

A Summary of **Sanitation Rules and Regulations**



NEW YORK CITY DEPARTMENT OF SANITATION



NEW YORK CITY DEPARTMENT OF SANITATION

**A 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.



Revised October 2009

HELPFUL TELEPHONE NUMBERS, WEBSITES and other LINKS

IF YOU NEED ASSISTANCE OR HAVE A COMPLAINT...

For questions, information, complaints and non-emergency concerns regarding Sanitation (DSNY) issues, such as recycling information, illegal dumping rewards, waste prevention tips and information, or to report abandoned/derelict vehicles, or other New York City agency complaints or requests concerning private carters, a self-help hauler registration, heat and hot water, or multiple dwelling complaints, air, noise, water, sewer, hazardous material complaints, licensing sidewalk stands, the Bottle Bill of Rights, parking signs, traffic signals, pothole complaints, rats, backyard conditions, dirty lots with structures, quality-of-life complaints, the center for animal care and control, etc.

CALL

THE NEW YORK CITY CUSTOMER SERVICE CENTER
(NYCCSC) at..... 311

To contact NYCCSC from outside NYC, call.....1-212-NEW YORK

You can also visit the City’s website at.....www.nyc.gov

For information on Sanitation (DSNY),
visit our website atwww.nyc.gov/sanitation

For information on Recycling Requirements,
visit..... www.nyc.gov/nycwasteless

For the New York City’s Poison Control Center, call.....1-212-764-7667
or the National Poison Center at.....1-800-222-1222

For the Environmental Control Board (ECB) -
Notice of Violation Information, call..... 311

For information on the Environmental Control Board,
visit the ECB website at.....www.nyc.gov/ecb

For the New York State Department of Environmental Conservation
(NYSDEC) Regional Office, call.....1-718-482-4900
(Returnable Container Law, Return of Auto Batteries and Motor Oil)

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, the formation of the Business Integrity Commission, and the increased schedule of minimum fines imposed by the Environmental Control Board (ECB). 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 www.nyc.gov, or by writing to the DSNY, Office of the General Counsel, 125 Worth Street, Room 710, New York, New York 10013. (Please note that all written requests will be handled by DSNY in accordance with the Freedom of Information Law.)

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.

NEW YORK CITY DEPARTMENT OF SANITATION

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 New York City Customer Service Center at **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 New York City Customer Service Center at **311**.

Environmental Control Board – DSNY issues Notices of Violation (“NOVs”) 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) you may 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 - except in those instances that 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. You should 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 New York City Customer Service Center at **311** or visit www.nyc.gov/ecb.

Freedom of Information Law Requests – The Freedom of Information Law (“FOIL”) (New York State Officer Law sections 84-90) 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, New York 10013, or via electronic mail through www.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 the DSNY.

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

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New York City Comptroller's Office, Bureau of Law & Adjustment, 1 Centre Street, Room 1200, New York, New York 10007. Forms and additional instructions for the filing of such claims may be obtained at www.comptroller.nyc.gov.

PLEASE NOTE:

Collection of residential refuse, recyclables and residential bulk is provided **FREE** to New York City residents by the DSNY. Employees of the 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 the DSNY asks you for money or any other benefit, please call the Inspector General of the DSNY at 1-212-825-5921, or the New York City Department of Investigation at 1-212-825-5959. 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 the Department achieve this important goal.

**For updates and/or changes to these rules and regulations,
visit our website at: www.nyc.gov/sanitation**

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.

CLEANING

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.

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/adjacent to a residential premise, a notice of violation will be issued. Although enforcement agents will issue notices for dirty sidewalk, dirty area, or failure to clean 18 inches into the street violations only during the specified 2 one-hour daily routing time periods, they may issue notices for all other violations at any time.

Residential Premises

Residential routing times citywide have been set as follows:

8:00 AM to 8:59 AM and 6:00 PM to 6:59 PM

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

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/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 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 New York City Customer Service Center at **311**.

§16-118(2)(a) & §16-118.1

FINE: \$100-\$300

Littering/Sweeping-Out/Throwing-Out

Littering, sweeping, throwing, or casting any material such as ashes, garbage, paper, dust or other refuse or rubbish into or upon any street or public place, vacant lot, air shaft, areaway, backyard, court, or alley is illegal. Throwing refuse out of windows (i.e., 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 pick up by the 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 & Subsequent Offenses within 12 months

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 within 4 hours after the snow has stopped falling, or by 11:00 AM if the snow has stopped falling after 9:00 PM the previous evening. Snow may *NOT* be thrown into the street.

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 & Subsequent Offenses**

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, 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 & 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,

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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 & 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 State law, it is illegal for any person to 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 & 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 minimus 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 the Department by property owners. The complaint form may be obtained on the Department’s website or by calling **311**.
NYS General Business Law §397-a **FINE: \$250**

Graffiti

Under the law, all property owners are required to remove, or arrange for the removal of graffiti from their property. The City’s Graffiti Removal Program 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 April and November, 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, and your property is a residential building containing six or more dwelling units, or a commercial building, failure to comply with the notice received from DSNY may result in the issuance of a violation returnable to ECB. Additionally, if your property is any type of residential or commercial building, failure to comply with such notice may also result in the issuance of a Notice of

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Nuisance Abatement returnable to ECB and the removal of the graffiti from your property by the City.

§10-117.3

**FINE: \$150-\$300 and/or
Notice of Nuisance Abatement**

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

Street Cleaning Regulations (SCR)

Cars must be moved as Alternate-side Parking/Street Cleaning Regulations signs indicate so that the 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, DSNY personnel are authorized to affix a sticker on the operator's side back seat window of the vehicle informing the operator of said violation and interference, and this is in addition to any penalty imposed.

