

**§3-120 Recycling – Sanitation Collection Rules Penalty Schedule**

**RECYCLING-SANITATION COLLECTION RULES PENALTY SCHEDULE**

A repeat violation is a violation by the same respondent, at the same place of occurrence, of any of the recycling rules or provisions, having a date of occurrence within 12 months of the date of occurrence of the previous violation.

Persistent violator: As is set forth in section 16-324 of the Administrative Code, a person committing a fourth and any subsequent violation within a period of six months shall be classified as a persistent violator. Such person shall be liable for a civil penalty of four hundred dollars for each violation. A persistent violation may only be found where such violation occurs at a building of 9 or more dwelling units. Each container or bag containing solid waste that has not been source separated or placed out for collection in a manner consistent with the regulations promulgated by the commissioner pursuant to this chapter shall be deemed a separate violation. However, no more than twenty separate violations may be issued on a per bag or per container basis during any twenty-four hour period.

The default penalty for any each charge in this Penalty Schedule is the same as the penalty for that particular charge.

<b>SECTION/RULE</b>	<b>DESCRIPTION</b>	<b>PENALTY</b>	
<b>RESIDENTIAL PREMISES</b>			
16 RCNY 1-08(e)(1),(2) 1 <sup>st</sup> :AR1E 2 <sup>nd</sup> : AR2E 3 <sup>rd</sup> : AR3E	Improper/misused curbside recycling container (One to eight dwelling units)	1st Violation	25
		2nd Violation	50
		3rd Violation	100
16 RCNY 1-08(e)(3) 1 <sup>st</sup> :AR4E 2 <sup>nd</sup> : AR5E 3 <sup>rd</sup> : AR6E	Improper/misused mechanized recycling container (One to eight dwelling units)	1st Violation	25
		2nd Violation	50
		3rd Violation	100
16 RCNY 1-08(f)(1) 1 <sup>st</sup> :AR7E 2 <sup>nd</sup> : AR8E 3 <sup>rd</sup> : AR9E	Failure to post notices/inform about recycling (Four to eight dwelling units)	1st Violation	25
		2nd Violation	50
		3rd Violation	100
16 RCNY 1-08(f)(2)(i)	No accessible recycling storage area (Four to eight	1st Violation	25

	dwelling units)		
1 <sup>st</sup> : AR1F 2 <sup>nd</sup> : AR2F 3 <sup>rd</sup> : AR3F		2nd Violation 50 3rd Violation 100	
16 RCNY 1-08(f)(2)(iii) 1 <sup>st</sup> : AR4F 2 <sup>nd</sup> : AR5F 3 <sup>rd</sup> : AR6F	Inadequate recycling containers in storage area (Four to eight dwelling units)	1st Violation 25  2nd Violation 50 3rd Violation 100	
16 RCNY 1-08(g)(1)  1 <sup>st</sup> : AR7F 2 <sup>nd</sup> : AR8F 3 <sup>rd</sup> : AR9F	Improper disposal of recyclables/misuse of container (One to eight dwelling units)	1st Violation 25  2nd Violation 50 3rd Violation 100	
16 RCNY 1-08(g)(3) 1 <sup>st</sup> : AR1G 2 <sup>nd</sup> : AR2G 3 <sup>rd</sup> : AR3G	Failure to clean recyclables (One to eight dwelling units)	1st Violation 25  2nd Violation 50 3rd Violation 100	
16 RCNY 1-08(g)(3) 1 <sup>st</sup> : AR4G 2 <sup>nd</sup> : AR5G 3 <sup>rd</sup> : AR6G	Failure to bundle newspapers/magazines/cardboard (One to eight dwelling units)	1st Violation 25  2nd Violation 50 3rd Violation 100	
16 RCNY 1-08(h)(1),(2) 1 <sup>st</sup> : AR7G 2 <sup>nd</sup> : AR8G 3 <sup>rd</sup> : AR9G	Failure to properly put recyclables out for collection (One to eight dwelling units)	1st Violation 25  2nd Violation 50 3rd Violation 100	
16 RCNY 1-08(h)(4)	Non-recyclables left in recycling container for	1st Violation 25	

