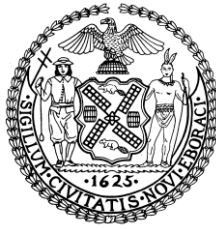


Alida Camp
Chair

Will Brightbill
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**The City of New York
Community Board 8 Manhattan
Vendors Committee
Thursday, January 30, 2020 - 6:30PM
Ramaz School
125 East 85th Street (Park/Lex)
Heyman Auditorium**

Minutes:

The meeting began at 6:30 with explanation by Michele Birnbaum about the many categories of street vending along with a brief history of the Committee and its goals to reflect community interest in laws, rules and regulations that would bring all stakeholders together in an effort to implement controlled and compliant street vending. She reflected on the exploitation of some street vendors by distributors and permit holders and hoped that any legislation would mitigate these circumstances.

Agenda Item #1 was the text of NYS Bill S6817, a newly introduced bill that would govern street vending and supersede city legislation.

Agenda Item #2 was the text of NYC Intro. 1116, the second draft of Intro #1303, a 2018 bill on street vending that was not supported by the Mayor and others and never came out of Committee at the Council.

The texts of the bills were sent to all at the time the meeting was noticed, so that all could read them in advance and would be able to refer to them during the meeting, if needed.

Neighborhood organizations were in attendance: Andrew Fine and Susan Gottridge of the East 86th Street Association, Matt Bauer of the Madison Avenue BID, Rob Byrnes of the East Midtown Partnership and the BID Association, and Lo van der Valk of Carnegie Hill Neighbors. Trevor Tyrrell of the Guggenheim Museum was also present to voice his concerns about the vendors that gather every day in front of the museum.

State Bill # S6817 will trump city law but says that local municipalities can form their own laws as long as they are compatible or equivalent to the State law. It says that the City bill doesn't have to follow the State bill point by point, but has to follow its guidelines, i.e. no limit on the number of vendors, no restriction on location, restriction only on the basis of health and welfare, no SS # is necessary in order to get state license, etc. The bill imposes very low fines of \$100 per infraction unless there are four or more infractions within a given year. There is no legal liability or punishment if a vendor does not pay the fine. It is not a felony or a misdemeanor, and if there are any court cases that are active when the bill is passed, they are immediately dismissed. With regard to the payment of a fine, the judge may take in to consideration what a vendor is able to pay.

Marco Tamayo explained that the bill has no limit on the number of vendors, nor any limit on where they can be located. In our district, he explains, we have residential zoning with a commercial overlay. He informed us that Jessica Ramos of Queens sponsored the bill in the Senate, and we should call her at (718)205-3881. Our small businesses would be very badly impacted by this bill.

Also, vendors would be welcome in public parks and not need to participate in the bidding system for park locations, currently required. The bill may prohibit stationary vendors in residential areas, but may not restrict mobile vendors. It would prohibit street vendors in the area of a farmer's market during their limited operating hours.

The bill states that perceived community animus or economic competition should not be taken in to consideration if denying a vendor permit based on health, crowding or the public welfare.

Andrew Fine of East 86th Street Association spoke and expressed concern about the number of vendors and the unlimited amount permitted. Local organizations cannot restrict where vendors locate, so there is no area restriction and nothing punitive, no repercussion for being in breach. Senator Ramos calls street vending small business, which they are, but they have none of the restrictions or enforcement that the small business community has to face. The bill does not address the black market which has permeated the vending industry.

The explanation given for dealing with the black market is that because there will be enough permitted licenses, there will be no need to buy a license on the black market. There are currently approximately 5000 legal vending licenses. Michele reports on Dorian Supermarket which is a small bricks and mortar business whose owner pays all necessary business costs. If vending is a stepping stone to small business ownership, then limit the amount of time you can be on the street before moving on.

An additional concern of this State bill is that the rules are subjective and may not address the neighborhood's concerns.

The State bill specifically says that neighbors should not be able to exclude a vendor just because they find them wrongly located.

Andrew Fine suggests that complainants or others use Twitter to voice their concerns, because everyone sees Twitter feeds. Andrew will send the Council Twitter feeds to the Board office. Michele says that the chips being placed on new carts should now be used to verify an assigned location and commissary visitation. The competitive nature of products on the street are harmful to bricks and mortar businesses.