34 RCNY §4-08 (d)(1)

FINE: \$45-\$65

34 RCNY §4-08 (10)(ii)

Notification Sticker

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 place them in a non-leaking container or bag and deposit them 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

REFUSE COLLECTION – CONTAINERS and DISPOSAL

Proper Receptacles

Refuse must be put into leak-proof receptacles with tightly fitting lids or in securely tied heavy duty opaque (e.g., black/brown bag, etc.) plastic bags. (*Note:* Do not use blue, red or clear bags for regular refuse.) Merchants and residential units must have enough receptacles to contain the waste generated in a 72-hour period. In addition, residential units must put recyclable materials (e.g., glass, metal, plastic, paper and beverage cartons) into clearly marked recycling containers. (See Residential Recycling.)

§16-120(a)

FINE: \$100 - \$300

Covered Receptacles

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

§16-120(a)

**FINE: \$100 - 1st & 2nd Offenses
\$200 - 3rd & Subsequent Offenses**

Placement for Collection— Storage of Receptacles

Residential units may place receptacles out for collection on the sidewalk, right by the curb, no earlier than 5:00 PM the day before their scheduled collection, and no earlier than 4:00 PM from October 1st to April 1st. 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 - \$300

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.

(See Residential Recycling - Metal Bulk for collection information.)

New York City Health Code §131.041

FINE: \$200-\$400

Improper Disposal

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

§16-120(a)

FINE: \$100 - \$300

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 refuse.

1. Litter baskets may *NOT* be used for the disposal of household refuse, for the disposal of sweepings, or for the disposal of commercial refuse by storekeepers.

Persons picking up dog feces can use these receptacles, providing the feces are properly wrapped.

2. Department 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 refuse deposited in such litter basket is in violation. Department 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

\$300 - 3rd & Subsequent Offenses

Loose Rubbish

Light refuse 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 - \$300

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: \$100-\$400

Mixed Material

Yard sweepings, hedge cuttings, grass, leaves, earth, stones or bricks may not be mixed with household waste. Ashes and incinerator residue, refuse, and liquid waste must be separated and placed in separate receptacles.

§16-120(b & c)

FINE: \$100 - \$300

Household Hazardous Waste

Small residue quantities of commonly used hazardous household waste should be absorbed by using kitty litter, newspapers, or other absorbent material prior to discarding 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 (e.g., Hydrofluoric/Sulfuric/Muriatic Acids, etc.) or highly flammable liquids (e.g., gasoline) should never be disposed of in the NYC Municipal Waste Stream. Contact an appropriate private hazardous/chemical waste company. Look in the Yellow Pages under Environmental Services.

Appliances

All New York City residents are *required by law* to arrange for the recovery of CFC/Freon when discarding freezers, refrigerators, air conditioners, water coolers, or dehumidifiers. For safety reasons, the law requires that doors be removed from refrigerators. Call 311 for more information or to schedule an appointment for a date when you can place your appliance(s) out for CFC recovery and recycling.

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 the DSNY.

§16-117.1

FINE: \$10,000

Disposing of Regulated Medical Waste

Storage, treatment, transport, and disposal of regulated medical waste must be carried out in accordance with applicable law (i.e., New York State Public Health Law, Environmental Conservation Law, New York City Administrative Code), rules and regulations. Such waste may not be disposed of in the New York City municipal solid waste system. 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, etc. Generators of such waste must file copies of any reports required to be submitted to the New York State Commissioner of Environmental Conservation and a removal plan with the DSNY.

The DSNY will not collect or receive solid waste from any person required to be licensed by the city or state to provide health, medical, pharmaceutical, or laboratory services unless the person certifies that the waste contains only material which 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

Proper Home Syringe Disposal

People who must take medication at home with a syringe must assure proper disposal of their syringes. Place used syringes and lancets in a “sharps” container or other leak-proof, puncture-resistant container, such as a laundry detergent or bleach bottle. If using a detergent or bleach bottle, close the screw-on top tightly and label the container “HOME SHARPS.” Bring the used sharps to any hospital or nursing home in New York State. All NY hospitals and nursing homes are required by law to act as collection centers for used household sharps. Make sure sharps are packaged safely and call hospitals and nursing homes for drop-off times and instructions prior to transporting materials to their facility.

If not taking advantage of a sharps disposal program, properly packaged and labeled sharps containers may be placed in the trash. Never place loose sharps in the trash and never place sharps containers in your recycling bin. (NYC residents will not be penalized for placing a recyclable container containing sharps in their regular household garbage if the container is clearly marked “HOME SHARPS.”)

The American Diabetes Association recommends clipping the needles from syringes after using them, never placing a syringe/sharp in the garbage without first sealing it in a container, wrapping heavy tape around the lid of the container, and never flushing syringes down the toilet.

§16 RCNY §1-04

FINE: \$100 - \$250

Improper Disposal of Rechargeable Batteries

It is unlawful to dispose of rechargeable batteries as solid waste in the City of New York. All rechargeable batteries should be returned to a retailer that sells rechargeable batteries (or products containing rechargeable batteries) for recycling. With the exception of small food stores, all retailers in New York City who sell rechargeable batteries (or products containing rechargeable batteries) must accept rechargeable batteries for recycling. To locate a retailer that accepts rechargeable batteries for recycling, go to <http://www.rbrc.org>.

Note: 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 Seals on the battery.

§16-404

FINE: \$50 - 1st Offense

\$100 - 2nd Offense within 12 months

\$200 - 3rd Offense & Subsequent Offenses within 12 months

Cell Phone Recycling

The New York State Wireless Recycling Act (Chapter 730 of the laws of 2006) requires all wireless telephone service providers that sell cell phones in the State of New York to accept cell phones for reuse or recycling. These businesses must accept up to 10 cell phones from any person or provide a method for shipping the phones for recycling at no cost. Violations may be reported to NYS Department of Environmental Conservation Regional Office.

