

New York City Department of Sanitation
Notice of Adoption of Rule Relating to Containerization Requirements for
Buildings Containing 10 or More Dwelling Units

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by sections 753 and 1043(a) of the New York City Charter and sections 16-114.2 and 16-120 of the New York City Administrative Code that the Department adopts the following rule, which expands the Department of Sanitation's stationary on-street container pilot program to include an additional area, and extends containerization requirements for both large residential buildings that contain 31 or more residential dwelling units, and medium residential buildings that contain 10 to 30 residential dwelling units. The Department published a Notice of Opportunity to Comment on the proposed rule in the City Record on May 15, 2026. On June 17, 2026, the Department held a public hearing on the proposed rule.

The Department received 13 comments on the proposed rule. Many comments were in support of the expanded pilot and requested that the Department explore the use of shared stationary on-street containers in certain locations, which the Department plans to test in the new pilot location. Other comments related to safety concerns regarding the use of personal protective equipment. The Department is giving each building owner the flexibility to provide personal protective equipment based on their individualized needs.

Additional comments related to a building owner's maintenance responsibilities for stationary on-street containers. Building owners or their staff are already required to properly store and set out for collection refuse and recycling, to clean sidewalks and the area 18 inches into the street, and to clear snow and ice from the property. The new requirement to remove snow and ice from the lid and around the container will ensure that the use of such containers is safe for employees of both the building and the Department.

The only change that the Department made to the proposed rule was to clarify that bulk waste may not be placed inside a container.

Statement of Basis and Purpose

This rule amends and expands the Department of Sanitation's ("Department") stationary on-street container pilot program to include an additional area and to extend containerization requirements for both large residential buildings that contain 31 or more residential dwelling units, and medium residential buildings that contain 10 to 30 residential dwelling units. The existing rule designated Manhattan Community District 9 as an area where buildings with 10 or more dwelling units were required to containerize all trash on a pilot basis. The City Council passed Local Law No. 180 of 2025, which authorizes the Department to expand this program and gives the Department additional authority to promulgate rules related to containerization and the use of stationary on-street containers.

This rule extends the pilot program in Manhattan Community District 9 to October 15, 2027, and sets an implementation date of October 15, 2026, for all medium residential buildings (buildings with 10-30 dwelling units) in the District that are not utilizing stationary on-street containers to either opt-in to use stationary on-street containers or begin using Department-approved rigid containers with tight-fitting lids purchased from an authorized vendor. Medium residential buildings in such District that have not opted in previously for stationary on-street containers will be able to do so during the application period from July 1 to July 31, 2026.

The rule also expands the pilot program to include Brooklyn Community District 2. Large buildings in Brooklyn Community District 2 are required to use stationary on-street containers by October 15, 2026. Medium residential buildings in Brooklyn Community District 2 can opt-in to using stationary on-street containers from July 1 to July 31, 2026, and are required to either begin using on-street containers or rigid containers with tight-fitting lids by October 15, 2026. The pilot program in Brooklyn Community District 2 lasts until October 15, 2027. Extending the length of the pilot program in Manhattan Community District 9 and expanding the pilot program to Brooklyn Community District 2 will allow the Department to collect more data as it considers making the program permanent and expanding the program citywide.

This rule adds definitions of the terms "large residential building," "medium residential building," and "residential building" as set forth in Local Law 180 of 2025. The previous rule used the terms "31 or more dwelling units" and "10 to 30 dwelling units." Such buildings are now referred to as "large residential buildings" and "medium residential buildings," respectively.

This rule sets forth maintenance and cleanliness requirements for buildings in the pilot program that are utilizing stationary on-street containers. The Department continues to require that such stationary on-street containers be kept clean, well-maintained, and clear of trash, debris, graffiti, vermin, food scraps, and unsanitary conditions. This rule also requires that all buildings utilizing stationary on-street containers remove snow and ice from the lids of such containers, and keep the following areas clear of all trash, debris, snow and ice conditions:

- the area between individual stationary on-street containers, if a building has multiple containers;
- the area between any stationary on-street container and any adjacent bollard or street marking applied by the Department; and
- the area of the roadway extending 1 1/2 feet from such stationary on-street container from all sides.

Additionally, pursuant to Local Law 180 of 2025, any residential building utilizing stationary on-street containers in the pilot program are required to distribute to their employees training materials provided by the Department relating to how to set out such refuse in such container, and to provide any such employees who are responsible for setting out such refuse in such container any personal protective equipment reasonably necessary for such purpose, including, but not limited to protective gloves.