Michele informs that there were revisions to the state bill at 5:00 PM tonight prior to the meeting, but tonight we will vote on the current bill. Rob Byrnes says he will watch this current bill, which he believes was written so as to provide impetus for the City Council to do something about street vending.

Barbara Rudder spoke of concerns that the State Bill over-rides the City Bill. The Ramos bill would permit vendors in any location that is not deemed to have a health and safety concern. Michele explains that in smaller towns residential and commercial locations are very well defined, but this is not true in the city where there is a lot of residential with commercial overlay.

Elaine Walsh, member of the Community Board and President of The 86th Street Association, is concerned about the lack of enforcement and the need to work with the administrative judges who reduced fines; without this, we have no real teeth. We need pressure from the police and the courts not to dismiss. Vacant store fronts could accommodate multiple vendors so that they would be off the streets. We have all advocated for a separate vendor enforcement squad that's fully conversant with vendor law.

A discussion then ensued about Agenda Item #2, City Intro #1116 which includes a section about a pilot program for enforcement in which it calls for enforcing 75% of infractions within the pilot zone. It is unacceptable to have such a low enforcement bar

With reference to the city bill, Rob Byrnes tells us that the fact that the bill calls for an Office of Vendor Enforcement is not helpful because the bill provides no funding stream and calls for no one to take responsibility; there is no lead agency, and no agency has volunteered to take this on. Until there is an Office of Vendor Enforcement that is funded and up and running, it might fall to the jurisdiction of the Mayor.

The Advisory Board that would be created would consist of Commissioners from DCA, DOHMH, SBS, DOT and NYPD. It would have five appointees from the Speaker (two representing street vendors, one representing small businesses, one representing retail food workers, one representing community groups and one representing building owners, and two Mayoral appointees. This Board would determine whether permits should be restricted, expanded, or altered based on "an analysis of the results of the increased number of mobile food vendor permits.

This Board can decide about the number of licenses based on their observations after the program has been put in to effect. However, Michele suggests, that they should do an environmental impact study prior to the law going into effect.

The law provides that the DOT shall operate an experiment location pilot program in which it will identify active locations and confer with the community. The bill also calls for a vending table or cart to be located 20 feet from doorways. However, this is already in law.

Rob Byrnes comments: We're all guessing about the number of vendors on the street. We only know about the permits. City needs to do an in depth study to find out exactly how many vendors are really on the street, 10,000, 25000, etc? How much are they paying on the black market? It's all anecdotal, not factual. We need a data driven study. Also, we know there is an illegal market, but we don't know the exact number. Retired vendors or others that have accumulated permits are now charging exorbitant amounts of money for the permits. Rob suggests an amnesty period which would encourage current vendors to turn in the person that is taking advantage of them. The vendor would then get the permit. The new bills will just deliver more permits, but not solve the problem. Marco reports that a street vendor told him that the decals are duplicated in China.

The city bill says the food carts can vend "healthy food and water". Michele says this is dangerous because it turns the food carts into supermarkets and grocery stores on the street. The bill doesn't define healthy. Elaine says that the newspaper stands have also become groceries. Things need to be within the stand itself.

Double carts and tables have become commonplace.

Dan Rossi, a veteran vendor, doesn't believe that there are 5000 vendors on the streets now. He says that there were 990 permits available in 2018. He sees vending as an industry. There are more licenses than permits, but if you don't have a permit, why do you need a license? He suggests that when a vendor applies for a license, they should be asked "Who hired you?" What is that person's name? If you do this, you'll eliminate the black market. The City now has the tracking ability, but they don't have the system or the algorithm to implement it.

The State bill calls the Parks bidding system in to question.

Andrew Fine has concern p. 15 of the city bill which call for the Advisory Board to consider whether or not the laws are overly burdensome for the vendor. He is also concerned about P.4 part b which talks about the Commission determining the standards by which a cart can vend.

P.15, 21B says that prior to May 1st of each year from 2021 to 2029, the Advisory Board issue to the Speaker of the City Council, a recommendation on whether the DOHMH should restrict, expand or otherwise alter the increased number of mobile food vendor permits issued pursuant to this law.