New York State Environmental Conservation Law

§27-2303

Improper Disposal of Automotive Batteries

Automotive batteries may only be disposed of at Special Waste Drop-off Sites or by delivery to a retailer, distributor, collector, or recycler of automotive batteries. Automotive batteries may not be disposed of in the municipal solid waste system. Automotive battery retailers are required by State law to accept up to two batteries per month per person for free. There is a \$5 surcharge added to the purchase price of all new auto batteries. If an auto battery is returned at

the time a new battery is purchased, or within 30 days after purchasing a new battery, the \$5 surcharge will be waived or refunded.

New York State Environmental Conservation Law

§27-1701.3

FINE: \$50

Motor Oil

Used motor oil should be taken to service stations that change oil or to large retailers that sell oil. State law requires that they accept up to five gallons of oil per day per person at no charge. Motor oil may also be brought to Special Household Waste Drop-off Sites.

New York State Environmental Conservation Law

§23-2307

The New York State Department of Environmental Conservation (NYSDEC) is responsible for enforcing the State laws regarding the return of cell phones, automotive batteries and motor oil. If you have problems returning auto batteries or motor oil, you may call the NYSDEC's Regional Office.

Tires

The DSNY does *not* collect tires. Old tires should be returned when buying new tires. NYC residents may bring up to four passenger-car tires to any DSNY district garage Monday through Saturday, except holidays, between 8:00 A.M. and 4:00 P.M. NYC residents may also dispose of up to four tires from passenger cars at the **DSNY's Special Waste Drop-off Sites**. All five locations are open from 10 AM to 5 PM Saturdays except for the last week of each month when they are open Friday instead. When the site is closed, *do not* leave the material at the entrance as it would constitute *illegal* dumping which is punishable by a fine and vehicle impoundment. The DSNY's Special Waste Drop-off Sites for tires are located as follows:

(South) Bronx	Farragut & Halleck Streets
(Southwest) Brooklyn	Bay 41st Street & Gravesend Bay
(North Shore) Queens	30th Avenue between 120th & 122nd Streets
Manhattan	605 West 30th Street - off the West Side Highway
(Muldoon) Staten Island	Muldoon Avenue & West Shore Expressway

Residents disposing of tires at any DSNY location must present, to the officer in charge of the location, the following: (1) a valid New York State Driver's License and (2) a valid New York State Vehicle Registration – both with New York City addresses indicating that they are New York City residents.

VEHICLES WITH COMMERCIAL LICENSE PLATES ARE **NEVER** ALLOWED.

Commercial Waste Disposal — Private Carter Decal

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

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 refuse is picked up. Merchants that transport their refuse personally must post their Business Integrity Commission Self-Hauler registration.

§16-116(b)

FINE: \$100

Note: A merchant who disposes of a negligible amount of refuse (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 merchants’ establishments, and within walking distance of the other merchant(s’) establishment(s).

To transport refuse personally, a merchant, business, firm, etc., must obtain a Self-Hauler registration from the Business Integrity Commission and establish an automated payment account with the DSNY, or arrange to dump at a permitted private transfer station.

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*.

Commercial Premises—Placement of Containers

If refuse is scheduled to be picked up after closing, the merchant may place refuse out for private collection within one hour of closing. If the collection service is performed during the day, the commercial waste may not be placed out for collection unless it is 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, the 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. 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. Garbage may never be left out on a holiday or weekend.

§16—120(c)

**FINE: \$100 - 1st & 2nd Offenses
\$200 - 3rd & Subsequent Offenses**

Professional Establishments Doing Business in Residential Portions of Buildings

The Commissioner of the 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 still required to separate recyclable materials. Moreover, the 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 the program. An application may be obtained by calling the New York City Customer Service Center at **311**.

§16-114 & §16-114.1

FINE: \$50-\$100

S T R E E T S A N D S I D E W A L K S

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 refuse and recyclable materials generated during street events. Sponsors or their representatives, and vendors participating at street events, must also arrange for the separation and collection of certain recyclable materials generated at street events. Recycling materials that must be separated from all other refuse include: paper (**particularly corrugated cardboard**) metal cans, glass bottles and jars, plastic bottles and jugs, lightly-soiled aluminum foil wrap and trays, and any other material(s) designated by the DSNY used during street events.

16 RCNY §14-01(c)

FINE: \$50-\$100

Sidewalk Obstruction

Sidewalk areas must be kept free from any obstruction that could impede pedestrian traffic. Obstructions may include, but are not limited to, refuse, refuse containers, merchandise, bins, racks, coin-operated rides, sandwich or A-frame signs, over-extended sidewalk displays/stands, ATMs, ice machines and 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 Departments of Small Business Services (SBS), or Consumer Affairs (DCA), or contact the New York City 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' by 5' requirement. However, a clear path for pedestrians must be maintained **and vendors are responsible for proper disposal of left-over 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 (*i.e.*, not 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

FINE: \$100 per day

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 (e.g., 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.

§19-10436(4)

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

NEW YORK CITY DEPARTMENT OF SANITATION

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 (e.g., ATMs, ice machines, etc.) - regardless of ownership - upon any public street or any public place. This law also applies to refuse containers and bags (which placed out for collection, should be placed on the sidewalk, near the curb) and to large construction or demolition containers, 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 permit for a construction container, call the New York City Customer Service Center at **311**.

§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.

§10-165

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 (look in the Yellow Pages under "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 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

ILLEGAL DUMPING and REWARDS

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, refuse, 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

Examples of Common Violations



**Failure to Sweep 18 Inches into the Street.
See "Sidewalks and Gutters"**

Examples of Common Violations



Sidewalk Obstruction



Dirty Sidewalk
See "Sidewalks and Gutters"



Uncovered Receptacles
See "Receptacles," "Covered" and "Proper"

**REWARD AVAILABLE
PROVIDE TIPS/INFORMATION FOR REWARD**

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, 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, 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 New York City Customer Service Center at **311**.

MISCELLANEOUS

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.