1 <sup>st</sup> :AR1H 2 <sup>nd</sup> : AR2H 3 <sup>rd</sup> : AR3H	Collection (One to eight dwelling units)	2nd Violation 50 3rd Violation 100
16 RCNY 1-08(h)(5) 1 <sup>st</sup> :AR4H 2 <sup>nd</sup> : AR5H 3 <sup>rd</sup> : AR6H	Recyclables placed for collection with non-recyclables (One to eight dwelling units)	1st Violation 25 2nd Violation 50 3rd Violation 100
16 RCNY 1-08(i)	Failure to comply with Comm.Order mandating use of clear plastic bags for disposal of refuse & recycling (Four to eight dwelling units)	1 <sup>st</sup> violation 25
1 <sup>st</sup> :AR7H 2 <sup>nd</sup> : AR8H 3 <sup>rd</sup> : AR9H		2 <sup>nd</sup> violation 50 3 <sup>rd</sup> violation 100
16 RCNY 1-08(e)(1),(2) 1 <sup>st</sup> :AR01 2 <sup>nd</sup> : AR12 3 <sup>rd</sup> : AR23 Persistent: AR5A	Improper/misused curbside recycling container (Nine or more dwelling units)	1st Violation 100 2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-08(e)(3) 1 <sup>st</sup> :AR02 2 <sup>nd</sup> : AR13 3 <sup>rd</sup> : AR24 Persistent: AR6A	Improper/misused mechanized recycling container (Nine or more dwelling units)	1st Violation 100 2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-08(f)(1) 1 <sup>st</sup> :AR03	Failure to post notices/inform about recycling (Nine or more dwelling units)	1st Violation 100 2nd Violation 200

2<sup>nd</sup>: AR14  
3<sup>rd</sup>: AR25

Persistent: AR7A

3rd Violation 400  
Persistent  
Violator (fourth  
or subsequent  
violation within  
six months) 400

16 RCNY 1-08(f)(2)(i)  
1<sup>st</sup>: AR04  
2<sup>nd</sup>: AR15  
3<sup>rd</sup>: AR26

Persistent: AR8A

No accessible recycling storage area (Nine or more dwelling units)

1st Violation 100

2nd Violation 200

3rd Violation 400  
Persistent  
Violator (fourth  
or subsequent  
violation within  
six months) 400

16 RCNY 1-08(f)(2)(iii)  
1<sup>st</sup>: AR05  
2<sup>nd</sup>: AR16  
3<sup>rd</sup>: AR27

Persistent: AR9A

Inadequate recycling containers in storage area (Nine or more dwelling units)

1st Violation 100

2nd Violation 200

3rd Violation 400  
Persistent  
Violator (fourth  
or subsequent  
violation within  
six months) 400

16 RCNY 1-08(g)(1)

1<sup>st</sup>: AR06  
2<sup>nd</sup>: AR17  
3<sup>rd</sup>: AR28

Persistent: AR1B

Improper disposal of recyclables/misuse of container (Nine or more dwelling units)

1st Violation 100

2nd Violation 200

3rd Violation 400  
Persistent  
Violator (fourth  
or subsequent  
violation within  
six months) 400

16 RCNY 1-08(g)[(2)] (3)  
1<sup>st</sup>: AR07  
2<sup>nd</sup>: AR18  
3<sup>rd</sup>: AR29

Persistent: AR2B

Failure to clean recyclables (Nine or more dwelling units)

1st Violation 100

2nd Violation 200

3rd Violation 400

		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-08(g)(3) 1 <sup>st</sup> :AR08 2 <sup>nd</sup> : AR19 3 <sup>rd</sup> : AR30 Persistent: AR3B	Failure to bundle newspapers/magazines/cardboard (Nine or more dwelling units)	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-08(h)(1),(2) 1 <sup>st</sup> :AR09 2 <sup>nd</sup> : AR20 3 <sup>rd</sup> : AR31 Persistent: AR4B	Failure to properly put recyclables out for collection (Nine or more dwelling units)	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-08(h)(4) 1 <sup>st</sup> :AR10 2 <sup>nd</sup> : AR21 3 <sup>rd</sup> : AR32 Persistent: AR5B	Non-recyclables left in recycling container for Collection (Nine or more dwelling units)	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-08(h)(5) 1 <sup>st</sup> :AR11 2 <sup>nd</sup> : AR22 3 <sup>rd</sup> : AR33 Persistent: AR6B	Recyclables placed for collection with non-recyclables (Nine or more dwelling units)	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within 400	400

six months)

16 RCNY 1-08(i)	Failure to comply with Comm.Order mandating use of clear plastic bags for disposal of refuse & recycling (Nine or more dwelling units)	1st Violation	100
1 <sup>st</sup> :AR1A		2nd Violation	200
2 <sup>nd</sup> : AR2A		3rd Violation	400
3 <sup>rd</sup> : AR3A		Persistent Violator (fourth or subsequent violation within six months)	400
Persistent: AR4A			

### INSTITUTIONS/AGENCIES

16 RCNY 1-09(d)	Failure to establish recycling program	1st Violation	100
1 <sup>st</sup> :AR34		2nd Violation	200
2 <sup>nd</sup> : AR38		3rd Violation	400
3 <sup>rd</sup> : AR42		Persistent Violator (fourth or subsequent violation within six months)	400
Persistent: AR7B			