Michele explained that general merchandise vendors should have standardized street furniture. Then the consumer will know that the vendor is legal and consumers will be protected. There should be standardized signage and a pocket for licenses, as well. This standardization would make for a more attractive streetscape.

Chris Stephens said that every city agency has internal regulations, and so we should go to the agency to try to change rules. Michele notes that we have done so with the DOH.

Laura from the 86th St. Association supports a separate vendor enforcement squad, but states that Bill #1116, changed from #1303, still provides no funding and no ratio of enforcement agents to vendors. She points to the no idling laws that the vendor truck doesn't abide by and the risk of their propane.

It is not permissible to sell sliced fruits and vegetables on the street, but the subway vendor recently in the news, continues to sell while knowing that she is noncompliant, but she has garnered the support of the public.

There was discussion about the lack of temperature control for food sold on the street and comments on dirt on the street in the tree pits.

A resident complained about 86th Street vendors and garbage.

Michele encouraged all to write their Councilmembers and explain the shortcomings of these bills.

Trevor Tyrrell, from the Guggenheim, is concerned about the vendors in front of the building. Michele spoke to him about the fact that the merchandise that is being called First Amendment merchandise is really not. This category has wrongly expanded to include jewelry or statuary that is mass produced.

Michele tells everyone that if they have a specific infraction about a food vendor to report it to her, and she will send to the DOH.

Rob Byrnes says that we have to work to make sure that the two bills don't go much further. He suggests we make these an issue in Council elections and speak to the candidates about this issue. There will be a largely new Council with a turn over about 1/3 in the upcoming elections. They will not be knowledgeable about this issue. Rob suggests we ask what their vision is for street vendors. He has observed people lining up in bike lanes to buy at vendor stands. What's your vision for streets of the city? What is plan for the sidewalks?

Rob Byrnes thinks we need new laws, as the streets are more crowded than ever before.

Lo van der Valk, of Carnegie Hill Neighbors, spoke of the carts and trucks in front of the Guggenheim. He reported that they crowd and dirty the streets, and he would like to see the Guggenheim block prohibited to vendors. There are no new restricted streets and haven't been in long time. The Guggenheim is a landmark and should be protected.

Lo asks if we could get an intern write a little book on vendor law for the neighborhood? Michele said it's a good idea, but an intern is not easy to come by, but she will try.

Elaine reported that The 86th Street Association asked for a tow truck to remove a vendor fruit inventory truck, but was told there is only one such heavy duty truck in the city. Also, the fines are too low. The Council bill lowered the fines. She also explained the liability of a property owner if someone slipped on his sidewalk as a result of vendor trash.

Michele reminds that there are no legal spots for truck vendors. She tells of the violations around the hospital zone by the pop-corn truck, etc.

Rob Byrnes stresses that there is no funding stream and no ratio of enforcement squad to vendor. An Environmental Impact statement should be done before the bill is implemented.

Dorian on York and 83rd is in opposition to a near-by green market, as it has a negative impact on her business.

In summary, we are opposed to the Senate and City bill in their current forms because nothing about them addresses our concerns or have taken into consideration any of the suggestions we have put forth in the past. It's going to continue to be revised, and we have to see how each new version supports our past resolutions.

The following two resolutions, in opposition to these bills, were passed unanimously.

Resolution #1: State Bill #6817

Whereas, State Senate Bill #6817 has standards that will be required of all local legislative bodies, and

Whereas, this Bill would ultimately eliminate the cap on the number of street vendors, and

Whereas, there will be no location restrictions on street vending except if the location is directly related to objective health, safety or welfare concerns, and

Whereas, roaming street vendors will not be prohibited from selling food or merchandise in a park owned or operated by the city, and

Whereas, the tracking devices to be placed on all vending carts when the license comes up for renewal, will not be used to track vendor locations, and

Whereas, no tracking system has been put in place to track vendors' compliance with commissary use, and

Whereas, fines for vending without a license are as follows: A fine not exceeding \$250 for the first infraction, a fine not exceeding \$500 for a second violation within one year of the first violation, and upon proof of a valid permit, the fines set forth will be reduced or dismissed, and

Whereas, if a licensed street vendor has an infraction, the judge may take into consideration the vendor's ability to pay, and

Whereas, street vending infractions will not be punishable as an infraction or a misdemeanor, and may be resolved by completing community service in lieu of paying the total fine, or a judge may offer another remedy, and