§16B118(6)

FINE: \$100-\$450

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:

	Minimum	Maximum
Failure to Clean Sidewalk	\$100	\$300
Failure to Clean 18 Inches from Curb Into Street	\$100	\$300
Street Obstruction	\$150	\$300
Sidewalk Obstruction	\$100	\$300

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)(a)

FINE: \$100-\$300

Unauthorized Removal of Refuse

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

§16-118(7)(B)

FINE: \$100-\$300

Theft of Residential Recyclable Material

Except for an authorized employee or agent of the 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) for collection or removal by the Department.

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. Except for an authorized employee or agent of the 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 premise for collection or removal by the Department.

§16-118(7)(b)

FINE: \$2,000

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.

§16-118(7)(c)

FINE: \$2,000

Returnable Container Law

New York State Law requires that beverage dealers provide a cash refund on returns of beverage containers (beer, soda, mineral water) which have a New York State deposit. Empty beverage containers may be returned to any beverage dealer who sells the same brand, type and size, whether purchased from the dealer or not, and without proof of purchase. Dealers must accept returns any day and at any hour, except during the first and last half hour of the dealer's business day. Returned containers must be emptied and intact. While not required, washing containers is strongly recommended to maintain sanitary conditions. Violations may be reported to the New York State Department of Environmental Conservation Regional Office.

New York State Environmental Conservation Law

§27-1007

FINE: Up to \$500 per day

Bottle Bill of Rights—Sign

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 New York State Environmental Conservation Law. Violations may be reported to the New York City Department of Consumer Affairs by calling the New York City Customer Service Center at 311.

§27-748

FINE: Up to \$250

R E S I D E N T I A L R E C Y C L I N G

Requirements: (Also visit www.nyc.gov/nycwasteless)

All New York City residents are required by law to recycle. Residents must keep recyclable material separate from garbage and set them out for recycling collection no sooner than the evening before their *designated recycling day* (see Storage of Receptacles). Place **mixed paper, newspapers, magazines, catalogs** and **phone books** in a labeled recycling container, *preferably green*, or a clear plastic bag; flatten **corrugated cardboard** and tie it with sturdy twine into bundles no taller than 18 inches high. Newspapers, magazines, catalogs and phone books may also be tied and bundled. Rinse and place **beverage cartons, plastic bottles and jugs, glass bottles and jars, metal cans, aluminum foil products, and small metal items** in a labeled, *preferably blue*, recycling container, or a clear plastic bag. Place **large metal items** (100 percent metal or predominantly metal) that are too big to fit in a container or bag - such as furniture and large appliances on the sidewalk, at the curb, next to the recycling containers or bags.

Recyclable Materials

The following materials must be separated from household refuse and set out for recycling collection: glass bottles and jars; metal cans; plastic bottles and jugs; beverage cartons; aluminum foil; aluminum foil products and metal items (i.e., items 100 percent metal or predominantly metal); newspapers; magazines; catalogs; phone books; corrugated cardboard and mixed paper (i.e., junk mail, smooth cardboard, white and colored paper, manila folders, envelopes and soft cover books).

16 RCNY §1-08(a)

FINE: \$25

Recycling Containers

All buildings that receive curbside collection service must put recyclable materials out for collection in labeled containers or clear plastic bags:

DIGEST OF SANITATION REGULATIONS

For plastic, glass, metal and beverage cartons - use 18 to 32 gallon rigid containers, *preferably blue*, labeled on the sides and the lid with the words "RECYCLING: BOTTLES AND CANS" in letters at least 4 inches high or labeled with DSNY Metal, Glass and Plastic Recycling Program decals (blue decal); or use 13 to 55 gallon clear plastic recycling bags.

For paper, use 18 to 32 gallon rigid containers, *preferably green*, labeled on the sides and the lid with the words "RECYCLING - MIXED PAPER" in letters at least 4 inches high or labeled with DSNY Mixed Paper Recycling Program decals (green decal); or use 13 to 55 gallon clear plastic recycling bags. Corrugated cardboard must be bundled and tied separately from mixed paper (unless broken down into small pieces to fit in a recycling container or bag).

16 RCNY §1-08(e)

FINE: \$25

Bulk Metal

Large metal items that are too big to fit in a rigid recycling container or clear recycling bag, such as metal shelving, large appliances or any other large items that are 100 percent metal or predominantly metal should be placed at the curb next to recycling containers or bags for recycling collection (See Storage of Receptacles).

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Note: 1 - Before discarding a refrigerator, freezer, air conditioner, water cooler, dehumidifier or other appliance containing CFC gas, you must first call the New York City Customer Service Center at **311** to schedule an appointment day for placement of these CFC-bearing items curbside for DSNY processing. DSNY personnel will remove, at the curb, the CFC gas from these appliances and place a *special TAG* on the item indicating that the CFC gas has been removed. The tagged item(s) will then be collected on the regularly scheduled recycling day by a DSNY recycling truck.

2 - The DSNY will not collect residential/non-commercial metal tanks (propane and other pressurized gas cylinder tanks) because they are pressurized and may explode when condensed in a collection truck. For information on disposal of house fire extinguishers or disposable helium balloon tanks go to our wasteless website at www.nyv.gov/html/nycwasteless or, call the New York City Customer Service Center at **311**. You may dispose of them as recyclables if the tanks are empty and the valve assemblies have been removed from the tanks. The DSNY does not

encourage residents to remove the valve assemblies themselves as it can be hazardous. You may exchange the tanks at the point of purchase or dispose of them at a private propane vendor for reuse or disposal. To find a propane vendor, look for “Gas – Propane” in the yellow pages. Metal recyclables may be placed out for recycling collection (see Storage of Receptacles).

Separating Recyclable Material

Residents must separate recyclable materials from household trash. Household refuse may not be placed in recycling containers. Residents of multiple dwellings (three or more units) must place separated recyclable materials in the recycling containers provided by the building owner/manager. In addition, in multiple dwellings where required by building management, residents must tie newspapers, magazines, catalogs, phone books and corrugated cardboard into bundles not exceeding 18 inches in height.

