



**JUSTICE THROUGH
COMMUNITY POWER**

**Testimony of
Christopher Schuyler, Senior Staff Attorney
New York Lawyers for the Public Interest, Disability Justice Program
To the New York City Council
Committee on Sanitation and Solid Waste Management
Regarding the Future of the City's Sanitation Fleet and DSNY's 2022-2023
Snow Plan, Int 0020-2022, and Int 0100-2022
November 16, 2022**

Good morning,

Sidewalks are the main thoroughfare for most New Yorkers, and therefore it is crucial that they remain clear of obstructions including snow and ice. This is especially true for New Yorkers with limited mobility, including people with disabilities and senior citizens. For this reason, New York Lawyers for the Public Interest (NYLPI) supports the goals of Int 0020-2022 (Int No 20) and Int 0100-2022 (Int No 100), which work in tandem to keep sidewalks clear of snow and ice by assisting those who cannot clear their own sidewalks and increasing fines on large businesses which fail to timely clear their sidewalks.

NYLPI has for several years pushed for improved snow removal practices throughout the City. In 2019, NYLPI and then-Manhattan Borough President Gale Brewer's office sent a letter to large property owner groups, requesting that they ensure their property owners adhere to their snow removal obligations under Section 16-123 of the NYC Administrative Code, and to remind them that failure to clear snow will result in escalating fines. In 2020, NYLPI and State Senator Alessandra Biaggi partnered to remind constituents of the same obligations. Later, in 2021, NYLPI sent a letter to City Council detailing the importance of clear sidewalks, including from snow and ice.

After years of efforts to improve snow removal conditions for people with disabilities and senior citizens, NYLPI now voices its support for Int No 20, which will increase fines for chain businesses which fail to properly clear snow and ice, and Int No 100,

which will create a program to assist people with disabilities and senior citizens in meeting their snow removal obligations.

The to-be-created assistance program under Int No 100 is a great idea to help this group of New Yorkers meet their snow removal obligations, while also reducing the chances of unintended consequences of worse overall snow removal practices caused by the fine reductions, which are also set forth in Int No 100. An assistance program will also help New Yorkers with disabilities and seniors in using the sidewalks after a storm to get around the City – to their jobs, medical appointments, family, and everywhere else.

Finally, Int No 20 is a common-sense measure to increase the penalties on chain stores that fail to adhere to their snow removal obligations. Chain stores, with significant financial means, have no excuse when they fail to clear snow on their properties. Additionally, chain stores are often located in high foot traffic areas, thus exacerbating the obstructive impact resulting from failure to clear snow and ice. Lastly, increased fines on chain stores will ensure that the City collects the money it needs from fines, likely more than offsetting the reductions in fine collection resulting from Int No 100.

NYLPI makes the following recommendations:

- The City Council's Committee on Sanitation and Solid Waste Management (Committee) should engage in robust oversight as the DSNY administers the directives of Int Nos 20 and 100, including the design of the assistance program for helping people with disabilities and senior citizens;
- Int No 100 should clarify how the assistance program will be advertised to New Yorkers, to ensure that the intended group knows about the service;
- The Committee should remove the assistance program registration requirement and/or use existing City agency data to facilitate automatic opt-in for New Yorkers known to be people with disabilities or senior citizens;
- Notwithstanding the above recommendations, the bill should ensure that, when people with disabilities and senior citizens are fined for failure to remove snow and ice, they have the opportunity at that time to register for the assistance program;
- DSNY should develop a system for identifying "bad actors", including large property owners and chain stores, who repeatedly fail to adhere to their snow removal obligations, and increase fines for offenses involving these bad actors.

We appreciate the opportunity to testify on these important bills and encourage the Committee to contact NYLPI with further questions.

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About New York Lawyers for the Public Interest

For over 45 years, NYLPI has been a leading civil rights and legal services advocate for New Yorkers marginalized by disability, race, poverty, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, organizing, and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, secure environmental justice for low-income communities of color, create equal access to health care, ensure immigrant opportunity, and strengthen local nonprofits.

About NYLPI's Disability Justice Program

NYLPI's Disability Justice Program has long fought for clear and accessible New York City streets and sidewalks for people with disabilities, often partnering with local officials and advocacy groups, to ensure removal of obstructions such as trash, trees, and snow and ice. NYLPI has also been a vocal proponent of improved accessibility for City programs, including the Open Streets and Open Restaurants programs, advocating for removal of obstructions and ensuring clear sidewalk paths.