Whereas, there is nothing in the bill that calls for a Vendor Enforcement Commission, and

Whereas, there is nothing in the bill that asks for community involvement in vendor citing or enforcement, and

Whereas, this bill is sorely lacking in offering remedies for the quality of life concerns of the community, and

Whereas, this bill is contradictory to Community Board's past resolutions,

Therefor Be It Resolved that Community Board 8 is strongly opposed to the passing of State Bill 6817, as it is currently written, and

Further Be It Resolved, that CB8 wishes for State lawmakers to seek input from the residential and business communities for improvements and revisions to this bill that would take all stakeholders in to consideration.

In Favor: Michele Birnbaum, Marco Tamayo, Barbara Rudder, Elaine Walsh and Public Member, Monica Sanchez.

Opposed: 0

Abstain: 0

Resolution 2:

Whereas, City Council Intro # 1116 must comply with the standards, rules and regulations that will be required of all local legislative bodies as set forth in State Bill 6817, and

Whereas, City Intro #1116 seeks to issue a new "supervisory license" and allow supervisory licensees to vend food from any vehicle or pushcart that has a decal, and

Whereas, beginning on June 1, 2020, DOHMH will issue up to 445 new supervisory licenses per year for ten years, and

Whereas, only 45 licenses would be issued annually to veterans, and

Whereas, the Advisory Board would be in charge of deciding whether or not this number of licenses should be decreased or increased, leading to the possibility that this Bill could ultimately eliminate the cap on the number of street vendors, and

Whereas, there will be no environmental impact study prior to passing bills or making decisions that increase or eliminate the number of street vendors, and

Whereas, there will be no location restrictions on street vending except if the location is directly related to objective health, safety or welfare concerns, and

Whereas, roaming street vendors will not be prohibited from selling food or merchandise in a park owned or operated by the city, and

Whereas, there are no location assignments for street vending, and

Whereas, the tracking devices to be placed on all vending carts when the license comes up for renewal, will not be used to track vendor locations, and

Whereas, no tracking system has been put in place to track vendors' compliance with commissary use, and

Whereas, the bill calls for an Advisory Board that consists of Commissioners from DCA, DOHMH, SBS, DOT and NYPD, and five appointees from the Speaker, only one of which would be a representative of a community group, and

Whereas, food vendors will now be permitted to sell "healthy" food and drink in addition to what they now sell, and

Whereas, "healthy" is too broad a term and will lead to a large product base that will essentially create a grocery on the street, and

Whereas, the requested vendor enforcement agents will only operate in the pilot zone, and

Whereas, the bill has no dedicated funding stream for enforcement, and

Whereas, there is no agency assigned jurisdiction, and

Whereas, this bill is sorely lacking in offering remedies for the quality of life concerns of the community, and

Whereas, this bill is contradictory to Community Board's passed resolutions,

Therefore, be It Resolved that Community Board 8 is strongly opposed to the passing of City Intro #1116, as it is currently written, and

Further Be It Resolved, that CB8 strongly requests that city lawmakers seek input from residential and business communities for improvements and revisions to this bill that would take all stakeholders in to consideration.

In Favor: Michele Birnbaum, Marco Tamayo, Barbara Rudder, Elaine Walsh and Public Member, Monica Sanchez.

Opposed: 0

Abstain: 0

The meeting was adjourned.

Respectfully submitted,

Michele Birnbaum and Marco Tamayo, Co-Chairs

STATE OF NEW YORK

6817--A

2019-2020 Regular Sessions

IN SENATE

October 28, 2019

Introduced by Sens. RAMOS, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Cities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general city law, in relation to the regulation of street vendors

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general city law is amended by adding a new section
2 18-e to read as follows:

3 § 18-e. Street vendors. 1. For the purposes of this section, the
4 following definitions apply:

5 a. "Street vendor" means a person who sells food or merchandise from a
6 food truck, pushcart, stand, display, pedal-driven cart, wagon, show-
7 case, rack, other nonmotorized conveyance, or from one's person, upon a
8 public street, sidewalk or other pedestrian path.

9 b. "Local legislative body" means the legislative body of a city.