This rule makes it a violation to place bulk waste into, intentionally damage, alter or vandalize any stationary on-street container by any person, including, but not limited to, the building owner or a person employed by such building.

Based on comments received, the Department amended the proposed rule to clarify that bulk waste should not be containerized.

Local Law 180 of 2025 allows the Department to fix penalties for any violation of any rules promulgated pursuant to section 16-114.2 of the New York City Administrative Code. Such penalty is set at \$100 for a first violation, \$200 for a second violation committed within a 12-month period, and \$300 for a third and subsequent violation committed within a 12-month period.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Section 1-02.6 of Title 16 of the Rules of the City of New York is amended to read as follows:

§ 1-02.6 [Stationary On-Street Container Pilot Program] Containerization Requirements for Residential Buildings with 10 or More Dwelling Units.

a. Definitions. For the purposes of this section, the following terms have the following meanings:

Application period. The term “application period” means the period of time in which the Department will accept applications from buildings containing 10 to 30 dwelling units to opt in to the use of stationary on-street containers in a pilot area and during which buildings containing more than 30 dwelling units must provide certain information to the Department.

End Date. The term “end date” means the date by which all buildings in [the] a pilot area no longer have to comply with applicable containerization requirements as described in this section and by which the Department will remove any stationary on-street containers placed pursuant to this rule from the public right of way, to the extent provided by applicable law.

Implementation date. The term “implementation date” means the date by which all buildings in [the] a pilot area must comply with applicable containerization requirements as provided in this section.

Large residential building. The term “large residential building” means a residential building containing no less than 31 dwelling units, other than such a building for which the department collects refuse from a loading dock or other location other than a street or curb.

Medium residential building. The term “medium residential building” means a residential building containing no less than 10 and no more than 30 dwelling units, other than such a building for which the department collects refuse from a loading dock or other location other than a street or curb.

Residential building. The term “residential building” means a building containing not less than 1 dwelling unit that receives collection and disposal service from the Department.

Stationary on-street container. The term “stationary on-street container” means a container for the storage and collection of residential waste that the Department procures from an authorized vendor and that the Department, in consultation with the Department of Transportation, places in the public right of way.

b. The following chart lists the pilot areas, and the application [periods] period, implementation [dates] date, and end [dates] date, for each such pilot [areas] area.

Pilot Area(s)	Application Period(s)	Implementation Date	End Date
Manhattan Community District 9	[December 15, 2024 to February 1, 2025] <u>July 1, 2026 to July 31, 2026</u>	[June 1, 2025] <u>October 15, 2026</u>	[May 31, 2026] <u>October 15, 2027</u>
<u>Brooklyn Community District 2</u>	<u>July 1, 2026 to July 31, 2026</u>	<u>October 15, 2026</u>	<u>October 15, 2027</u>

c. [Residential buildings containing 31 or more dwelling units] Containerization requirements for large residential buildings.

1. Beginning on the implementation date and continuing until the end date, as specified in subdivision b of this section, all large residential buildings [containing 31 or more dwelling units] located in [the] a pilot area must utilize stationary on-street containers for the disposal of refuse, not including bulk waste, for collection by the Department.

2. Notwithstanding paragraph 1 of this subdivision, a large residential building [containing 31 or more dwelling units] located in [the] a pilot area that receives Department collection, or is applying to receive Department collection, is not required to utilize a stationary on-street container iff:

(a) such building receives off-street collection, including collection from inside a loading dock; or

(b)] the Department determines that such building’s circumstances warrant a different containerization method or alternative set-out method. The Department will make such determination based on its own independent analysis and inform such building of the method that such building must utilize no later than two months prior to the implementation date specified in subdivision b of this section. Any such method must be in place by the implementation date specified in subdivision b of this section.

3. During the application period, all large residential buildings [containing 31 or more dwelling units] located in a pilot area must provide building ownership and applicable contact information using a form available on the Department’s website.

d. [Residential buildings containing 10 to 30 dwelling units] Containerization requirements for medium residential buildings.

1. Beginning on the implementation date and continuing until the end date, as specified in subdivision b of this section, any medium residential building [containing 10 to 30 dwelling units] located in [the] a pilot area must, in accordance with 16 RCNY § 1-02.1(a), set out its refuse, not including bulk waste, for collection by the Department at the curb in rigid receptacles with tight-fitting lids [not exceeding fifty-five gallons in size] that are purchased from an authorized vendor, unless such building is directed by the Department to set out its refuse using an alternative method pursuant to paragraph 2 of this subdivision or approved by the Department to use a stationary on-street container pursuant to paragraph 3 of this subdivision.

