

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

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

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by section 753(a) and (b) of the New York City Charter that the Department adopts the following rule governing the designation of certain hourly periods during the day when authorized Department representatives may issue notices of violation to residential property owners for litter conditions in front of their premises. This rule adds a new Chapter 15 to Title 16 of the Rules of the City of New York. Existing provisions to be deleted are shown below in brackets and new provisions are underlined.

Section 1. Title 16 of the Rules of the City of New York is amended by adding a new chapter 15 to read as follows:

Chapter 15

RESIDENTIAL ENFORCEMENT ROUTING

§ 15-01 Designation of Enforcement Routing Hours for Residential Buildings.

(a) Purpose. The purpose of this chapter is to designate two (2) one-hour periods each day when the Department will conduct citywide enforcement routing for residential premises pursuant to §16-118.1 of the Administrative Code of the City of New York.

(b) Definition. For purposes of this chapter, “citywide enforcement routing for residential premises” means enforcement by authorized Department representatives of subdivision two of §16-118 of the Administrative Code of the City of New York, as such subdivision relates to cleaning of sidewalks, flagging, curbstones and roadway areas by owners, lessees, tenants, occupants or persons in charge of residential premises.

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

§ 15-02 Applicability.

This chapter shall apply only to residential premises and shall not apply to commercial premises. The schedule for citywide enforcement routing for commercial premises in effect as of the effective date of this chapter shall continue in effect until such time as such schedule is changed by the Department in accordance with §16-118.1 of the Administrative Code of the City of New York.

STATEMENT OF BASIS AND PURPOSE

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

In 2003, the City Council introduced Int. No. 179 to amend Administrative Code §16-118.1. By its terms, Int. No. 179 limited the period of time when the Department could issue notices of violation to owners, lessees, tenants, occupants, and persons in charge of residential premises for violations §16-118(2) to not more than two pre-determined one-hour periods each day, similar to the Department's current enforcement routing program for commercial premises. On May 19, 2004, the City Council overrode the Mayor's veto of Int. No. 179, which became Local Law 9 of 2004.

The purpose of this rule is to designate two one-hour periods during the day when authorized representatives for the Department may issue notices of violation to residential property owners for litter conditions in front of their properties pursuant to Local Law 9 of 2004.