



sanitation

VITO A. TURSO
Deputy Commissioner
Bureau of Public Information
and Community Affairs
125 Worth Street
New York, NY 10013
Telephone (646) 885-5020
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August 1, 2008

Dear District Manager:

Attached please find an opinion column by Sanitation Commissioner Doherty, which was sent to the media. In his column, the Commissioner informs property owners that Saturday, August 2nd will mark the beginning of the enforcement of the New York State General Business Law *Section 397-A*, also known as "the Lawn Litter Law."

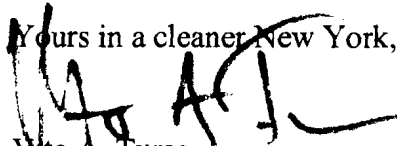
The new regulation allows property owners to post a sign in a visible area of their property, prohibiting the placement of unsolicited advertising material on their property.

Attached also find:

- **A copy of Sanitation's press release**
- **A copy of the sign** property owners can place in their property, prohibiting the placement of unsolicited advertising
- **The complete text of section 397-A** of the New York State General Business Law (commonly known as the "Lawn Litter Law")
- **Copies of complaint forms** to report violators for:
 - a) Property owners of one, two or three family dwellings, or
 - b) Property owners of multiple dwellings

Feel free to make copies of the attached material for distribution to your constituents. Residents may also download this material from our website: www.nyc.gov/sanitation

For any other specific questions about the column, you may contact me by e-mail at vturso@dpsny.nyc.gov, or call me at 1 (646) 885-5020. Thank you.

Yours in a cleaner New York,

Vito A. Turso

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Enclosure

cc: M. Termini, Assistant Commissioner, O.C.A.
Elected officials

www.nyc.gov/sanitation

THE “LAWN LITTER LAW”

Taking action against unsolicited advertising

By John J. Doherty, Commissioner of Sanitation

Property owners know the feeling: They come home after a hard day’s work or back from vacation only to find piles of unsolicited and unwanted advertising material on their lawn. This unwelcome material, which the homeowner has no choice but to gather and pick up, can be more than an annoyance and an enormous waste of paper. As it piles up while the homeowner is away on vacation, this material does its job in an unexpected way, “advertising” the fact that no one’s home, giving would-be robbers the green light to come in and help themselves.

Fortunately, help’s on the way. In fact, within a few days property owners will be able to fight back.

Saturday, August 2nd will mark the beginning of the enforcement of the New York State General Business Law *Section 397-A*. Also known as “the Lawn Litter Law,” the new regulation allows property owners to post a sign in a visible area of their property, prohibiting the placement of unsolicited advertising material on their property. The property owner’s sign, which must be at least five inches tall and seven inches wide, must state in letters at least one inch in size: **“Do Not Place Unsolicited Advertising Materials On This Property.”** The sign can be placed in visible areas, such as on lawns or front doors. (Feel free to use the attached sample.)

In multiple dwellings, signs can be put up indicating how many units wish to receive unsolicited ads and where they must be placed.

If property owners receive unwanted advertisements, they can fill out a citizen complaint form against the unsolicited advertisements placed on their property, enclose the unsolicited ads with their complaint form, and mail the package to:

Director of Enforcement
NYC Department of Sanitation
c/o Unsolicited Advertisement Enforcement
1824 Shore Parkway
Brooklyn, NY 11214

For additional questions or to obtain complaint forms, property owners may call 311. After August 2nd, complaint forms will also be available by downloading them from the Department’s website www.nyc.gov/sanitation.

Advertisers found in violation of the “Lawn Litter Law” will be subject to a \$250 fine, applicable to each piece of unsolicited advertising material.

Finally... a way to fight unsolicited advertising, and prevent those unsightly and wasteful piles of paper on your property!

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ENFORCEMENT
1824 Shore Parkway
Brooklyn, NY 11214

ONE, TWO or THREE FAMILY PROPERTY OWNER COMPLAINT FORM FOR UNAUTHORIZED DISTRIBUTION OF UNSOLICITED ADVERTISEMENT

COMPLAINANT'S NAME: (Print Full Name)

FOR OFFICE USE ONLY
COMPLAINT FORM #

- I am the legal owner of a one, two or three-family dwelling located at
Address: _____ Borough: _____ Zip Code: _____
- I currently reside at: _____ Borough: _____ Zip Code: _____
- Telephone No.
Work: _____ Home: _____ Cell: _____
- My E-mail address is: _____ (If you do not have an e-mail address, please indicate "NONE").
- Upon my property: _____
(describe location, i.e. front door, window, posted on lawn)
I have conspicuously posted or caused to be posted a sign which is not less than 5 inches by 7 inches in size and which states in legible letters at least one inch in size: "Do Not Place Unsolicited Advertising Materials On This Property."
- On _____, 20____, at _____ am/pm., I personally observed on my property unsolicited advertising materials _____, in the form of: _____
(describe specific location of where material was found.) (menu, pamphlet, bag of flyers, etc.)
and which contains the name of : _____

on such written solicitation.

NOTE: Please identify one or more business names that appear on the material. More detailed information facilitates effective enforcement.

- I have attached the original unsolicited advertisement material to this complaint form in its entirety and in its original form, including any materials that were packaged together.
- I am furnishing this complaint form to the New York City Department of Sanitation to enable the Department to undertake appropriate enforcement action pursuant to the New York State General Business Law Section 397-a. I hereby acknowledge and understand that if any legal proceeding is commenced against the person or business. I have identified above through the submission of the unsolicited advertising material, it may be necessary for me to appear as witness in such a proceeding.

CERTIFICATION

I hereby certify that the statements contained in this complaint form are true and accurate. I understand that any false statements made in this complaint form are punishable as a class A misdemeanor pursuant to Section 210.45 of the New York State Penal Law.*

COMPLAINANT'S NAME (PRINT)	COMPLAINANT'S SIGNATURE	DATE:
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* Section 210.45 of the Penal Law states: Making a punishable false written statement.

A person is guilty of making a punishable false written statement when he knowingly makes a false statement, which he does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable. Making a punishable false written statement is a class A misdemeanor.



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ENFORCEMENT
1824 Shore Parkway
Brooklyn, NY 11214

MULTIPLE DWELLING PROPERTY OWNER COMPLAINT FORM FOR UNAUTHORIZED DISTRIBUTION OF UNSOLICITED ADVERTISEMENT

COMPLAINANT'S NAME: (Print Full Name)

FOR OFFICE USE ONLY

COMPLAINANT FORM #

1. I am the legal owner or designated agent of a multiple dwelling located at

Address: _____ Borough: _____ Zip Code: _____

2. Telephone No.

Work: _____ Home: _____ Cell: _____

3. My E-mail address is: _____ (If you do not have an e-mail address, please indicate "NONE").

4. a. _____ (Check if applicable). Upon the property I have conspicuously posted _____, (describe location of sign) a sign which is not less than 5 inches by 7 inches in size and which states in legible letters at least one inch in size: "Do Not Place Unsolicited Advertising Materials On This Property." At least one owner or tenant of each unit has consented to the posting of this sign.

b. _____ (Check if applicable). Upon the property I have validly and conspicuously posted a sign which is not less than 5 inches by 7 inches in size and which states in legible letters at least one inch in size that _____ advertisements (Number of) may be left in _____ (describe location). This sign was posted because, for all other units in the building, at least one unit owner or tenant has indicated that the unit does not wish to receive unsolicited advertising materials.

5. On _____, 20 _____, at _____ am/pm., I personally observed on my property unsolicited advertising materials _____ (describe specific location of where material was found), in the form of: _____ (menu, pamphlet, bag of flyers, etc.) and which contains the name of: _____

on such written solicitation.

NOTE: Please identify one or more business names that appear on the material. More detailed information facilitates effective enforcement.

_____ (Check if applicable). The number of copies of the material described above was greater than the number specified on the sign.

_____ (Check if applicable). The unsolicited advertising material was left in a location other than the location specified on the sign.

6. I have attached the original unsolicited advertisement material to this complaint form in its entirety and in its original form, including any materials that were packaged together.

7. I am furnishing this complaint form to the New York City Department of Sanitation to enable the Department to undertake appropriate enforcement action pursuant to the New York State General Business Law Section 397-a. I hereby acknowledge and understand that if any legal proceeding is commenced against the person or business. I have identified above through the submission of the unsolicited advertising material, it may be necessary for me to appear as a witness in such a proceeding, and I agree to appear if requested by a representative of the Environmental Control Board, (ECB).

CERTIFICATION

I hereby certify that the statements contained in this complaint form are true and accurate. I understand that any false statements made in this complaint form are punishable as a class A misdemeanor pursuant to Section 210.45 of the New York State Penal Law.*

COMPLAINANT'S NAME (PRINT)

COMPLAINANT'S SIGNATURE

DATE:

* Section 210.45 of the Penal Law states: Making a punishable false written statement.

A person is guilty of making a punishable false written statement when he knowingly makes a false statement, which he does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable. Making a punishable false written statement is a class A misdemeanor.

DS 700B (7-08)



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NEWS
RELEASE

FOR IMMEDIATE RELEASE

Monday, July 21, 2008

CONTACT: Vito A. Turso / Matthew LiPani

1 (646) 885-5020

Press Release # 08-32

www.nyc.gov/sanitation

SANITATION REMINDS PROPERTY OWNERS THAT LAWN LITTER LAW ENFORCEMENT BEGINS IN AUGUST

The New York City Department of Sanitation today reminded property owners across the city that starting August 2nd, enforcement will begin of Section 397-A of the New York State General Business Law, a.k.a the "Lawn Litter" Law, which allows property owners to post a sign in a visible area in front of their homes to let advertisers know not to place unsolicited advertising material on their property. The property owner's sign must be at least five inches tall and seven inches wide, and state in legible letters at least one inch in size, "Do Not Place Unsolicited Advertising Materials On This Property" (see sample sign attached.) In multiple dwellings, signs can be put up indicating how many units want to receive unsolicited ads, and the location they must be placed. Signs are to be placed in visible areas such as on lawns or on front doors.

"This new law gives the property owner the power to help stop unsolicited advertisements from being placed in front of, or inside of, their home or multiple dwelling," said Sanitation Commissioner John J. Doherty.

If property owners receive unwanted advertisements, they can fill out a citizen complaint form against the unsolicited advertisements placed on their property, enclose those advertisements with their complaint form, and mail the package to:

Director of Enforcement
NYC Department of Sanitation
c/o Unsolicited Advertisement Enforcement
1824 Shore Parkway
Brooklyn, NY 11214

Advertisers found to be in violation of the "Lawn Litter" Law will be subject to a \$250 fine.

Property owners can obtain complaint forms by calling 311, or visiting the Department's website at www.nyc.gov/sanitation, which will have the complaint form posted by Saturday, August 2nd. Individuals who send in the complaint form may be called before the Environmental Control Board to testify about the ads.

For questions about the new law, contact 311 or visit www.nyc.gov/sanitation.

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KEEP NYC CLEAN



www.nyc.gov/sanitation

**DO NOT PLACE UNSOLICITED
ADVERTISING MATERIALS
ON THIS PROPERTY**