

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1989**

No. 30

Introduced by Council Members Alter, Leffler, Eisland and Dear; also Council Members Crispino, Dryfoos, Greitzer, Harrison, Maloney, Rivera, Robles, Wooten, Horwitz and Molinari

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the New York city department of sanitation to study a routing system for enforcing certain provisions of the littering law.

Be it enacted by the Council as follows:

Section one. Chapter one of title sixteen of the administrative code of the city of New York is amended by adding a new section 16-118.1 to follow section 16-118 to read as follows:

§16-118.1 Routing study. a. The department shall, within six months of the effective date of this section, complete a pilot program and study of the use of a routing system for enforcing subdivision two of section 16-118 of this code, as such subdivision relates to cleaning of sidewalks, flagging, curbstones and roadway areas by owners, lessees, tenants, occupants or persons in charge of commercial premises in areas designated by the commissioner. The routing system shall limit the issuance of notice of violations, appearance tickets or summonses in such designated areas to predetermined periods of a total of no more than two hours each day, provided that any period shall be for not less than one hour. The department shall establish a schedule of periods for issuing violations in such designated areas and shall notify the owners, lessees, tenants, occupants or persons in charge of commercial premises in such designated areas of the periods for the area in which their premises are located by the use of flyers, community meetings and such other techniques the commissioner reasonably determines to be useful. The study shall include but need not be limited to an analysis and evaluation of:

- 1) the effectiveness of the routing system in reducing the burdens of complying with subdivision two of section 16-118, as such subdivision relates to cleaning of sidewalks, flagging, curbstones and roadway areas by owners, lessees, tenants, occupants or persons in charge of commercial premises in areas designated by the commissioner;*
- 2) the effectiveness of the routing system in maintaining clean sidewalks and curbsides;*
- 3) the feasibility of providing specific exemptions for a commercial district that employs persons to sweep the street and curbside of the district during regular business hours;*
- 4) the feasibility and effects of eliminating the eighteen inch curb cleaning requirement of subdivision two of section 16-118 and any alternatives to this requirement;*
- 5) the economic effects of the use of the routing system, including any additional costs to the department and the owners, lessees, tenants, occupants or persons in charge of commercial premises;*
- 6) the feasibility of implementing the routing system citywide, and if feasible, a proposed phase-in schedule and timetable for implementing the routing system citywide; and*

7) the justification for not designating other areas of the city for the routing system pilot program and study.

b. The commissioner shall, within seven months of the effective date of this section, submit to the mayor and the council a report on the results of such pilot program, the findings of such study, any proposal for implementing the routing system citywide, and any recommendations as to regulations or legislation necessary to implement the recommendations of the study.

c. For the purpose of this section, "commercial premises" means any premises abutting the sidewalk at which goods or services are sold directly to consumers or other businesses, and may, in appropriate instances to be determined by the commissioner, also include any other class of real property that is used for the conduct of any business, trade or profession.

§2. This local law shall take effect immediately after its enactment into law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, S.S.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on May 4, 1989, and approved by the Mayor on May 15, 1989.

CARLOS CUEVAS, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed local law (Local Law 30 of 1989, Council Int. No. 1230-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on May 4, 1989:
34 for, 0 against

Was approved by the Mayor on May 15, 1989.

Was returned to the City Clerk on May 16, 1989.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel