

**New York City Department of Sanitation**  
**Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Sanitation (DSNY or the Department) is proposing to amend its rule governing the time for placing solid waste and recyclable materials out at the curb for collection for those that receive collection on Saturdays in Community Boards that choose to opt into this alternate schedule.

**When and where is the hearing?** DSNY will hold a public hearing on the proposed rule. The public hearing will take place via Microsoft Teams at 9:30AM on January 7, 2026, using the following link: <https://teams.microsoft.com/meet/27249763941486?p=06RHFraVmQ8A7rTFSR>

Meeting ID: 272 497 639 414 86

Passcode: Ev37fJ3H

**Dial in by phone**

[+1 646-893-7101,,915325265#](tel:+16468937101,,915325265#) United States, New York City

[Find a local number](#)

Phone conference ID: 915 325 265#

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DSNY through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [nycrules@dsny.nyc.gov](mailto:nycrules@dsny.nyc.gov).
- **Mail.** You can mail written comments to DSNY, 125 Worth Street, Room 710, New York, NY 10013.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing [mliguori@dsny.nyc.gov](mailto:mliguori@dsny.nyc.gov) by January 6, 2026 at 5:00 P.M. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

**Is there a deadline to submit comments?** The deadline for submitting written comments is January 7, 2026.

**What if I need assistance to participate in the hearing?** You must tell the Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by email at [eluna@dsny.nyc.gov](mailto:eluna@dsny.nyc.gov) or by mail at the address given above. You may also tell us or by telephone at 646-885-4996. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by December 30, 2025.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at 125 Worth Street, Room 710, New York, NY 10013 and on DSNY's website.

**What authorizes DSNY to make this rule?** Sections 753 and 1043(a) of the New York City Charter and section 16-120 of the New York City Administrative Code Section authorize DSNY to make this proposed rule. This proposed rule was not included in DSNY's regulatory agenda for this Fiscal Year because it was not contemplated when DSNY published the agenda.

**Where can I find the DSNY's rules?** DSNY's rules are in Title 16 of the Rules of the City of New York.

**What laws govern the rulemaking process?** DSNY must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043.

#### **Statement of Basis and Purpose**

DSNY currently requires residences using receptacles with tight-fitting lids to place such receptacles containing solid waste and recyclables at the curb for collection by DSNY no earlier than 6:00 p.m. on the day before their scheduled collection. Residences using bags must place their materials at the curb for collection by DSNY no earlier than 8:00 p.m. on the day before their scheduled collection. In both cases, solid waste and recyclables must be set out before midnight to allow for Department collection beginning at 12:01 a.m. on the scheduled collection day.

DSNY recognizes that every community has different needs. DSNY is proposing to allow individual Community Boards, upon written notification to DSNY, to opt into an alternate schedule that would permit residences in their districts that receive collection service on Saturdays to place materials for collection at the curb no earlier than one hour before sunset on Fridays, provided that such materials are placed out in receptacles with a tight-fitting lid.

DSNY's authority for this rule is found in sections 753 and 1043(a) of the New York City Charter and section 16-120 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (\*\*\* ) indicate unamended text.

"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.

§ 1. Subdivision (a) of section 1-02.1 of Title 16 of the rules of the city of New York is amended to read as follows:

(a) Except as otherwise authorized in section 1-02.3 of this chapter, occupants of residential buildings, public buildings, and special use buildings, except commercial occupants of residential buildings where Department collection service is not otherwise authorized by section 1-03 of this chapter, shall place their receptacles or bags containing solid waste or recyclables out at the curb for collection by the Department as follows:

1. Except as provided in paragraphs (2) and (3) of this subdivision, materials must be placed out at the curb no earlier than 8:00 p.m. on the day before scheduled collection and no later than 12:00 a.m. on the scheduled collection day;
2. The following materials must be placed out at the curb no earlier than 6:00 p.m. on the day before scheduled collection and no later than 12:00 a.m. on the scheduled collection day: (i) materials placed out for collection in receptacles with a tight-fitting lid; and (ii) designated recyclable paper that is tied and bundled securely without a container and set out in accordance with the requirements found in section 1-08(h) of Title 16 of the rules of the city of New York;
3. For those areas within sanitation districts that have collection scheduled for Saturdays, such material may be placed out no earlier than one hour before sunset on the day before scheduled collection provided that:
  - (i) materials are placed out for collection in receptacles with a tight-fitting lid;
  - (ii) designated recyclable paper is tied and bundled securely without a container and set out in accordance with the requirements found in section 1-08(h) of Title 16 of the rules of the city of New York; and
  - (iii) a written request from the Community Board is received by the Department indicating that such Community Board would like to opt into the alternate schedule for Saturday collections set forth in this paragraph. The Department shall notify the Community Board Chair and District Manager of the effective date for the alternate schedule for Saturday collections. The Community Board must take any and all action to notify the residents of the district of the requirements set forth in this paragraph.
4. Receptacles containing solid waste that are set out at the curb must not exceed fifty-five gallons in size, except for those receptacles that are authorized for use pursuant to 16 RCNY §§ 1-02.5 and 1-02.6;
- [4.] 5. Receptacles containing designated recyclable materials that are set out at the curb must comply with the container specifications found 16 RCNY § 1-08; and
- [5.] 6. All receptacles shall be removed before 9:00 p.m. on the day of collection, or if such collection occurs after 4:00 p.m., then before 9:00 a.m. on the day following collection.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Set-Out Times for Collection

**REFERENCE NUMBER:** DSNY-53

**RULEMAKING AGENCY:** Department of Sanitation

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the violation poses significant risks to public health/safety.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

November 24, 2025  
Date

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Set-Out Times for Collection

**REFERENCE NUMBER:** 25 RG 099

**RULEMAKING AGENCY:** Department of Sanitation

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Senior Counsel

Date: November 24, 2025