16 RCNY §1-08(g)(1)

FINE: \$25

Clean Recyclables

Residents must rinse or clean food residue from recyclable glass containers, metal cans, aluminum foil products, beverage cartons, and plastic bottles and jugs.

16 RCNY §1-08(g)(3)

FINE: \$25

Collection Requirements for Recyclable Material

Owners/managers of multiple dwellings and residents of one or two family homes must place separated recyclable material at curbside no sooner than the evening before the recycling collection day. Recyclable material shall be placed out for collection in clearly labeled recycling containers covered with a tight fitting lid or in securely tied clear plastic recycling bags (See Recycling Containers).

Newspapers, magazines, catalogs, and phone books may either be placed with other mixed paper into rigid recycling containers labeled “RECYCLING – MIXED PAPER,” or into clear plastic bags. In addition, newspapers, magazines, catalogs, and telephone books may be placed out for collection in securely tied bundles, not to exceed 18 inches in height. These recyclables may be bundled together with flattened corrugated cardboard. However, other mixed paper must be placed out for collection in a rigid container labeled “RECYCLING – MIXED PAPER” or a clear plastic recycling bag only. *Note:* If plastic bags are used to line containers, “clear” plastic bags only shall be used to line the *recycling* containers.

DIGEST OF SANITATION REGULATIONS

Material that is not required to be recycled must be removed from recycling containers prior to the containers being placed out for collection.

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Bundle Cardboard

Flattened corrugated cardboard must be tied together with sturdy twine into bundles no more than 18 inches high and shall not be placed in recycling containers or bags unless it is broken into small pieces (no larger than 9 inches x 11 inches). In buildings with mechanized collection, corrugated cardboard must be collapsed and placed into designated dumpsters.

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Note: Recycling containers or bags, bundled cardboard etc., and bulk metal should be placed out for collection no sooner than the evening before recycling the collection day. (See Storage of Receptacles.)

Resident Education

The owner or manager of a residential building containing three or more dwelling units must notify the residents of the requirements of the New York City Recycling Law by, at a minimum, posting and maintaining one or more signs in the recycling collection areas. Posted signs must describe what materials are required to be *source separated* (separated for placement in appropriate recycling containers or bags - metal, glass and plastics vs. paper) and how to dispose of the materials in that building, including the rinsing requirement. In buildings in which residents are required to tie newspapers, magazines, catalogs, phone books or corrugated cardboard into bundles, this requirement must be included on the posted sign. If the area designated for the collection and storage of recyclable materials is other than the refuse collection area, the owner or manager of the building must post a sign in the refuse collection area informing residents of where to bring recyclable materials. In buildings where the recycling collection area is outside, a sign or signs containing the above required information may be posted near the entrance to the building, the building's resident mailbox area, or in some other public area in the building routinely visited by all building residents. In buildings where the recycling collection area is at the back entrance of individual dwelling units, a sign must be posted at each collection area. In buildings where the recycling collection area is at the front entrance of individual dwelling units, a sign must be prominently posted on each floor. *Note:* If plastic bags are used to line containers, "clear" plastic bags only shall be used to line the *recycling* containers.

16 RCNY §1-08(f)(1)

FINE: \$25

Recyclable Material Storage Area

The owner or manager of a residential building containing three or more dwelling units must provide one or more reasonably accessible storage area(s) in the building for the storage of designated recyclable materials prior to DSNY collection. If reasonably practicable storage space is not available in the building, and space reasonably accessible to all residents is available behind the property line of the building, the space behind the property line may be designated for storage of recyclable material. The owner, net lessee, or person-in-charge must maintain the storage area(s) and store designated recyclable materials so as not to create a nuisance or sanitary problem. In addition, the building owner must provide a sufficient number of recycling containers in each storage area to prevent containers from spilling over and to avoid the improper disposal of designated recyclable materials. The recycling containers must be clearly labeled with letters of a conspicuous size to indicate what recyclable materials may be properly placed inside.

16 RCNY §1-08(f)(2)

FINE: \$25

Repeat Recycling Violations

Violations carry fines of \$25 (first violation), \$50 (second violation), \$100 (third violation) and \$500 (four or more violations within a six-month period).

Buildings with ten or more apartments that receive four or more violations within a six-month period can be fined \$500 for each bag that violates recycling requirements, up to a maximum of 20 bags within a 24-hour period. This translates to a maximum fine of \$10,000 per day.

Yard Waste Set-Out Requirements (Residential)

Residents living in districts designated for seasonal yard-waste collection must, on the date specified through the official DSNY notification, set out their yard waste for DSNY collection on the dates specified through official DSNY notification in either **paper lawn and leaf bags** (two ply, 30-50 gallon capacity) or **unlined rigid containers** (20-32 gallon capacity). Residents can also set out tree limbs and branches in securely tied bundles no more than 2 feet high and 4 feet long, as long as they do not reside in a Department of Agriculture determined Asian Long-horned Beetle quarantined area.

At the present time, due to the presence of the Asian Long-horned Beetle, before discarding tree prunings or firewood in Brooklyn, Manhattan, and Queens and parts of Staten Island, residents must schedule an appointment for special

D I G E S T O F S A N I T A T I O N R E G U L A T I O N S

Department of Parks and Recreation pick up. Call the New York City Customer Service Center at **311** or visit

http://www.nycgovparks.org/sub_your_park/trees_greenstreets/wood-debris/index.html to schedule an appointment for wood-debris collection.

§16-308(g)

FINE: \$25 - 1st Offense

\$50 - 2nd Offense within 12 months

\$100 - 3rd and Subsequent Offenses within 12 months

Landscaper-Generated Waste

Yard waste generated by landscapers cannot be set out by landscapers for DSNY collection, nor can landscapers disperse such yard waste in or around the curb or street. Landscapers that generate yard waste are required by law to 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(h)

FINE: \$250 - 1st Offense

\$1,000 - 2nd Offense within 12 months

**\$2,500 - 3rd and Subsequent Offenses
within 12 months**

C O M M E R C I A L R E C Y C L I N G

Requirements

All commercial businesses/commercial tenants are required by law to recycle. This applies to stores, restaurants and other businesses with private carters.

