

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2002**

No. 11

Introduced by Council Members McMahon and Stewart (at the request of the Mayor);
also Council Member Comrie

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the collection of designated recyclable materials.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that the short term suspension of glass, plastic, and beverage cartons recycling is necessary at this time on an emergency basis due to the budget deficit arising out of the September 11 tragedy and the accompanying economic downturn. This temporary suspension does not change, amend, modify or repeal the goals or purposes of Local Law 19 of 1989. The Council reaffirms and reiterates its full declaration of legislative intent and findings of Local Law 19 of 1989.

The Council finds that the City is faced with a solid waste management crisis and must find innovative ways to reduce the amount of solid waste sent to out-of-state landfills. The Council declares its unyielding commitment to provide the residents of the City with an environmentally sound, efficient and viable recycling program. During this temporary suspension period, a joint task force will be created to develop a plan to implement a more environmentally sound, effective and viable recycling program. The Council finds that the Mayor and Council must work together to ensure that the recycling program removes as much recyclable material from the solid waste stream as possible.

§2. Chapter 3 of the title 16 of the administrative code of the city of New York is amended by adding a new subchapter 7 to read as follows:

*SUBCHAPTER 7
TEMPORARY EMERGENCY RECYCLING REQUIREMENTS*

§ 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 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, 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 mayor.

c. 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, is suspended pursuant to subdivision a of this section.

d. 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 two thousand two and monthly thereafter and issue a report to the mayor and speaker on December fifteen two thousand two. Such report shall also be included with the submission of the January two thousand three financial plan to the council. 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 expire on June 30, 2004.

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 21, 2002, and approved by the Mayor on July 1, 2002.

VICTOR L. ROBLES, City 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 11 of 2002, Council Int. No. 201-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on June 21, 2002: 49 for, 1 against, 0 not voting.

Was signed by the Mayor on July 1, 2002.

Was returned to the City Clerk on July 1, 2002.

MARTHA MANN ALFARO, Acting Corporation Counsel