

STATE OF NEW YORK

10215

IN ASSEMBLY

February 12, 2026

Introduced by M. of A. LEE -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to street cleanliness and snow removal requirements for city concessionaires, franchises and for revocable consents

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 16-118 of the administrative code
2 of the city of New York is amended by adding a new paragraph (c) to read
3 as follows:

4 (c) Every person in charge of a permanent or semi-permanent structure
5 installed or placed upon a sidewalk, street, alley, park, highway, or
6 right of way pursuant to a concession or franchise agreement or revoca-
7 ble consent with the city of New York shall keep and cause to be kept
8 the sidewalk, flagging and curbstone abutting said structure free from
9 obstruction and nuisances of every kind, and shall keep said sidewalks,
10 flagging and curbstones free from garbage, refuse, rubbish, litter,
11 debris and other offensive material. When the location described in the
12 applicable concession or franchise agreement or revocable consent with
13 the city of New York abuts a curbstone, such persons shall also remove
14 garbage, refuse, rubbish, litter, debris and other offensive material
15 between the curbstone abutting the border of the location and the road-
16 way area extending one and one-half feet from all sides into the street
17 on which such location fronts. When the location described in the appli-
18 cable concession or franchise agreement or revocable consent with the
19 city of New York is within a park or otherwise does not abut a curb-
20 stone, such persons shall remove garbage, refuse, rubbish, litter,
21 debris and other offensive material from area extending six feet from
22 all sides of such location.

23 § 2. Paragraph a of subdivision 9 of the section 16-118 of the admin-
24 istrative code of the city of New York, as amended by local law number
25 67 of the city of New York for the year 2024, is amended to read as
26 follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 a. (1) not less than \$50 and not more than \$250 for a first violation,
2 except that the civil penalty shall be not less than \$250 and not more
3 than \$350 for a second violation of subdivision 4 or 6 of this section
4 within any 12 month period, and not less than \$350 and not more than
5 \$450 for a third or subsequent violation of subdivision 4 or 6 of this
6 section within any 12 month period;

7 (2) notwithstanding subparagraph (1) of paragraph a of this subdivi-
8 sion, \$50 for a first violation of paragraph (a) of subdivision 2 or of
9 subdivision 3 of this section, or of any rules promulgated pursuant
10 thereto, \$100 for a second violation of such paragraph or subdivision or
11 of any rules promulgated pursuant thereto within any 12 month period,
12 and \$100 for a third or subsequent violation of such paragraph or subdivi-
13 sion or of any rules promulgated pursuant thereto within any 12 month
14 period; ~~and~~

15 (3) notwithstanding subparagraphs (1) and (2) of paragraph a of this
16 subdivision, where the owner, occupant, lessee, tenant, or person in
17 charge of any commercial, manufacturing, or industrial building, includ-
18 ing any mixed-use building, but excluding any solely residential build-
19 ing, has violated the provisions of paragraph (a) of subdivision 2 of
20 this section, or of any rules promulgated thereto, such owner, occupant,
21 lessee, tenant, or person in charge shall be liable for a civil penalty
22 of \$50 for the first violation, \$300 for the second violation committed
23 on a different day within any 12 month period, and \$500 for the third
24 and each subsequent violation committed on a different day within any 12
25 month period; ~~and~~

26 (4) notwithstanding subparagraphs (1), (2), and (3) of paragraph a of
27 this subdivision, any person violating paragraph (c) of subdivision 2 of
28 this section, or of any rules promulgated pursuant thereto, shall be
29 liable for a civil penalty of \$100 for the first violation, \$300 for the
30 second violation committed on a different day within any 12 month peri-
31 od, and \$500 for the third and each subsequent violation committed on a
32 different day within any 12 month period.

33 § 3. Subdivision c of section 16-123 of the administrative code of the
34 city of New York, as amended by local law number 149 of the city of New
35 York for the year 2016, is amended to read as follows:

36 c. ~~Reserved~~ Every person in charge of a permanent or semi-permanent
37 structure installed or placed upon a sidewalk, street, alley, park,
38 highway, or right of way pursuant to a concession or franchise agreement
39 or revocable consent with the city of New York, abutting upon any street
40 where the sidewalk is paved, shall, within four hours after the snow
41 ceases to fall, or after the deposit of any dirt or other material upon
42 such sidewalk, remove the snow or ice, dirt, or other material from the
43 sidewalk and gutter, the time between nine post meridian and seven ante
44 meridian not being included in the above period of four hours.

45 § 4. Subdivision h of section 16-123 of the administrative code of the
46 city of New York, as amended by local law number 1 of the city of New
47 York for the year 2003, is amended to read as follows:

48 h. Any person violating the provisions of [~~subdivisions (a) or (b)~~]
49 subdivision a or b of this section shall be liable and responsible for a
50 civil penalty of not less than ten dollars nor more than one hundred
51 fifty dollars for the first violation, except that for a second
52 violation of subdivision [~~(a) or (b)~~] a or b of this section within any
53 twelve-month period such person shall be liable for a civil penalty of
54 not less than one hundred fifty dollars nor more than two hundred fifty
55 dollars and for a third or subsequent violation of subdivision [~~(a) or~~
56 ~~(b)~~] a or b of this section within any twelve-month period such person

1 shall be liable for a civil penalty of not less than two hundred fifty
2 dollars nor more than three hundred fifty dollars. Any person violating
3 the provisions of subdivision c of this section or of any rules promul-
4 gated pursuant thereto, shall be liable for a civil penalty of one
5 hundred dollars for the first violation, three hundred dollars for the
6 second violation committed on a different day within any twelve month
7 period, and five hundred dollars for the third and each subsequent
8 violation committed on a different day within any twelve month period.
9 § 5. This act shall take effect on the sixtieth day after it shall
10 have become a law.