Recyclable Materials

The following materials must be separated from refuse and set out for recycling collection: glass bottles and jars; metal cans; plastic bottles and jugs; beverage cartons; aluminum foil, aluminum foil products and metal items (i.e., items 100 percent metal or predominantly metal); newspapers; magazines; catalogs; telephone books; corrugated cardboard and mixed paper (i.e., junk mail, smooth cardboard, white and colored paper, manila folders, envelopes, and soft cover books).

16 RCNY §1-08(a)

FINE: \$25

Food or Beverage Service Establishments

All food or beverage service establishments must separate the following materials for recycling: glass bottles and jars; metal cans; plastic bottles and jugs; aluminum foil and aluminum foil products; corrugated cardboard; metal components of bulk waste; and construction waste, excluding plaster, wall coverings, drywall, roofing shingles, wood and lumber, and glass window panes.

16 RCNY §1-10(a)

FINE: \$25

All Other Businesses

All businesses, other than food or beverage service establishments, must separate the following materials for recycling: high-grade office paper; newspapers; magazines; catalogs; telephone books; corrugated cardboard.

16 RCNY §1-10(a)

FINE: \$25

Separating Recyclable Material

All businesses must separate recyclable materials from their trash. Businesses must contract with a private carter or recycler for collection of separated recyclable materials. Businesses should establish - through their carters - a collection schedule and specific set-out requirements subject to the minimum requirements that are set forth below. Businesses should also consider recycling additional materials such as mixed paper.

16 RCNY §1-10(c)(1)

FINE: \$25

Separation Requirements for Food or Beverage Service Establishments

Place designated glass, metal and plastic containers, and aluminum foil products together in a clear plastic bag. You may also place these items together in a rigid container, without being put in bags, but only if your carter runs a separate collection truck for these materials. Tie or bale corrugated cardboard. Prepare bulk metal items per your agreement with your carter.

16 RCNY §1-10(c)(2)

FINE: \$25

Separation Requirements for All Other Businesses

Businesses may place corrugated cardboard, high-grade office paper, newspapers, magazines, catalogs and phone books together for recycling collection. However, some private carters and recyclers may request that high grade office paper or corrugated cardboard be kept separate from other paper material. A business must separate textiles if textiles are 10 percent or more of its waste stream.

In addition, a business that operates a food or beverage service establishment as part of its business (i.e., a cafeteria within an office building or a cafe within a movie theater) must comply with recycling requirements for food or beverage service establishments.

16 RCNY §1-10(c)(1)

FINE: \$25

Building Managers Implementation and Notice Requirements

The person who arranges for private carting services must have a written agreement with the carter or other recycler for recycling services. Building management must set up an on-premise recycling program, including providing containers as necessary, and posting signs in maintenance areas to inform maintenance staff of recycling requirements. Building managers must also give tenants and employees written notice of recycling requirements.

16 RCNY §1-10(f)(1)(i) Failure to obtain a written agreement for recycling with private carter

FINE: \$25

16 RCNY §1-10(f)(1)(ii) Failure to post a notice to tenants, occupants, employees, posting of signs

FINE: \$25

Responsibilities of Commercial Tenants

Tenants or occupants of commercial premises must separate designated recyclable materials from trash, following their office's or building's recycling program. Tenants or occupants must notify their employees, customers and clients of applicable source separation requirements. Businesses must also post signs and/or provide labeled containers for recycling.

16 RCNY §1-10(f)(2)(i)

FINE: \$25

Customer Education & Containers

Prominently post signs notifying customers and clients about what and how to recycle. Place labeled recycling containers where designated materials are routinely discarded (e.g., restaurants and company cafeterias where customers buy drinks in cans or bottles must post and provide labeled containers for customers to recycle bottles and cans). Copy shops where customers discard paper must post and provide labeled containers in a public area for customers to recycle paper).

16 RCNY §1-10(f)(2)(ii)

FINE: \$25

Rechargeable Battery Recycling Program Requirements (Retailer)

Retailers, with the exception of small food stores (less than 14,000 square feet), who sell rechargeable batteries (or products that contain rechargeable batteries)

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are required by law to collect rechargeable batteries for recycling from consumers during normal business hours. Retailers must: (1) Post and maintain a sign indicating that they accept rechargeable batteries and that it is illegal to dispose of rechargeable batteries in the NYC solid waste system; (2) Maintain a collection box, or other suitable location, in which consumers may deposit used rechargeable batteries; and (3) Accept from any consumer up to ten such batteries per day regardless of whether such person purchases replacement batteries.

Catalog, phone or Internet retailers must provide, at the time of purchase or delivery to the consumer, notice of an opportunity to return used rechargeable batteries, at no cost to the consumer, for reuse or recycling.

Manufacturers are required to pay for the cost of collection and disposal of rechargeable batteries. The Rechargeable Battery Recycling Corporation (RBRC) is an organization set up by rechargeable battery manufacturers to facilitate the recycling of these products. RBRC runs a free rechargeable battery recycling program that any retailer can utilize to be in compliance with the law. For more information, visit www.call2recycle.org or call (800) 8-BATTERY.

§16-405(a)

FINE: \$200 - 1st Offense

\$400 - 2nd Offense within 12 months

\$500 - 3rd Offense & Subsequent Offenses within 12 months

Repeat Recycling Violations

Violations carry fines of \$25 (first violation), \$50 (second violation), \$100 (third violation) and \$500 (four or more violations within a six-month period).

CITY AGENCY/INSTITUTIONAL RECYCLING

Note: This synopsis of city agency/institutional recycling rules incorporates requirements for mixed paper, beverage cartons and small metal items. Recycling requirements for these materials, however, have not yet been formally incorporated into the DSNY's rules.

Recyclable Materials

City agencies and other institutions receiving DSNY collection service must separate the following materials for recycling: glass bottles and jars; metal cans; plastic bottles and jugs; beverage cartons; aluminum foil; aluminum foil

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products; and metal items (i.e., items 100 percent metal or predominantly metal); newspapers; magazines; catalogs; telephone books, and corrugated and cardboard and mixed paper (i.e., junk mail, smooth cardboard, white and colored paper, manila folders, envelopes and soft cover books).

16 RCNY §1-09

FINE: \$25

Recycling Containers

City agencies and other institutions must place separated recyclables out for collection in containers that comply with the following:

For plastic, glass, metal and beverage cartons - either 18 - 32 gallon rigid containers, *preferably blue*, labeled on the sides and the lid with the words “**RECYCLING - BOTTLES AND CANS**” in letters at least 4 inches high, or labeled with DSNY Metal, Glass and Plastic Recycling Program decals (blue decal); or 13 - 55 gallon clear plastic recycling bags.

For paper - either 18 - 32 gallon rigid containers, *preferably green*, labeled on the sides and the lid with the words “**RECYCLING - MIXED PAPER**” in letters at least 4 inches high, or labeled with DSNY Mixed Paper Recycling Program decals (green decal); or 13 - 55 gallon clear plastic recycling bags. Bundle and tie corrugated cardboard separately from mixed paper (unless broken down into small pieces to fit in a recycling container or bag).

Those institutions that receive containerized collection service must place recyclable material out in dumpster-like containers that are acceptable to the DSNY. Clearly label the containers with the words “**RECYCLING - BOTTLES AND CANS**” or “**RECYCLING - MIXED PAPER.**”

16 RCNY §1-09

FINE: \$25

Bulk Metal

Large metal items that are too big to fit in a rigid recycling container or clear recycling bag, such as metal shelving, large appliances or any other large items that are 100 percent metal or predominantly metal should be placed at the curb next to recycling containers or bags for recycling collection (see Storage of Receptacles).

16 RCNY §1-08(h)(1)(2)

FINE: \$25

Note: 1 - Before discarding a refrigerator, freezer, air conditioner, water cooler, dehumidifier or other appliance containing CFC gas, you must first call the New York City Customer Service Center at **311** to schedule an appointment day for placement of these CFC-bearing items curbside for DSNY processing. DSNY personnel will

remove, curbside, the CFC gas from these appliances and place a *special TAG* on the item indicating that the CFC gas has been removed. The tagged item(s) will then be collected on the regularly scheduled recycling day by a DSNY recycling truck.

- 2 - The DSNY will not collect propane and other pressurized gas cylinder tanks because they are pressurized and may explode when condensed in a collection truck. For information on disposal of house fire extinguishers or disposable helium balloon tanks go to our wasteless website at www.nyv.gov/html/nycwasteless or, call the New York City Customer Service Center at **311**.

Implementation and Notification

City agencies and institutions must establish recycling programs within their offices and other facilities and must notify their employees of program requirements. Agencies and institutions should appoint recycling coordinators to ensure compliance with recycling requirements.

16 RCNY §1-09

FINE: \$25

Separating Recyclables

City agencies and institutions, and their employees, must separate recyclable materials from trash. Refuse may not be placed in recycling containers. Clearly label all recycling containers.

16 RCNY §1-09

FINE: \$25

Clean Recyclables

City agencies and institutions must rinse or clean food residue from recyclable glass containers, metal cans, aluminum foil products, beverage cartons, and plastic bottles and jugs.

16 RCNY §1-09

FINE: \$25

Collection Requirements for Recyclable Material

City agencies and other institutions receiving DSNY curbside collection must place separated recyclable material at curbside no sooner than the evening before the recycling collection day. Recyclable material must be placed out for collection in clearly labeled recycling containers or in clear plastic recycling bags, as appropriate (see Recycling Containers).

Newspapers, magazines, catalogs, and phone books may either be placed with other mixed paper into rigid mixed paper recycling containers, or clear plastic bags. In addition, newspapers, magazines, catalogs, and telephone books may be

placed out for collection in securely tied bundles, not to exceed 18 inches in height. These recyclables may be bundled with flattened corrugated cardboard. However, other mixed paper must be placed out in a rigid mixed paper recycling container or clear plastic recycling bag only.

16 RCNY §1-09

FINE: \$25

Bundle Cardboard

Tie flattened corrugated cardboard into bundles no more than 18 inches high. Corrugated cardboard should not be placed into recycling containers or bags, unless it is broken into small pieces (no larger than 9 inches x 11 inches). In buildings with mechanized collection, collapse corrugated cardboard boxes and place them into designated dumpsters.

16 RCNY §1-09

FINE: \$25

Repeat Recycling Violations

Violations carry fines of \$25 (first violation), \$50 (second violation), \$100 (third violation) and \$500 (four or more violations within a six-month period).

BULK COLLECTION

The DSNY provides free curbside removal of large non-commercial “bulk” items from residential buildings. Bulk means any item too big to fit in your garbage receptacle. Up to *six items* can be placed at the curb the evening before the collection day. (see: Storage of Receptacles). Some examples of bulk items are:

- large appliances, such as refrigerators and stoves
- furniture, such as sofas, tables, chairs, desks
- aluminum siding and other non-commercial construction materials
- lumber, organic wood
- organic wood (Bronx and parts of Staten Island only)

IMPORTANT:

If you are disposing of old lumber, all nails, etc., should be removed and wood must be securely tied in bales no more than 2 feet high and 4 feet long. Also, if you have several large items, they should be placed out a few at a time. At the present time, due to the presence of the Asian Long-horned Beetle, before discarding tree prunings or firewood in Brooklyn, Manhattan, Queens and parts of Staten Island, residents must schedule an appointment for special Department of Parks and Recreation

pick up. Call the New York City Customer Service Center at **311** or visit http://www.nycgovparks.org/sub_your_park/trees_greenstreets/wood-debris/index.html to schedule an appointment for wood-debris collection.

While the 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.

