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:

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

(c) Every person in charge of a permanent or semi-permanent structure installed or placed upon a sidewalk, street, alley, park, highway, or right of way pursuant to a concession or franchise agreement or revocable consent with the city of New York shall keep and cause to be kept the sidewalk, flagging and curbstone abutting said structure free from obstruction and nuisances of every kind, and shall keep said sidewalks, flagging and curbstones free from garbage, refuse, rubbish, litter, debris and other offensive material. When the location described in the applicable concession or franchise agreement or revocable consent with the city of New York abuts a curbstone, such persons shall also remove garbage, refuse, rubbish, litter, debris and other offensive material between the curbstone abutting the border of the location and the roadway area extending one and one-half feet from all sides into the street on which such location fronts. When the location described in the applicable concession or franchise agreement or revocable consent with the city of New York is within a park or otherwise does not abut a curbstone, such persons shall remove garbage, refuse, rubbish, litter, debris and other offensive material from area extending six feet from all sides of such location.

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

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

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

(2) notwithstanding subparagraph (1) of paragraph a of this subdivision, $50 for a first violation of paragraph (a) of subdivision 2 or of subdivision 3 of this section, or of any rules promulgated pursuant thereto, $100 for a second violation of such paragraph or subdivision or of any rules promulgated pursuant thereto within any 12 month period, and $100 for a third or subsequent violation of such paragraph or subdivision or of any rules promulgated pursuant thereto within any 12 month period; [~~and~~]

(3) notwithstanding subparagraphs (1) and (2) of paragraph a of this subdivision, where the owner, occupant, lessee, tenant, or person in charge of any commercial, manufacturing, or industrial building, including any mixed-use building, but excluding any solely residential building, has violated the provisions of paragraph (a) of subdivision 2 of this section, or of any rules promulgated thereto, such owner, occupant, lessee, tenant, or person in charge shall be liable for a civil penalty of $50 for the first violation, $300 for the second violation committed on a different day within any 12 month period, and $500 for the third and each subsequent violation committed on a different day within any 12 month period; **and**

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

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

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

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

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

shall be liable for a civil penalty of not less than two hundred fifty dollars nor more than three hundred fifty dollars. **Any person violating the provisions of subdivision c of this section or of any rules promulgated pursuant thereto, shall be liable for a civil penalty of one hundred dollars for the first violation, three hundred dollars for the second violation committed on a different day within any twelve month period, and five hundred dollars for the third and each subsequent violation committed on a different day within any twelve month period.**

§ 5. This act shall take effect on the sixtieth day after it shall have become a law.