

[http://www.nydailynews.com/news/2008/06/09/2008-06-09\\_lawn\\_litter\\_woes\\_call\\_a\\_notary-1.html](http://www.nydailynews.com/news/2008/06/09/2008-06-09_lawn_litter_woes_call_a_notary-1.html)

## **Lawn litter woes? Call a notary**

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Litter on your lawn? Call a notary public.

That's what fedup homeowners may have to do if they want a new state law banning the dumping of menus, leaflets, handbills and circulars on their doorsteps and lawns enforced.

The law leaves enforcement to the Sanitation Department, which is planning to require complaints to be notarized.

"It's such an onerous, burdensome imposition on homeowners that it would nullify the law," said 84-year-old Kew Gardens, Queens, retiree Murray Berger, who supports the law.

"It is our belief that the rules deter, rather than facilitate, enforcement of the law," said Councilman James Gennaro (D-Queens).

The so-called lawn litter law allows property owners to post signs prohibiting advertisers from leaving unwanted material on their property.

Passed in January, it carries a stiff fine of \$250 for first offenses and up to \$1,000 for repeat violations.

The enforcement procedure - being worked out by the Sanitation Department and expected within weeks - would also require that property owners:

- Post a sign no less than 5 by 7 inches with lettering at least 1 inch high that states: "Do Not Place Unsolicited Advertising Materials on This Property."
- Obtain a complaint form through 311 or the Sanitation Department Web site.
- Fill out the form, have it notarized and mail it with a sample of the offending lawn litter to the Sanitation Department enforcement unit in Brooklyn.
- If necessary, be available to come in to testify before the Environmental Control Board.

Some fear homeowners will prefer the lawn litter.

The two state lawmakers who sponsored the law - Sen. Frank Padavan (R-Queens) and Assemblyman Mark Weprin (D-Queens) - agree that the notary requirement is an unnecessary burden.

In a joint [letter](#) to the Sanitation Department, they wrote, "It may be difficult for one reason or another for people to get to a notary. ... The point is the requirement of a notarized complaint in the first instance may well discourage citizens [from filing] complaints. Therefore, we would ask your department to consider deleting such requirement from the proposed rules."

Officials said the notary requirement is to prevent frivolous or malicious complaints and to buttress homeowners' standing at hearings.

Sanitation Department spokeswoman Cathy Dawkins said comments on the proposed rules "will be given careful consideration."

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