste contains only material that 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: **Up to \$10,000**

Tires

Any tire service (including tire shops, auto parts stores, repair shops, car dealers) that sells or installs new tires (including on new motor vehicles) must collect a \$2.50 waste tire management and recycling fee when selling new tires and accept used tires at no cost when a customer purchases new tires.

New York State

Environmental Conservation Law §27-1905

Auto Batteries

Retailers (including locations such as auto parts stores and vehicle repair shops) and distributors that sell new lead-acid batteries must accept auto batteries for recycling, as well as manage the \$5 return-incentive payment on the sale of auto batteries.

New York State

Environmental Conservation Law §27-1701

Motor Oil

Service establishments (such as vehicle repair shops) that sell at least 500 gallons per year of new oil and perform vehicle servicing, or retail establishments (such as auto parts stores) that sell at least 1,000 gallons per year of new oil, must accept, at no charge, used oil (including transmission fluid or hydraulic fluid) for recycling or disposal.

New York State

Environmental Conservation Law §23-2307

Refrigerant-Containing Appliances

All brand owners and original equipment manufacturers (responsible parties) that manufacture or have manufactured an appliance sold, offered for sale, or distributed in the City, or have a brand name that appears on an appliance sold, offered for sale, or distributed in the City, are responsible for the lawful recovery of refrigerants from their appliances that are disposed of by residential generators. Responsible parties must register with DSNY and may submit a refrigerant recovery plan to DSNY. DSNY provides its own refrigerant recovery program and will bill manufacturers for each appliance from which DSNY removes refrigerants.

§16 RCNY 17-06 FINE: \$250 - \$500

Sale of Reused Products

Every seller of used merchandise in NYC must have a Secondhand Dealer General License issued by the Department of Consumer Affairs (DCA), with the exception of nonprofit organizations, used clothing stores, garage sales, and used boat dealers. For more information, call **311** or visit nyc.gov/dca.

§20-265

Recycling and Organics Programs and Initiatives

Apartment Building Recycling Initiative

DSNY's Apartment Building Recycling Initiative (ABRI) helps improve recycling in residential buildings. Better recycling reduces waste while saving maintenance time and money. Buildings enrolled in ABRI receive free recycling trainings, customized materials, and continued support from recycling experts. Anyone (over 18 years old) who lives in, works in, or manages a residential building with 10 or more units can participate in ABRI. To enroll, visit nyc.gov/abri.

Electronics Recycling: e-cycleNYC

Starting in January, 2015, it is illegal for New Yorkers to discard electronics in the trash. DSNY's **e-cycleNYC program** is a free, convenient electronic waste recycling service available to residential apartment buildings with 10 or more units. Building managers or residents can enroll at nyc.gov/ecycle.

Textile Recycling: re-fashionNYC

re-fashionNYC is a partnership between the City of New York and Housing Works to make clothing donation as easy as possible, through a convenient in-building service. To receive a re-fashionNYC bin in your apartment building with 10 or more units, office, or commercial building, complete an online inquiry form. For more information, visit: nyc.gov/refashion.

School Contests: Golden Apple Awards

DSNY Golden Apple Awards offer cash prizes for applied learning sustainability projects submitted by NYC Department of Education schools, grades K–12, in three contests: Super Recyclers, Reduce and Reuse, and Team Up to Clean Up. Schools can enter any or all of the three contests by completing separate and distinct projects for each contest. Schools compete in separate Elementary, Intermediate, and High School Divisions for borough and citywide honors. For more information, visit nyc.gov/goldenapple.

NYC Compost Project

The **NYC Compost Project** offers compost-related workshops and classes, runs the Master Composter Certificate Program, provides technical support, distributes DSNY compost and mulch, develops urban farms, and conducts outreach at public events throughout all five boroughs. The NYC Compost Project also operates neighborhood-based food scrap drop-off opportunities, and ensures that those food scraps are composted locally. For more information, visit: nyc.gov/compostproject.

