

Int. No. 382

By Council Members Yassky, Weprin, Gerson, James, Koppell, Liu, Mark-Viverito, Nelson, Sears and Gentile

A Local Law to amend the administrative code of the city of New York, in relation to issuing warnings to homeowners for litter on their premises.

Be it enacted by the Council as follows:

Section 1. Subdivisions 8 and 9 of section 16-118 of the administrative code of the city of New York are hereby amended to read as follows:

8. a. The violation of any provision of this section, except for a violation of subdivision two of this section by any owner, lessee, tenant, occupant or person in charge of any solely residential building or premises, shall constitute an offense punishable by a fine of not less than fifty dollars nor more than two hundred fifty dollars, or by imprisonment not to exceed ten days or both.

b. A first violation of subdivision two of this section by any owner, lessee, tenant, occupant or person in charge of any solely residential building or premises shall constitute an offense punishable by a written warning. A second and any subsequent violation with respect to the same premises that occurs within thirty days of the date of the issuance of the warning for the first violation shall constitute an offense punishable by a fine of not less than fifty dollars nor more than two hundred fifty dollars.

9. a. Any person violating the provisions of this section, except for a violation of subdivision two of this section by any owner, lessee, tenant, occupant or person in charge of any solely residential building or premises, shall be liable for a civil penalty of not less than fifty dollars nor more than two hundred fifty dollars, except that for a second violation of subdivision

one, three, four, or six of this section within any twelve-month period, such person shall be liable for a civil penalty of not less than two hundred fifty dollars nor more than three hundred fifty dollars and for a third or subsequent violation of subdivision one, three, four or six of this section within any twelve-month period such person shall be liable for a civil penalty of not less than three hundred fifty dollars nor more than four hundred fifty dollars.

b. Any owner, lessee, tenant, occupant or person in charge of any solely residential building or premises who commits a violation of subdivision two of this section shall be issued a written warning. Any owner, lessee, tenant, occupant or person in charge of any solely residential building or premises who commits a second or subsequent violation of subdivision two of this section with respect to the same premises that occurs within thirty days of the date of the issuance of the warning for the first violation, shall be liable for a civil penalty of not less than fifty dollars nor more than two hundred fifty dollars.

§ 2. This local law shall take effect immediately.

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