16 RCNY 1-09(g)(1)(i)	Failure to notify employees about recycling program	1st Violation	100
1 <sup>st</sup> :AR35		2nd Violation	200
2 <sup>nd</sup> : AR39		3rd Violation	400
3 <sup>rd</sup> : AR43		Persistent Violator (fourth or subsequent violation within six months)	400
Persistent: AR8B			

16 RCNY 1-09(g)(1)(iii)	Recycling containers not provided/not labeled	1st Violation	100
1 <sup>st</sup> :AR36		2nd Violation	200
2 <sup>nd</sup> : AR40		3rd Violation	400
3 <sup>rd</sup> : AR44		Persistent Violator (fourth or subsequent violation within six months)	400
Persistent: AR9B			

16 RCNY 1-09(h),(i),(j) 1 <sup>st</sup> :AR37 2 <sup>nd</sup> : AR41 3 <sup>rd</sup> : AR45 Persistent: AR1C	Failure to source separate designated recyclables	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400

**PRIVATE CARTER-COLLECTED WASTE**

16 RCNY 1-10(c)(1) 1 <sup>st</sup> :AR46 2 <sup>nd</sup> : AR63 3 <sup>rd</sup> : AR80 Persistent: AR2C	Failure to source separate non-food/beverage  recyclables	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400

16 RCNY 1-10(c)(2)  1 <sup>st</sup> :AR47 2 <sup>nd</sup> : AR64 3 <sup>rd</sup> : AR81 Persistent: AR3C	Failure to source separate food/beverage recyclables	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400

16 RCNY 1-10(c)(3) 1 <sup>st</sup> : AR1J 2 <sup>nd</sup> : AR2J 3 <sup>rd</sup> : AR3J Persistent:AR4J	Failure to source separate residential recyclables (One to eight dwelling units)	1st Violation	25
		2nd Violation	50
		3rd Violation	100

16 RCNY 1-10(c)(3) 1 <sup>st</sup> :AR48 2 <sup>nd</sup> : AR65 3 <sup>rd</sup> : AR82	Failure to source separate residential recyclables (Nine or more dwelling units)	1st Violation	100
		2nd Violation	200

Persistent: AR4C		3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(d)(2) 1 <sup>st</sup> :AR49 2 <sup>nd</sup> : AR66 3 <sup>rd</sup> : AR83 Persistent: AR5C	No agreement with carter for mixed materials	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(d)(3) 1st:AR50 2nd: AR67 3rd: AR84 Persistent: AR6C	Failure to post commingling notice	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(e) 1st:AR51 2nd: AR68 3rd: A85 Persistent: AR7C	Failure to maintain source separation	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(f)(1)(i) 1st:AR52 2nd: AR69 3rd: AR86 Persistent: AR8C	No written recycling agreement	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400

16 RCNY 1-10(f)(1)(ii) 1st:AR53 2nd: AR70 3rd: AR87 Persistent: AR9C	No written recycling notice to tenants/employees	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-10(f)(1)(iii) 1st:AR54 2nd: AR71 3rd: AR88 Persistent: AR1D	Recycling notices not posted in maintenance area	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-10(f)(1)(iv) 1st:AR55 2nd: AR72 3rd: AR89 Persistent: AR2D	Recycling containers missing	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-10(f)(2)(i) 1st:AR56 2nd: AR73 3rd: AR90 Persistent: AR3D	Failure to source separate recyclables	1st Violation	100
		2nd Violation	200
		3rd Violation	400
		Persistent Violator (fourth or subsequent violation within six months)	400
16 RCNY 1-10(f)(2)(ii),(iv) 1st:AR57 2nd: AR74 3rd: AR91	Failure to notify employees/post notices/label Containers	1st Violation	100
		2nd Violation	200

Persistent: AR4D		3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(g)(1) 1st:AR58 2nd: AR75 3rd: AR92 Persistent: AR5D	Failure by Transfer Station to recycle	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(g)(2) 1st:AR59 2nd: AR76 3rd: AR93 Persistent: AR6D	Failure to maintain separation of paper(transfer stations)	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(g)(3) 1st:AR60 2nd: AR77 3rd: AR94 Persistent: AR7D	Failure to separate commingled metal, glass plastic(transfer stations)	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent violation within six months) 400
16 RCNY 1-10(g)(5) 1st:AR61 2nd: AR78 3rd: AR95 Persistent: AR8D	Failure to separate components of construction waste(transfer station)	1st Violation 100  2nd Violation 200 3rd Violation 400 Persistent Violator (fourth or subsequent 400

		violation within six months)	
16 RCNY 1-10(g)(6),(7)	Improper disposal of recyclables or commingled materials(transfer station)	1st Violation	100
1st:AR62			
2nd: AR79		2nd Violation	200
3rd: AR96		3rd Violation	400
Persistent: AR9D		Persistent Violator (fourth or subsequent violation within six months)	400
NYC Admin Code sec.16-324(a)			
AR97	Persistent Violator, recycling		400