2. If the Department determines that the circumstances of a medium residential building [containing 10 to 30 dwelling units] located in [the] a pilot area that receives Department collection, or is applying to receive Department collection, warrant a different containerization method or an alternative set-out method, such building must use such method. The Department will make such determination based on its own independent analysis and will inform such building of the method that such building must utilize no later than two months prior to the implementation date specified in subdivision b of this section. Any such method must be in place by the implementation date specified in subdivision b of this section.

3. Opt-in requirements for medium residential buildings [containing 10 to 30 dwelling units]. An owner of a medium residential building [containing 10 to 30 dwelling units] located in [the] a pilot area or such owner's agent may apply to the Department during the application period, in accordance with the requirements in paragraph 4 of this subdivision, to place such building's refuse in a stationary on-street container for collection by the Department.

(a) The Department will review any such request for the use of stationary on-street containers submitted during the application period.

(b) Applicants denied the use of stationary on-street containers will be notified in writing [no later than two months] prior to the implementation date specified in subdivision b of this section. [Such] Beginning on the implementation date, such buildings must set out their refuse at the curb for collection by the Department in rigid receptacles with tight-fitting lids [not exceeding fifty-five gallons in size] in accordance with paragraph 1 of this subdivision unless the Department determines that the building should use an alternative containerization or set out method pursuant to paragraph 2 of this subdivision.

(c) Applicants approved by the Department to utilize stationary on-street containers will be notified in writing [no later than two months] prior to the implementation date specified in subdivision b of this section and must set out refuse in such containers beginning on such implementation date and continuing until the end date specified in subdivision b of this section.

4. Application requirements. The owner of a medium residential building [containing 10 to 30 dwelling units] in a pilot area, or such owner's agent, that seeks to opt in to setting out such building's refuse for collection by the Department in a stationary on-street container pursuant to paragraph 3 of this subdivision must submit an application to the Department in a form and format determined by the Department during the application period. Such application must include:

- (a) the name and contact information of the owner of the building, and such owner's agent, if applicable;
- (b) the number of dwelling units in the building;
- (c) an attestation that the owner of the building, or such owner's agent, agrees to place all refuse in the stationary on-street containers if the application is approved; and
- (d) any additional information deemed necessary by the Department.

e. Change in ownership for residential buildings setting out refuse in stationary on-street containers. When a building setting out refuse in a stationary on-street container pursuant to subdivision c or d of this section has a change in ownership, the new owner, or such owner's agent, must notify the Department immediately upon such change in ownership. Such notice to the Department must include the name and contact information of the new building ownership and may be submitted using a form available on the Department's website.

f. The requirements of paragraph 1 of subdivision c and [subparagraph (a) of] paragraph 1 of subdivision d do not apply to a building if the stationary on-street container assigned to such building has been temporarily removed at the direction of the Department or the Department of Transportation or has otherwise become inaccessible through no fault of the building's owner or agents. In the case of temporary removal or inaccessibility, such building must set out its refuse in a manner directed by the Department.

g. Maintenance requirements for stationary on-street containers. Each residential building disposing of refuse in a stationary on-street container pursuant to subdivision c or d of this section must ensure that such stationary on-street container, including the lid of such container,

is kept clean, well-maintained, and clear of trash, debris, graffiti, vermin, food scraps, snow, ice, and unsanitary conditions. Such residential building must also [ensure that the area of the roadway extending 1 1/2 feet beyond each side of such stationary on-street container is kept clean.] keep the following areas clear of all trash, debris, snow and ice conditions:

1. The entire area between any 2 stationary on-street containers, if the building has multiple containers;

2. The entire area between any stationary on-street container and any adjacent bollard or street marking applied by the Department; and

3. The area of the roadway extending 1 1/2 feet beyond such stationary on-street container from all sides.

h. Any large residential building or medium residential building that sets out residential refuse in a stationary on-street container must:

1. distribute to the employees of such building training materials provided by the Department relating to how to set out such refuse in such container; and

2. provide any such employees who are responsible for setting out such refuse in such container protective gloves. Such building may also provide any other personal protective equipment the building determines is reasonably necessary for such purpose.

i. No person including, but not limited to, the building owner or a person employed by such building, shall place bulk waste into or intentionally damage, alter, or vandalize any stationary on-street container,

j. Failure to comply with any of these rules shall be a violation of section 16-114.2 of the New York City Administrative Code. Such penalty shall be set at \$100 for a first violation, \$200 for a second violation committed within a 12-month period, and \$300 for a third and subsequent violation committed within a 12-month period.