

LOCAL LAW 31 OF 1990

Int. No. 395-A

By Council Members Alter, Leffler and Williams; also Council Members Castaneira-Colon, Dryfoos, Eisland, Gerges, Michels, Wooten, Ward, Katzman and Greitzer - read and referred to the Committee on Environmental Protection. Amended June 5, 1990. Ordered reprinted and laid over.

A LOCAL LAW

To amend the administrative code of the city of New York in relation to requiring the department of sanitation to implement a citywide enforcement routing system and to repeal section 16-118.1 relating to a short-term routing study.

Be it enacted by the Council as follows:

Section one. Declaration of Legislative Findings and Intent. Local Law 30 of 1989 directed the department of sanitation to implement a pilot enforcement routing program, which would provide merchants and property owners with advance notice of the times when sanitation enforcement personnel were authorized to issue summonses for dirty streets and sidewalks within a given geographic area and would be in that area to do so. Local Law 30 also directed the department to study the feasibility of implementing an enforcement routing system citywide. The Council finds that the pilot program was successful and believes that a citywide enforcement routing system would benefit all the communities of our city.

2. Section 16-118.1 of the administrative code of the city of New York as enacted by local law thirty of nineteen hundred eighty-nine is hereby REPEALED and reenacted as follows:

16-118.1 Citywide Routing System. a. The department shall implement a citywide routing system for the enforcement of 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. The citywide enforcement routing system shall limit the issuance of notices of violation, appearance tickets or summons within any sub-district of a local service delivery district to predetermined periods of a total of no more than two hours each day, provided that each such predetermined period shall be one hour. The department shall establish a citywide schedule of periods for issuing notices of violation, appearance tickets or summonses in each district and shall give written notice to the owners, lessees, tenants, occupants or persons in charge of commercial premises in each district of the periods for the district in which their premises are located by the use of flyers, community meetings or such other techniques as the commissioner reasonably determines to be useful.

b. Notwithstanding the provisions of subdivision a of this section, the commissioner may provide an additional predetermined period of one hour per day during which notices of violation, appearance tickets or summonses may be issued in any sub-district within a local service delivery district upon the commissioner's determination that the total of two hours otherwise permitted by this section is not sufficient to maintain the sidewalks, flagging, curbstones and roadways in such sub-districts in an adequately clean condition. Such determination shall be based upon a finding that there has been a

decline in the average street cleanliness ratings compiled by the mayor's office of operations for such district for the most recent three-month period as compared to the average street cleanliness ratings compiled by the mayor's office of operations for the same three-month period in fiscal year nineteen hundred ninety. Notice of any increase in the number of hours during which notices of violation, appearance tickets or summonses can be issued or of any change in such hours shall be given by letter to the community board, the owners, lessees, tenants, occupants or persons in charge of commercial premises in the affected sub-districts within a local service delivery district and every council member representing the local service delivery district no less than forty-five days prior to the implementation of such increase or change. Any additional notice may be given by use of letters, flyers, community meetings or such other techniques as the commissioner reasonably determines to be useful. Written notice to a council member shall be sent to the council member's district office.

c. For the purpose of this section, the following terms shall have the following meanings: (i) "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; (ii) "local service delivery district" means a local service delivery district as described in chapter sixty-nine of the charter of the city of New York and (iii) "sub-district" means a section within a local service delivery district as described in chapter sixty-nine of the charter of the city of New York.

d. Within fifteen months after the effective date of this section, the commissioner shall submit to the mayor and the council a report on the results of the citywide enforcement routing system for the twelve month period commencing on the first day of the first full month after the effective date of this section.

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

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