

Environmental Control Board

Failure to Store or Remove Receptacles or Sidewalk Obstruction:

12-120(a) / AS16; 12-120(c) / AS18

To support a defense to the charge of failure to store receptacles or failure to remove receptacles or sidewalk obstruction, please submit a sworn, notarized statement containing the relevant information and supporting documentation requested below.

- If you are not the respondent named on the Notice of Violation, submit a written statement explaining: (a) your relationship to that named respondent, and (b) whether you are authorized to represent that party.
- Describe the type of premises involved. If the premises is a multiple dwelling, state the number of apartments.
- If this is a 1-or-2 family dwelling, and if the inhabitants are employed, when do they go to and return from their place of employment?
- Is there a superintendent for the premises? If yes, state whether the superintendent resides at the premises and his or her days and hours of employment.
- Is the garbage or are the garbage receptacles stored on or near the sidewalk? If so, why?
- Please describe the area where garbage is stored prior to being placed out for collection. (Submit a diagram or photograph.)
- What are the scheduled days and times for refuse collection?
- When were the receptacles placed out for collection? By whom?
- When does your commercial premises open and close?
- Was collection made at the proper time and day immediately prior to issuance of the Notice of Violation?
- If you have a private carter to remove garbage, and they failed to make their scheduled pick-up, what efforts were made to either contact them or to bring receptacle in from pick-up area?
- Did you have instructions from Department of Sanitation to place receptacles out at the time you were cited?