Organic Wood

According to U.S. Federal and New York State requirements, all organic wood is subject to special handling to prevent the spread of the Asian Long-horned Beetle infestation. The beetles bore into and kill the trees they infest. Trees in the boroughs of Manhattan, Brooklyn, Queens and parts of Staten Island have been infected.

As a result, the Department no longer collects any organic wood (wood from trees) from residential and institutional properties in the boroughs of Manhattan, Brooklyn, Queens and parts of Staten Island. This includes all firewood, woody debris from trees, shrubs and bushes, including living, dead, cut or fallen branches, twigs, logs, stumps, roots and other organic wood from trees. Man-made wood products such as furniture, pallets, building lumber and planks may be collected as long as they are not mixed with organic wood. Bundles of wood and bags that contain wood, even if mixed with other materials, are not to be collected. Other wood related items that include mulch, chips and leaves continue to be collected.

The New York City Department of Parks and Recreation is now responsible for the on-site chipping and disposal of firewood, and wood from trees. Residents have been notified by mail that they must contact the New York City Customer Service Center at **311** or go online at www.nyc.gov/parks.org to schedule an appointment for the on-site wood chipping and disposal of their material.

Yard Waste Set-Out Requirements (See Residential Recycling)

SPECIAL HOUSEHOLD WASTE DROP-OFF SITES

New York City residents may bring the following materials to the DSNY Special Waste Drop-off Sites:

motor oil*	thermostats/thermometers
fluorescent light / tubes (compact fluorescent bulbs and straight tubes up to 4 feet long only)	automotive batteries*
transmission fluid	motor oil filters
tires (up to 4 passenger vehicle tires)	household batteries
	latex paint

Each household may visit the drop-off site up to six times per year. The acceptable quantities of some special waste are limited per visit. Residents may only bring up to: 10 quarts of motor oil, 2 oil filters, 5 quarts of transmission fluid, 5 gallons of latex paint, and 2 thermostats/thermometers.

* Residents can also return used auto batteries and motor oil to service stations or retailers that sell them. Retailers are required to accept up to two automobile batteries per month per person for free. (Returning an automobile battery when buying a new one saves the \$5 surcharge.) Service stations and large retailers that sell motor oil are required to accept up to five gallons per day per person at no charge. The New York State Department of Environmental Conservation (NYSDEC) is responsible for enforcing these laws. If you have a problem returning automobile batteries or motor oil, call the Regional Office of the NYSDEC.

The following are **Special Waste Drop-off Sites**:

Bronx	Hunts Point area - Farragut and Halleck Streets
Brooklyn	Bay 41st Street and Gravesend Bay - south of Shore Parkway (adjacent to the DSNY Brooklyn 11 garage)
Manhattan	605 West 30th Street -- off the West Side Highway (Sanitation Fuel Yard)
Queens	College Point 30th Avenue between 120th and 122nd Streets
Staten Island	The foot of Muldoon Avenue off the West Shore Expressway (440) adjacent to the DSNY Staten Island 3 garage.

All five locations are open from 10 AM to 5 PM Saturdays except for the last week of each month when they are open Friday instead. When the site is closed, do not leave the material at the entrance as it would constitute illegal dumping, which is punishable by a fine and vehicle impoundment.

The sites will accept only non-commercial special waste generated by New York City residents with a valid New York State motor vehicle registration and license. Materials accepted at these sites are limited to uncontaminated latex paint, fluorescent light bulbs (only straight tubes up to four feet), motor oil and filters, transmission fluid, thermostats, household and automotive batteries, and tires (up to 4 passenger vehicle tires). For more information, residents should call the New York City Customer Service Center at **311** or visit the DSNY website at www.nyc.gov/sanitation.

Note: Use of Special Waste Drop-off Sites is for **non-commercial New York City residential special waste only**. Do not bring any other household refuse or household bulk items. Material may not be from a business, industrial, “fee for service” or profit-making activity. Vehicles with commercial plates cannot use the household special waste site. Drivers must show a valid New York State Driver License and New York State Vehicle Registration, both with New York City addresses.

VOLUNTEER PROGRAMS

Adopt-A-Basket Program

Merchants, organizations, building managers, etc., who want to help maintain cleanliness and stem overflowing litter basket conditions can participate in the DSNY’s Adopt-A-Basket Program. When a person or organization volunteers to adopt a basket, the DSNY and the volunteer will identify the basket to be adopted. Once the basket is identified, the program participant is given a new basket and a supply of plastic liners. The basket’s adopter must monitor the basket. When the basket is three quarters full, the adopter removes the loaded plastic liner from the basket, securely ties the liner and places it next to the basket for the DSNY to pick up. The adopter then places a new liner in the basket. Adopters are given a schedule of the pick-up times and a contact person at the local DSNY office. Any person, group, store, operator, building manager, etc., may participate. To adopt a basket, contact the New York City Customer Service Center at **311**.

Clean Community Campaign

Maintaining a clean neighborhood requires joint action and cooperation between government, businesses and residents. The Clean Community Campaign's philosophy is to promote litter abatement, cleanliness, and civic responsibility toward proper sanitation.

The Clean Community Campaign educates the public through informational fliers 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 fliers, which they can distribute in their area.

Groups interested in undertaking a Clean Community Campaign in their neighborhoods can contact the DSNY's Office of Community Affairs at (646) 885-4503.

Community Clean-ups/Tools and Equipment Loans

The 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 (e.g., brooms, shovels, etc.) are available. For information, call the New York City Customer Service Center at **311**.

Keep New York City Beautiful

Keep New York City Beautiful, a recent affiliate of Keep America Beautiful, is a coalition chaired by Sanitation and made up of representatives of several city agencies and private organizations, all committed to combining their ideas and energies into a unified strategy to make our city a more beautiful place in which to live and work. 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 www.nyc.gov/volunteer.

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For Sanitation Service Requests
or Information

call **311**

or Visit the DSNY Website at

www.nyc.gov/sanitation



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