10 2. a. A local legislative body shall not regulate street vendors
11 except in accordance with subdivision three, four or five of this
12 section.

13 b. Nothing in this section shall be construed to affect the applica-
14 bility of any laws, rules, or regulations pertaining to food safety to a
15 street vendor who sells food.

16 c. Nothing in this section shall be construed to require a local
17 legislative body to adopt a new program to regulate street vendors if
18 the local legislative body has established an existing program that
19 substantially complies with the requirements of this section.

20 3. a. A local legislative body may adopt a program to regulate street
21 vendors in compliance with this section.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD13953-04-0

1 b. A local legislative body's street vending program shall comply with
2 all of the following standards:

3 (i) A local legislative body shall not require a street vendor to
4 operate within specific parts of the public right-of-way, except when
5 such restriction is directly related to objective health, safety, or
6 welfare concerns.

7 (ii) (A) A local legislative body shall not prohibit a street vendor
8 from selling food or merchandise in a park owned or operated by the
9 city, except the local legislative body may prohibit stationary street
10 vendors from vending in the park only if the operator of the park has
11 signed an agreement for concessions that exclusively permits the sale of
12 food or merchandise by the concessionaire.

13 (B) Notwithstanding clause (A) of this subparagraph, a local legisla-
14 tive body may adopt additional requirements regulating the time, place,
15 and manner of street vending in a park owned or operated by the city if
16 the requirements are any of the following:

17 (1) Directly related to objective health, safety, or welfare concerns;

18 (2) Necessary to ensure the public's use and enjoyment of natural
19 resources and recreational opportunities; or

20 (3) Necessary to prevent an undue concentration of commercial activity
21 that unreasonably interferes with the scenic and natural character of
22 the park.

23 (iii) A local legislative body shall not require a street vendor to
24 first obtain the consent or approval of any nongovernmental entity or
25 individual before he or she can sell food or merchandise.

26 (iv) (A) A local legislative body shall not restrict street vendors to
27 operate only in a designated neighborhood or area, except when that
28 restriction is directly related to objective health, safety, or welfare
29 concerns.

30 (B) Notwithstanding clause (A) of this subparagraph, a local legisla-
31 tive body may not prohibit stationary or roaming street vendors in areas
32 that are zoned exclusively residential.

33 (v) A local legislative body shall not restrict the overall number of
34 street vendors permitted to operate within the jurisdiction of the local
35 legislative body.

36 c. A local legislative body may, by law, ordinance or resolution,
37 adopt additional requirements regulating the time, place, and manner of
38 street vending if the requirements are directly related to objective
39 health, safety, or welfare concerns, including, but not limited to, any
40 of the following:

41 (i) Limitations on hours of operation that are not unduly restrictive.
42 In nonresidential areas, any limitations on the hours of operation for
43 street vending shall not be more restrictive than any limitations on
44 hours of operation imposed on other businesses or uses on the same
45 street;

46 (ii) Requirements to maintain sanitary conditions;

47 (iii) Requirements necessary to ensure compliance with the federal
48 Americans with Disabilities Act of 1990 (Public Law 101-336) and other
49 disability access standards;

50 (iv) Requiring the street vendor to obtain from the local legislative
51 body a permit for street vending or a valid business license, provided
52 that the local legislative body issuing the permit or business license
53 accepts a New York driver's license or identification number, an indi-
54 vidual taxpayer identification number, or a municipal identification
55 number in lieu of a social security number if the local legislative body
56 otherwise requires a social security number for the issuance of a permit

1 or business license, and that the number collected shall not be avail-
2 able to the public for inspection, is confidential, and shall not be
3 disclosed except as required to administer the permit or licensure
4 program or comply with a state law or state or federal court order;

5 (v) Requiring the street vendor to possess a valid seller's permit or
6 license;

7 (vi) Requiring additional licenses from other state or local agencies
8 to the extent required by law;

9 (vii) Requiring compliance with other generally applicable laws; or

10 (viii) Requiring a street vendor to submit information on his or her
11 operations, including, but not limited to, any of the following:

12 (A) The name and current mailing address of the street vendor;

13 (B) A description of the merchandise offered for sale or exchange;

14 (C) A certification by the vendor that to his or her knowledge and
15 belief, the information contained on the form is true;

16 (D) The New York state tax number, if any, of the street vendor; or

17 (E) If the street vendor is an agent of an individual, company, part-
18 nership, or corporation, the name and business address of the principal.

