

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2012**

No. 60

Introduced by Council Members Garodnick, Chin, Dromm, Fidler, Foster, James, Koppell, Lander, Mark-Viverito, Mendez, Palma, Rose, Williams, Koo, Rodriguez, Lappin, Gentile, Van Bramer, Jackson, Brewer, Barron and Gennaro

A LOCAL LAW

To amend the New York city building code, in relation to requiring newly constructed multi-family residences to provide adequate space to store and sort designated recyclable material.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. Recycling is good for the environment because it takes less energy and fewer resources to make new products out of recycled materials than from new materials. It also has the potential to save the city money as the cost of exporting waste to out-of-state landfills rises. At least 50% of New York's total waste stream (and 15% of residential waste) is currently recycled. Other large cities have exceeded this rate, and the City has set a goal of diverting 75% of solid waste from landfills. One barrier to increasing recycling rates in multi-family residential buildings is that many lack a dedicated room or exterior space to store and sort recyclables and waste. Without this dedicated space, it is challenging for residents or superintendents to keep recyclables separated from refuse. For this reason, many other cities and the Battery Park City Authority require that residential buildings provide a waste/recycling room for storing separated recyclables.

§2. Section BC 1213.1 of the New York city building code is amended to read as follows:

1213.1 General. Multiple dwellings shall comply with Section 18 of the *New York State*

Multiple Dwelling Law and Section 27-2021 of the New York City Housing Maintenance Code. [Where a room is] In Group R-2 occupancies, space shall be provided for the storage of refuse and recyclables [in a building, such room shall be completely enclosed by construction that has a fire-resistance rating of not less than 2 hours, with self-closing opening protectives having a fire protection rating of not less than 1½ hours] as a common accessory space. The location of such refuse and recyclables storage [room] space shall be clearly identified on the construction documents and configured to permit separate unobstructed access by building personnel to stored refuse and recyclables. Such refuse and recyclables storage space shall be a minimum of 1.5 square feet (0.140 m²) per dwelling unit, or a minimum of 350 square feet (32.516 m²), whichever is less, for the storage of collected refuse and recyclables.

Exceptions:

1. In multiple dwellings required to have a compactor in accordance with Section 1213.2, such refuse and recyclables storage space shall be, in addition to space required for equipment or circulation, a minimum of 1.0 square foot (0.094 m²) per dwelling unit, or a minimum of 350 square feet (32.516 m²), whichever is less, for the storage of collected refuse and recyclables.

2. Refuse and recyclables storage space shall not be required in multiple dwellings equipped with a chute system that provides for source separation of refuse and recyclable materials without cross contamination and an integrated mechanical system to transport such materials off-site that has been approved by the commissioner.

1213.1.1 Interior space. *Where an interior room is provided for the storage of refuse and recyclables, such room shall be completely enclosed by construction that has a fire-resistance*

rating of not less than 2 hours, with self-closing opening protectives having a fire protection rating of not less than 1½ hours.

1213.1.2 Exterior space. *Where space is provided on the exterior of a building for the storage of refuse and recyclables, such refuse and recyclables storage space shall include a minimum of 4 square feet (0.372 m²) in addition to the space per dwelling unit required by Section 1213.1, shall be clearly identified on the construction documents, and shall not be located in the public right-of-way.*

§3. Section BC 1213.3 of the New York city building code is amended to read as follows:

1213.3 Refuse chute and chute access rooms. *A multiple dwelling that is five or more stories in height and that contains [more than 12] 9 or more dwelling units shall be provided with a refuse chute, chute access rooms, and refuse chute termination room constructed in accordance with Section 707.13. A minimum of 5 square feet (0.470 m²) of floor area within each refuse chute access room shall be provided for the temporary holding of recyclables. Such floor area shall be clearly identified on the construction documents.*

Exceptions:

- 1. In buildings without an elevator, floor area within refuse chute access rooms for the temporary holding of recyclables is not required.*
- 2. In buildings equipped with separate chutes designated for refuse, for paper and cardboard, and for metal, glass and plastic, and in buildings equipped with a chute system that provides for source separation of recyclable materials without cross contamination, floor area within refuse chute access rooms for the temporary holding of recyclables is not required. Chutes for designated recyclable materials shall be constructed in accordance*

with Section 707.13 of this code.

§4. This local law shall take effect January 1, 2014.

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 onDecember 10, 2012..... and approved by the Mayor
onDecember 20, 2012.....

MICHAEL M. McSWEENEY, City Clerk 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 No. 60 of 2012, Council Int. No. 575-A) contains the correct text and that all proper proceedings have
been had or taken for the enactment of such local law.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.