Donations and Reuse Programs and Initiatives

NYC Stuff Exchange

The **NYC Stuff Exchange** website, app, and mobile site are quick and simple tools to find out where to donate, buy, or sell gently used goods in NYC. From antiques to vintage items, artifacts, and everything in between (including high-end and designer products), the goal of the NYC Stuff Exchange is to help lessen the City's waste by encouraging the donation and reuse of materials that might otherwise be discarded as trash. Visit: nyc.gov/stuffexchange.

NYC WasteMatch

NYC WasteMatch is a free online materials exchange for businesses and organizations. NYC WasteMatch keeps valuable resources out of the waste stream while offering clients an opportunity to save money and reduce their environmental impact. For more information, visit: wastematch.org.

ReuseNYC

ReuseNYC is a membership-based association of 30 New York City nonprofits that accept and redistribute donated goods. The mission of ReuseNYC is to support the work of member organizations as well as promote the social, environmental, and economic benefits reuse provides local communities. For more information, visit: **reusenyc.info**.

Harmful Products Programs and Initiatives

Household Special Waste Drop-Off Sites

DSNY Household Special Waste Drop-Off Sites offer NYC residents a year-round option to dispose of certain harmful household products. For locations, hours, and items accepted, visit: **nyc.gov/safedisposal**.

SAFE Disposal Events

The NYC Department of Sanitation holds **SAFE Disposal Events** in each borough to provide NYC residents with a one-stop method to get rid of potentially harmful household products. For upcoming event dates and a complete list of the items accepted, visit: **nyc.gov/safedisposal**.

STREETS and SIDEWALKS

Cleaning Rules

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.

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) FINE: \$100 - \$300

Sidewalks and Adjacent Areas Enforcement Routing

Residential Premise 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, dirty areas, and failure to clean 18 inches into the street. During the enforcement routing time, when enforcement agents observe a dirty sidewalk, dirty area, or an 18-inch violation in front of or adjacent to a residential premise, a Notice of Violation (NOV) will be issued. Although enforcement agents will issue Notices of Violation for dirty sidewalk, dirty area, or failure to clean 18 inches into the street only during the specified 2 one-hour daily enforcement routing time periods, they may issue notices for all other violations at any time.

Residential enforcement routing times citywide have been set as follows: 8:00 AM to 8:59 AM and 6:00 PM to 6:59 PM

§16-118(2)(a) and §16-118.1 FINE: \$100 - \$300

Commercial Premise Enforcement Routing

Under the Enforcement Routing Program, enforcement agents patrol all commercial and industrial 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-inch violation in front of or adjacent to a commercial or industrial 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 2 one-hour daily enforcement routing time periods, they may issue notices for all other violations at any time.

Although the commercial routing times vary by Sanitation District/Section where the business is located, 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 specific commercial enforcement routing times for a particular location, call the NYC Customer Service Center at **311**.

§16-118(2)(a) and §16-118.1.....FINE:..... \$100 - \$300

Backyards, Areaways, and Alleys

Backyards, areaways, courts, alleys, and air shafts must be kept clean. For residential locations, Residential Enforcement Routing times as explained above apply.

§16-118(2)(a)FINE:..... \$100 - \$300

Vacant Lots

Vacant lots must be kept clean of debris, litter, etc. Residential Enforcement Routing times apply.

§16-118(2)(b).....FINE:..... \$100 - \$300

Littering and Sweeping

Littering/Sweeping-Out/Throwing Out

Littering, sweeping, throwing, or casting any material such as ashes, garbage, paper, dust, or other garbage or rubbish into or upon any street or public place, vacant lot, air shaft, areaway, backyard, court, or alley is illegal. Throwing garbage out of windows (for example, from 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 pickup by a private carter. Residential units must put sweepings into suitable garbage receptacles for pickup by DSNY. Sanitation litter baskets may not be used for this purpose.

NOTE: When using a "blower," grass, leaves, litter, etc., must be blown into a pile and properly disposed of with other sweepings.

§16-118(1) FINE: \$100 - \$450 . . 1st Offense
\$250 - 450 . . . 2nd Offense within 12 months
\$350 - 450 . . . 3rd+ Offense within 12 months

Dust

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

§16-118(3) FINE: \$100 - 450

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: \$200 - \$400

Loose Rubbish

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

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

Improper Use of DSNY 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 garbage.

Litter baskets may NOT be used for the disposal of household garbage, for the disposal of sweepings, or for the disposal of commercial garbage by storekeepers. Persons picking up dog feces can use these receptacles, providing the feces are securely wrapped.

DSNY personnel are authorized to examine the contents of any material disposed of to identify a responsible party. There is a rebuttable presumption that the person whose name, or other identifying information, appears on any household or commercial garbage deposited in such litter basket is in violation.

Litter baskets may not be used for the display of merchandise or wares.

§16 - 120(e)	FINE:	\$100	1st Offense
		\$250	2nd Offense
		\$350	3rd+ Offense

Street Events Cleanliness

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 garbage and recyclable materials generated during street events.

Recycling is required at all NYC street events, including block parties and street fairs. Sponsors of street events or their representatives are responsible for the separation, collection, and removal of garbage and recyclable materials generated during street events. The following materials must be recycled at street events:

- paper and corrugated cardboard
- metal, glass, and plastic such as metal cans, plastic bottles and jugs, glass bottles and jars, lightly soiled aluminum foil wrap and trays

Recycling receptacles must be clearly labeled to ensure compliance.

§16-327	FINE:	\$100
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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 . . 1st Offense
\$250 - 450 . . . 2nd Offense within 12 months
\$350 - 450 . . . 3rd+ Offense within 12 months

Repeat Violators

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. 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:

Failure to Clean Sidewalk FINE \$250 - \$300

**Failure to Clean 18 Inches
from the Curb into the Street \$250 - \$300**

Dogs

Failure to Remove Canine Waste

Each person who owns or controls a dog must remove any feces left by that dog on any sidewalk, gutter, street, or other public area and dispose of it in a legal manner. The person may remove the feces and carry them away with him/her for disposal in a toilet or their own litter basket. The feces may also be placed in a non-leaking sealed bag or container and deposited in a DSNY litter basket. The provisions of this law do not apply to a guide dog accompanying any blind person.

New York State Public Health Law §1310 FINE: ... \$250

Control of Dogs and Other Animals to Prevent Nuisance

Each person who owns or controls a pet shall not allow the animal to commit a nuisance on any public or private premises used in common by the public, or any area of a building abutting a public place.

New York City Health Code §161.03 FINE: ... \$200 - \$400

Unleashed Dogs

A person who owns or controls a dog may not allow 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 no more than six feet long.

New York City Health Code §161.05 FINE: ... \$200 - \$400

Alternate Side Parking/Street Cleaning Regulations

Street Cleaning Regulations (SCR)

Vehicles must be moved as Alternate Side Parking/Street Cleaning Regulations signs indicate so that DSNY can clean the streets with mechanical sweepers. This also applies to such regulations in metered areas. When parking is prohibited and an unattended parked vehicle interferes with the cleaning of the streets, the owner of the vehicle may be liable for a penalty.

NOTE: It is never legal to double park your vehicle, not even during Alternate Side Parking hours.

34RCNY§4-08(d)(1) FINE: ... \$45 - \$65

Illegal Dumping and Theft of Recycling

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, 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 (ECB) for violation of the local law prohibiting unlawful dumping in New York City may be suspended.

§16 - 119..... FINE:... \$1,500 - \$20,000

Unauthorized Removal of Garbage

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

§16-118(7)..... FINE: .. \$100 - \$300

Theft of Residential Recyclable Material

Except for an authorized employee or agent of DSNY, it shall be unlawful for any person to disturb, remove, or transport by motor vehicle any amount of recyclable material placed out at curbside, within the stoop line, or in front of the premises for collection or removal by DSNY.

Penalties for this offense include a fine and vehicle impoundment. Both the owner and driver of the vehicle are liable for theft of recyclable material.

§16-461(a)(1) **FINE:** ... **\$500 - \$1000 (Operator)**
\$500 - \$1000 (Owner)
plus Vehicle Impoundment

Removal of DSNY-marked **FINE:** ... **\$750 - \$1500 (Operator)**
or Refrigerant-Containing Item **\$500 - 1000 (Owner)**
§16-461(b) **plus Vehicle Impoundment**

Theft of Commercial Recyclable Material

Except for an authorized employee of an entity licensed by or registered with the Business Integrity Commission, it shall be unlawful for any person to disturb, remove, or transport by motor vehicle any amount of recyclable material placed out for collection by owners of commercial properties or businesses. Both the owner and driver of the vehicle are liable for theft of commercial recyclable material.

§16-461(c) **FINE:** ... **\$1,000 - \$2,000**

Acceptance of Recyclable Containers in Bulk Using Motor Vehicles

It is unlawful for any person using a motor vehicle to accept, receive, or otherwise collect recyclable containers in bulk from more than one person on or in any street in New York City. Additionally, it is against the law for any person, using a motor vehicle to accept, receive, or transfer from one motor vehicle to another motor vehicle, or otherwise collect recyclable containers in bulk from more than two persons at a fixed location on private property in New York City without registering with DSNY. For more information regarding registration, please contact DSNY.

§16-471
Operating on City property **FINE:** **\$1,000 (Owner and Operator)**
plus Vehicle Impoundment

§16-472
Operating on **FINE:** **\$500 (Owner and Operator)**
Private Property without the **plus Vehicle Impoundment**
Proper Registration

REWARD and TIP PROGRAM AVAILABLE

If the DSNY Commissioner determines that any individual provides information which results in the conviction of, or the imposition of a fine or civil penalty for, illegally dumping or for the theft of recycling, the Commissioner may offer to the individual a reward up to 50 percent 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 reward, the Commissioner will consider the amount and type of material dumped (if applicable), 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 NYC Customer Service Center at **311** or visit **nyc.gov/311**.

Posting and Graffiti

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 pole), tree box, tree pit protection device, bench, traffic barrier, city-owned grassy area adjacent to a street, 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 and 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 any means. In addition, affixing any handbill, poster, notice, sign, advertisement, sticker, or other printed material upon a tree by means of nailing or piercing the tree by any method 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 and 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 a public or private building or structure. There is a rebuttable presumption that the person whose name, telephone number, or any 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

Unlawful Placement of Handbills on Vehicles

In accordance with with NY State law, it is illegal for any person to attach or affix any handbill, poster, notice, sign, advertisement, sticker, or other printed material 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 and Subsequent Offenses

Placement of Unsolicited Advertisements on Private Property

It is illegal for any person to place or allow to be placed any unsolicited advertisement where the property owner has posted a sign, at least five inches tall by seven inches wide, with one inch letters stating: “Do not place unsolicited advertisements on this property.” In a multiple dwelling building, each unit owner or lessee must consent to the posting of the sign. In a multiple dwelling building, the property owner may designate a place for the placement of unsolicited advertisements. It is illegal for any person to leave more advertising material than is specified or to leave the advertising material in a different place other than the designated receptacle. There is a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any unsolicited advertising materials that are left at two or more premises shall be liable for any violations of this section. If the material contains more than a de minimis amount of news, it is not subject to a violation of this section.

Violations of this section shall be enforceable through property owner complaint forms submitted to DSNY by property owners. The complaint form may be obtained on DSNY’s website or by calling **311** or visit **nyc.gov/311**.

NYS General Business Law §397-a FINE: \$250

Graffiti

Graffiti Removal

Under the law, all property owners are required to remove, or arrange for the removal of, graffiti from their property. The City's Graffiti-Free NYC Program allows both property owners and others to report graffiti via **311** and to request the removal of graffiti from such property. If there is a violation, the City will notify the owner that the building has been determined to be a nuisance. If an owner, within 35 days of the date, or within 50 days if the owner has requested an extension, fails to abate the nuisance by removing or concealing the graffiti and to notify the city of such abatement, or to inform the city that the owner consents to the marking and intends that it remain on the building, the city and/or its contractors or agents will remove graffiti for *free*.

Graffiti removal by the City generally takes place between March and December, and the scheduling of the clean-up may vary depending on the volume of requests. If you are a property owner who has been given notice by DSNY to remove graffiti, failure to comply with or respond to the notice received from DSNY may in certain circumstances result in the issuance of a Notice of Violation returnable to ECB.

§10-117.3 **FINE:** **\$150 - \$300**

Sidewalk and Street Obstructions

Sidewalk Obstruction

Sidewalk areas must be kept free from any obstruction that could impede pedestrian traffic. Obstructions may include, but are not limited to, garbage or recycling, garbage or recycling receptacles, merchandise, bins, racks, coin-operated rides, sandwich or A-frame signs, over-extended sidewalk displays/stands, ATMs, ice machines, acrylic enclosures, etc.

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, write or email the Department of Small Business Services (SBS) at nyc.gov/sbs, or Consumer Affairs (DCA) at nyc.gov/dca, or contact the NYC Customer Service Center at **311**.

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 foot x 5 foot requirement. However, a clear path for pedestrians must be maintained and vendors are responsible for proper disposal of leftover items.

§16-118(2)(a) **FINE:** **\$100 - \$300**

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 (for example, no folding tables or 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)(a) **FINE:** **\$100 - \$300**
§20-237

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 (for example, sidewalks). Revocable Consents for sidewalk cafes may be granted by the Department of Consumer Affairs. Revocable Consents may be granted by the Department of Transportation for items on city sidewalks such as (partial list): stands for a food court on public property, large planters, planted areas, flagpoles, clocks, enclosures for trash receptacles, etc.

§19-104 **FINE:** **\$50 - \$250**

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 11:00 PM and 7:00 AM 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 with reasonable costs for removing and storing the ride.

§16-118(2)(a) **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 (for example, ATMs, ice machines, etc.)—regardless of ownership—upon any public street or any public place. This law also applies to garbage and recycling receptacles and bags (which should be placed out for collection on the sidewalk, near the curb) and to large construction or demolition containers (dumpsters), 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 Commercial Refuse Container Permit, call the NYC Customer Service Center at **311** or visit **nyc.gov/dot**.

16-122(b)..... **FINE:****\$100 - \$150**

Collection Bins

The placement of collection bins by any person, other than a government or governmental agency, or its contractors or licensees, on any City property, property maintained by the City, or on any public sidewalk or roadway is prohibited. Collection bins include, but are not limited to, clothing bins. Failure to comply with this prohibition may result in the removal of any collection bin improperly placed on public property. Placement of collection bins on private property is allowed, provided that the property owner has furnished the collection bin owner with written authorization.

§10-169

Repeat Violators

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. 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 as follows:

Street Obstruction..... **FINE:** **\$100 - \$150**
Sidewalk Obstruction..... **\$250 - \$300**

Vehicles and Bikes

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 (search for “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 allow 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 street or 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/spilling out. However, the covering is not necessary if the load is arranged so that no loose substances can fall from or blow out of the truck.

New York State

Vehicle and Traffic Law §380(a)(1). FINE: Up to \$300

Derelict Bicycles

DSNY is authorized to classify, based on specific criteria, certain bicycles that are affixed to public property as derelict, and allow for their removal and disposal. Public property includes any city property and includes those bicycle racks that are installed by the Department of Transportation (DOT), but does not include DOT’s Bikeshare Program.

DSNY is not authorized to remove for disposal from public property any bicycles that do not meet the derelict bicycle criteria or ghost bikes (also known as memorial bikes).

Once DSNY makes the determination that a bicycle is derelict, DSNY shall affix a notice to the bicycle advising the owner that the owner has seven days from the date of such notice to remove the derelict bicycle. This notice shall also state that the failure to remove such bicycle within the designated time period will result in the removal and disposal by recycling of the derelict bicycle by DSNY.

16 RCNY §1-05.1

Snow and Ice Removal

Every owner, lessee, tenant, occupant, or other person having charge of any lot or building must clean snow and/or ice from the sidewalk after the snow has stopped falling. Snow may NOT be thrown into the street.

If the snow stops falling between:

- 7:00 AM and 4:49 PM: must be cleared within four hours;
- 5:00 PM and 8:59 PM: must be cleared within fourteen hours;

Example: If the snow stops falling at 7:00 PM, the owner, lessee, tenant, occupant, or other person in charge of any lot or building has until 9:00 AM the following morning to clear.

- 9:00 PM and 6:59 AM: must be cleared by 11:00 AM.

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+ Offense

Streets and Sidewalks Programs and Initiatives

Adopt-a-Basket

A volunteer program in which a business, organization, or individual agrees to monitor an existing DSNY litter basket to help prevent overflowing of baskets in areas of high pedestrian traffic. DSNY supplies plastic bag liners, a collection schedule, and a contact person at DSNY's local district operations office. Participants change the liners when the basket is three quarters full and place the full securely tied liners next to the basket for collection. For more info, call **311**.

Clean Community Campaign

The **Clean Community Campaign** educates the public through informational 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 areas 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 neighborhoods can contact DSNY's Office of Community Affairs at **(646) 885-4503**.

Community Clean-Ups

DSNY 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 (for example, brooms, shovels, etc.) are available. For information, call the NYC Customer Service Center at **311** or visit **nyc.gov/dsny**.

Graffiti Removal Program

The City's **Graffiti-Free NYC** allows both property owners and others to report graffiti via **311** and to request the removal of graffiti from such property. The City will remove graffiti for *free* after the owner or authorized representative of the owner of the property provides written consent for the City to remove the graffiti. When the City receives the consent for the graffiti removal, it schedules the building for clean-up and proceeds either with power washing or painting. Graffiti removal by the City generally takes place between March and December, and the scheduling of the clean-up may vary depending on the volume of requests.

Keep NYC Beautiful

New Yorkers who wish to do their part to make the Big Apple shine may volunteer by participating in any of the many City-sponsored cleanup and beautification programs—including Sanitation’s Volunteer Programs—or simply by complying with Sanitation regulations to help keep their city clean. For more information on how you can make a difference, visit the Mayor’s Volunteer Center at nyc.gov/volunteer.

No Dumping Reward Programs

DSNY of Sanitation has two programs through which the public can collect monetary awards for reporting observations of illegal dumping. The **Illegal Dumping Award Program** requires that an individual is willing to sign an affidavit and appear at the Environmental Control Board (ECB) hearing. Under the **Illegal Dumping Tip Program**, information about your identity remains confidential. For more information, call **311** or visit nyc.gov/dsny.

Snow Removal Volunteers

During winter months, NYC Service assists community-based organizations in mobilizing volunteers. The City encourages New Yorkers to help seniors and persons with disabilities avoid accidents by clearing snow from their public walkways. For more information, call **311** or visit nyc.gov/service.



City of New York
Bill de Blasio, Mayor



Department of Sanitation
Kathryn Garcia, Commissioner

call 311 or visit nyc.gov/dsny