19 d. Notwithstanding paragraph b of this subdivision, a local legisla-
20 tive body may restrict or prohibit street vendors within the immediate
21 vicinity of an area designated for a temporary special permit issued by
22 the local legislative body, provided that any notice, business inter-
23 ruption mitigation, or other rights provided to affected businesses or
24 property owners under the local legislative body's temporary special
25 permit are also provided to any street vendors specifically permitted to
26 operate in the area, if applicable. For the purposes of this paragraph,
27 a temporary special permit is a permit issued by the local legislative
28 body for the temporary use of, or encroachment on, the street, sidewalk,
29 or other public area, including, but not limited to an encroachment
30 permit, special event permit, or temporary event permit, for purposes
31 including, but not limited to, filming, parades, or outdoor concerts. A
32 prohibition of street vendors pursuant to this paragraph shall only be
33 effective for the limited duration of the temporary special permit.

34 e. For the purposes of this section, perceived community animus or
35 economic competition shall not constitute an objective health, safety,
36 or welfare concern.

37 4. All enforcement and inspection of this section shall be carried out
38 by the health officer of a city with a population of fifty thousand or
39 more, the commissioner of health or health officer of a county or part-
40 county health district, the state regional health director or area
41 director having jurisdiction, a grade I or grade II public health admin-
42 istrator qualified and appointed pursuant to 10 NYCRR Part 11, a public
43 health director or any county health director having all the powers and
44 duties prescribed in section three hundred fifty-two of the public
45 health law. The health commissioner or health officer of a city with a
46 population of fifty thousand or more, or the health commissioner or
47 health officer of a county or part-county health district, or such grade
48 I or grade II public health administrator or public health director or
49 county health director may designate the director of environmental
50 health of such district; and the state regional health director or area
51 director may designate the district director as additional persons
52 authorized to enforce and perform inspections pursuant to this section.

53 5. a. (i) A violation of a local legislative body's street vending
54 program that complies with subdivision three of this section is punisha-
55 ble only by the following:

56 (A) A fine not exceeding one hundred dollars for a first violation.

1 (B) A fine not exceeding two hundred dollars for a second violation
2 within one year of the first violation.

3 (C) A fine not exceeding three hundred dollars for each additional
4 violation within one year of the first violation.

5 (ii) A local legislative body may rescind a permit issued to a street
6 vendor for the term of that permit upon serious repeated and persistent
7 violations of any of the requirements of subdivision three of this
8 section, and after notice and an opportunity for a hearing has been
9 provided by the permit-issuing official.

10 (iii) (A) If a local legislative body requires a sidewalk vendor to
11 obtain a street vending permit from the local legislative body, vending
12 without a street vending permit may be punishable by the following in
13 lieu of the fines set forth in subparagraph (i) of this paragraph:

14 (1) A fine not exceeding two hundred dollars for a first violation.

15 (2) A fine not exceeding three hundred dollars for a second violation
16 within one year of the first violation.

17 (3) A fine not exceeding four hundred dollars for each additional
18 violation within one year of the first violation.

19 (B) Upon proof of a valid permit issued by the local legislative body,
20 the fines set forth in this paragraph shall be reduced to the fines set
21 forth in subparagraph (i) of this paragraph, respectively.

22 b. The proceeds of a fine assessed pursuant to paragraph a of this
23 subdivision shall be deposited in the general fund of the local legisla-
24 tive body.

25 c. Failure to pay a fine pursuant to paragraph a of this subdivision
26 shall not be punishable as an infraction or misdemeanor. Additional
27 fines, fees, assessments, or any other financial conditions beyond those
28 authorized in paragraph a of this subdivision shall not be assessed.

29 d. (i) A violation of a local legislative body's street vending
30 program that complies with subdivision three of this section, or a
31 violation of any rules or regulations adopted prior to the effective
32 date of this section, that regulate or prohibit street vendors in the
33 jurisdiction of a local legislative body, shall not be punishable as an
34 infraction or misdemeanor, and the person alleged to have violated any
35 such provisions shall not be subject to arrest except when permitted
36 under law.

37 (ii) Notwithstanding any other law to the contrary, subparagraph (i)
38 of this paragraph shall apply to all pending criminal prosecutions under
39 any law, ordinance or resolution regulating or prohibiting street
40 vendors. Any such criminal prosecutions that have not reached final
41 judgment shall be dismissed.

42 e. A local legislative body that has not adopted rules or regulations
43 by law, ordinance or resolution that comply with subdivision two of this
44 section shall not cite, fine, or prosecute a street vendor for a
45 violation of any law, rule or regulation that is inconsistent with the
46 standards described in paragraph b of subdivision three of this section.

47 f. (i) When assessing a fine pursuant to paragraph a of this subdivi-
48 sion, the adjudicator shall take into consideration the person's ability
49 to pay the fine. The local legislative body shall provide the person
50 with notice of his or her right to request an ability-to-pay determi-
51 nation and shall make available instructions or other materials for
52 requesting an ability-to-pay determination. The person may request an
53 ability-to-pay determination at adjudication or while the judgment
54 remains unpaid, including when a case is delinquent or has been referred
55 to a comprehensive collection program.

1 (ii) The local legislative body may allow the person to complete
2 community service in lieu of paying the total fine, may waive or reduce
3 the fine, or may offer an alternative disposition.

4 g. (i) A person who is currently serving, or who completed, a
5 sentence, or who is subject to a fine, for a conviction of a misdemeanor
6 or infraction for street vending, whether by trial or by open or negoti-
7 ated plea, who would not have been guilty of such offense under this
8 section had this section been in effect at the time of the offense, may
9 petition for dismissal of the sentence, fine, or conviction before the
10 trial court that entered the judgment of conviction in his or her case.

11 (ii) Upon receiving a petition under subparagraph (i) of this para-
12 graph, the court shall presume the petitioner satisfies the criteria in
13 subparagraph (i) of this paragraph unless the party opposing the peti-
14 tion proves by clear and convincing evidence that the petitioner does
15 not satisfy the criteria. If the petitioner satisfies the criteria in
16 subparagraph (i) of this paragraph, the court shall grant the petition
17 to dismiss the sentence or fine, if applicable, and dismiss and seal the
18 conviction, because the sentence, fine, and conviction are legally
19 invalid.

20 (iii) Unless requested by the petitioner, no hearing is necessary to
21 grant or deny a petition filed under subparagraph (i) of this paragraph.

22 (iv) If the court that originally sentenced or imposed a fine on the
23 petitioner is not available, the presiding judge shall designate another
24 judge to rule on the petition.

25 (v) Nothing in this paragraph is intended to diminish or abrogate any
26 rights or remedies otherwise available to the petitioner.

27 (vi) Nothing in this paragraph or related provisions is intended to
28 diminish or abrogate the finality of judgments in any case not falling
29 within the purview of this section.

30 § 2. This act shall take effect immediately.



Legislation Text

File #: Int 1116-2018, **Version:** A

Proposed Int. No. 1116-A

By Council Members Chin, Menchaca, Lander, Rose, Miller, Koslowitz, Reynoso, Dromm, Barron, Treyger, Levine, Ayala, Brannan, Diaz, Levin, Kallos, the Public Advocate (Mr. Williams), Rodriguez, Eugene, Ampry-Samuel, Perkins, Cornegy, Holden, Rivera, King, Adams, Moya, Gibson and Van Bramer

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding the availability of food vendor permits, creating an office of street vendor enforcement, and establishing a street vendor advisory board

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 13-e to read as follows:

§ 13-e Office of Street Vendor Enforcement. There shall be an office of street vendor enforcement, which shall consist of enforcement agents who are specially trained in local laws and rules related to vending on the streets and sidewalks of the city of New York. The office of street vendor enforcement shall be fully operational on or before September 1, 2019 and shall commence enforcement activities on or before such date. Such enforcement activities shall, at a minimum, include a sufficient number of street patrols to inspect or examine the vending activities of at least 75 percent of applicable permittees or licensees on an annual basis. For the purposes of this section, the term “applicable permittees or licensees” means persons issued full-term or temporary permits pursuant to section 17-307 of the code, or persons issued licenses to vend pursuant to sections 17-307 or 17-307.1 of the code, or licenses issued pursuant to section 20-456 of the code. The mayor may establish such office in the executive office of the mayor, within any other office in the executive office of the mayor, or within any department, the head of which is appointed by the mayor. Such office shall have the power and duty to:

a. enforce all local laws and rules related to vending on the streets and sidewalks of the city of New York, other than such local laws and rules related to food safety, including, but not limited to: section 16-118, subchapter 2 of chapter 3 of title 17, subchapter 27 of chapter 2 of title 20 and chapter 1 of title 24 of the administrative code; article 89 of the health code; and any rules of the city of New York implementing such laws;

b. focus its enforcement efforts on areas including, but not limited to, areas in the designated vending locations pilot program created by the local law that added this section, areas adjacent to retailers that dedicate substantial floor area to the sale of fresh fruits and vegetables, and any other areas identified by the department of transportation as excessively congested and featuring a high level of complaints about vendor activity, if any;

c. collaborate with the department of small business services to provide training and education to all street vendors on all applicable local laws and regulations, with a focus on areas including, but not limited to, areas in the designated vending locations pilot program created by the local law that added this section, as well as other areas identified by the department of transportation as excessively congested and featuring a high level of complaints about vendor activity, if any; and

d. engage in such other activities related to enforcement of laws related to vending on the streets and sidewalks of the city of New York, or related to improving compliance with such laws, as may be designated by the mayor. For the purposes of this section, "excessively congested" areas include, but are not limited to, areas where pedestrian volume regularly approaches or exceeds the capacity of the sidewalk.

§ 2. Subdivisions q, r and s of section 17-306 of the administrative code of the city of New York, as added by local law number 9 for the year 2008, are amended to read as follows:

q. "Fresh fruits and vegetables". [Unprocessed unfrozen] Unfrozen raw fruits and vegetables that have not been combined with other ingredients.

r. "Fresh fruits and vegetables permit". A full-term permit for the vending at retail solely of fresh fruits or vegetables, [or both,] water, raw single ingredient nuts and any other food designated by the commissioner

as healthful pursuant to section 17-324.1, from a pushcart or vehicle in a public place. Unless otherwise specified, a fresh fruits and vegetables permit shall be a permit in accordance with the provisions of this subchapter.

s. "Green cart". A pushcart or vehicle used exclusively by those issued fresh fruits and vegetables full-term permits pursuant to section 17-307 of this subchapter [and which, in addition to being in compliance with all other legal requirements applicable to non-processing pushcarts, must also have a distinctive and easily recognizable appearance in accordance with rules to be established by the commissioner].

§ 3. Paragraph 1 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

1. (a) It shall be unlawful to vend food [from any vehicle or pushcart] in a public space from any vehicle or pushcart not bearing a decal issued by the department demonstrating that it has been inspected and approved, and without:

(i) having first obtained a fresh fruit or vegetables permit, or a permit issued prior to June 1, 2020, or such a permit that has been transferred by the commissioner in accordance with subdivision d of section 17-314.1, for such vehicle or pushcart from the commissioner in accordance with the provisions of this subchapter;
or

(ii) having first been issued a supervisory license pursuant to section 17-307.1; or

(iii) working alongside a food vendor at such vehicle or pushcart who has been issued a supervisory license pursuant to section 17-307.1.

(b) The commissioner shall establish standards relating to the size and design of such vehicles and pushcarts. No vendors shall vend from any vehicle or pushcart which does not comply with the standards established by the commissioner. No vendor shall vend from other than a vehicle or pushcart.

(c) No food vendor issued a fresh fruits and vegetables permit shall vend from other than a vehicle or a green cart. No food vendor issued a fresh fruits and vegetables permit shall vend any food other than fresh

fruits and vegetables, water, raw single ingredient nuts and other food designated by the commissioner as healthful pursuant to section 17-324.1 from the green cart or vehicle for which the permit was issued.

§ 4. Subparagraph (a) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York is amended to read as follows:

(a) [On] Except for permits issued to persons holding supervisory licenses pursuant to section 17-307.1, on and after July thirtieth, nineteen hundred eighty-three, no new full-term permits shall be issued until the number of such permits which are in effect is less than three thousand. Thereafter, the maximum number of such permits which may be in effect shall be three thousand and no new permits shall be issued in excess of such maximum number. