

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2003**

No. 50

Introduced by Council Members McMahon, Comrie, Jennings, Nelson and Weprin (by request of the Mayor).
Passed under a Mayor's Message of Necessity.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the frequency of collection of designated recyclable materials and in relation to the collection of glass and yard waste.

Be it enacted by the Council as follows:

Section 1. Section 16-305.1 of the administrative code of the city of New York, as added by local law number 59 for the year 1998, is amended to read as follows:

§ 16-305.1 Weekly collection of designated recyclable materials. a. Weekly collection of designated recyclable materials shall be maintained in all [the] local service delivery districts [in which such weekly collection was provided as of October thirty-first, nineteen hundred ninety-eight.

b. Weekly collection of designated recyclable materials shall be implemented and maintained, in accordance with the schedule set forth in this subdivision, in all local service delivery districts in which such weekly collection was not provided as of October thirty-first, nineteen hundred ninety-eight:

1. one district not receiving weekly collection as of October thirty-first, nineteen hundred ninety-eight shall receive such collection by March thirty-first, nineteen hundred ninety-nine;

2. one district not receiving weekly collection as of March thirty-first, nineteen hundred ninety-nine shall receive such collection by April thirtieth, nineteen hundred ninety-nine;

3. one district not receiving weekly collection as of April thirtieth, nineteen hundred ninety-nine shall receive such collection by May thirty-first, nineteen hundred ninety-nine;

4. eighteen districts not receiving weekly collection as of May thirty-first, nineteen hundred ninety-nine shall receive such collection by June thirtieth, nineteen hundred ninety-nine; and

5. twenty districts not receiving weekly collection as of June thirtieth, nineteen hundred ninety-nine shall begin to receive such collection during the period from October thirty-first, nineteen hundred ninety-nine to April fifteenth, two thousand].

b. Effective July first, two thousand three, and notwithstanding any inconsistent provision of this chapter, the department shall be authorized, by written order of the commissioner, to implement and maintain alternate week collection of designated recyclable materials in all local service delivery districts, provided that the department may, by written order of the commissioner, provide for more frequent collection of designated recyclable materials in designated local service delivery districts. Any such written order of the commissioner implementing alternate week collection shall expire no later than March thirty-first, two thousand four.

c. For purposes of this section "designated recyclable materials" shall mean solid waste that has been designated by the commissioner as recyclable pursuant to section 16-305 or section 16-307 of this chapter.

d. Nothing in this section shall be construed to require [weekly] collection of designated recyclable materials in such parts of the city or during such times of the year that such materials are not otherwise collected.

§ 2. Section 16-325 of the administrative code of the city of New York, subdivisions a, b, and c as added by local law number 11 for the year 2002 and subdivision d as amended by local law number 46 for the year 2002, is amended to read as follows:

§ 16-325[.] Temporary emergency recycling requirements.

a. Notwithstanding any inconsistent provision of this chapter, the department shall be authorized, by written order of the commissioner, to suspend the collection of glass, plastic and beverage cartons as designated recyclable materials. Any such suspension with regard to glass shall take effect no earlier than July first, two thousand two and shall expire no later than [June thirtieth] *March thirty-first*, two thousand four. Any such suspension with regard to plastic and beverage cartons shall take effect no earlier than July first, two thousand two and shall expire no later than June thirtieth, two thousand three. During any period in which the collection of glass, plastic or beverage cartons as designated recyclable materials, is suspended pursuant to this subdivision, the department shall be authorized to collect the suspended recyclable materials with other non-recyclable solid waste.

b. *Notwithstanding any inconsistent provision of this chapter, the department shall be authorized, by written order of the commissioner, to suspend the provisions of section 16-308 of this chapter. Any such suspension shall take effect no earlier than July first, two thousand three and shall expire no later than June thirtieth, two thousand four. During any period in which the provisions of section 16-308 of this chapter are suspended pursuant to this subdivision, the department shall be authorized to collect yard waste with other non-recyclable solid waste.*

[b] c. Notwithstanding any inconsistent provision of this chapter, during a period of suspension, the department shall only be required to maintain fiscal year two thousand two tonnage amounts for those recyclable materials whose collection has not been suspended. Upon expiration of any period of suspension, the department shall resume collection of recyclable materials whose suspension has ended and shall be required to maintain fiscal year two thousand two tonnage amounts for those materials, unless other standards are agreed upon by the council and the mayor.

[c] d. Notwithstanding any inconsistent provision of this chapter, the department shall not be required to designate additional recyclable materials during any period in which the collection of glass, plastic or beverage cartons as designated recyclable materials, *or material designated pursuant to section 16-308 of this chapter*, is suspended pursuant to subdivision a *or b* of this section.

[d] e. The mayor and council shall create a temporary task force in order to develop a long term recycling plan in compliance with the provisions of this chapter. The task force shall be comprised of six mutually agreed upon appointees, three proposed by the mayor and three proposed by the speaker of the council. The task force shall meet on or before July [fifteen] *fifteenth*, two thousand two and monthly thereafter and issue a report to the mayor and speaker on February [twenty-one] *twenty-first*, two thousand three. The task force shall examine and make recommendations that include steps necessary to improve the efficiency of source separation and collection of recyclable materials; appropriate recycling standards; the identification and development of markets for recyclable materials; the expansion of the New York State Returnable Container Act; and the development and implementation of strategies to educate residents on compliance with the recycling laws.

§ 3. This local law shall take effect immediately and shall be retroactive to and deemed to have been in full force effect on or after of July 1, 2003.

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

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on June 27, 2003, and approved by the Mayor on July 16, 2003.

VICTOR L. ROBLES, City Clerk, Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 50 of 2003, Council Int. No. 485-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on June 27, 2003: 48 for, 0 against, 0 not voting.

Was signed by the Mayor on July 16, 2003.

Was returned to the City Clerk on July 18, 2003.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel