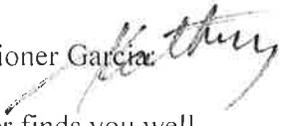


August 4, 2015

The Honorable Kathryn Garcia
Commissioner
NYC Department of Sanitation
125 Worth Street
New York, NY 10013

Dear Commissioner Garcia 

I hope this letter finds you well.

Please see the enclosed *Staten Island Advance* article regarding the supposed lack of enforcement of Local Law 128 of 2013. This law was the last I passed as a member of the City Council, and one that was enacted to give DSNY the necessary tools to combat a different form of litter – advertisements placed on city property without permission or authority.

Prior to the enacting of this Local Law, a legal grey area existed since the previous law did not specify that such signs were unlawful on the city-owned grassy areas adjacent to curbs. Our bill, which was negotiated with the previous Administration and with DSNY, cleared up any remaining confusion, and was intended to help DSNY keep our streets clean.

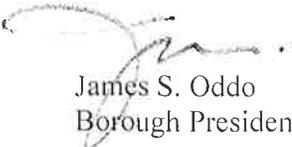
As our office receives complaints about such signs we forward them to DSNY for enforcement activities, and have been doing so since taking office, with the assumption that DSNY is investigating each complaint and taking enforcement actions if warranted. Respectfully, I ask for statistics as to how many summonses have been issued pursuant to Local Law 128 since it was enacted. If no summonses have been issued, I ask for an explanation as to why this is the case.

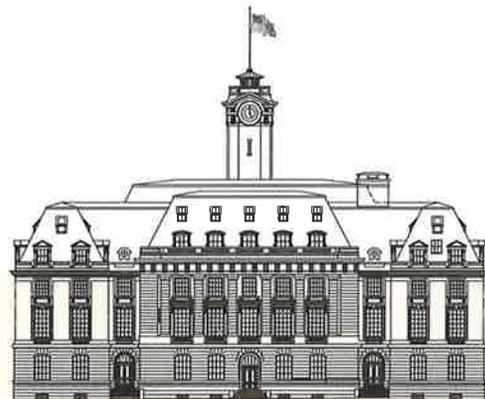
The reality is that the number of companies that violate this law are few. Perhaps the worst offender is a New Jersey-based liquor store that frequently litters portions of the South Shore with their signs on city property. There are several other frequent offenders as well. It should not be hard to enforce, particularly when we send you the specific locations as we see them.

My office is ready to partner with your agency in enforcement efforts by utilizing our Clean Team to conduct a Staten Island-wide sweep to find all the signs we can and removing them after your personnel have begun enforcement efforts.

I thank you for your attention to this matter. Please do not hesitate to have the appropriate member of your staff contact Christopher DeCicco of my staff at 718-816-2056 or via email at cdecicco@statenislandusa.com to discuss further.

Very truly yours,


James S. Oddo
Borough President





Illegal advertisements mar roadsides, despite new law

Kristin F. Dalton | kdalton@siadvance.com By Kristin F. Dalton | kdalton@siadvance.com

Email the author

on August 04, 2015 at 7:00 AM, updated August 04, 2015 at 7:18 AM

STATEN ISLAND, N.Y. -- Lawn advertisement signs are in your face, unsightly, and usually advertising something you don't want.

They're illegal, too, when that grassy area is city property.

The law doesn't seem to phase some businesses and institutions that continue to put signs wherever they spot a high-visibility roadside location.

Former Borough President James Molinaro called them "eyesores" during his time in office and was determined to have them removed -- **going as far as ridding parts of Staten Island of them himself.**

Local Law 128 was passed in December 2013, hoping business owners and others would refrain from posting the advertisements illegally and the Department of Sanitation would enforce the law.

NEW LEGISLATION

"The last piece of legislation I passed as a City Council member was Local Law 128, which clarified existing law explicitly making it unlawful for organizations, businesses, or individuals to put signs on the city-owned grassy areas adjacent to streets. These signs that are placed on public property are another form of litter, which contribute to the unkempt appearance of many areas," Borough President James Oddo said.

When the signs are located, the information is forwarded to the Department of Sanitation so they can be removed and fines issued.

"...The penalty is \$75 per sign returnable to the Environmental Control Board. If a sign(s) are observed posted on a city-owned grassy area adjacent to the street it will be taken down by our Enforcement Agents," a spokesman from the Department of Sanitation said.

LEGAL GREY AREA

Before the law was clarified, there was some disagreement between city agencies. **Molinaro maintained that the signs were illegal, but the Department of Sanitation disagreed.**

Administrative code 10-119 stated that "signs" or "other printed material" are unlawful when appearing on a "curb," "gutter," "public utility pole" or any of several other public structures -- but it wasn't clear where the grassy area alongside a curb counted, making the Sanitation Department reluctant to rip up the signs or fine those who placed them.

Then-Councilman James Oddo jumped onboard with Molinaro, setting up a legislative strategy that would clear up the existing law and rid the borough of the signs, hopefully.

But it's clear that not everyone has gotten the message.

And with the election season fast approaching, campaign personal and supporters take note: Those placards aimed at swaying voters can only be placed on private property.

The law is -- and always has been -- clear when it comes to political ads.

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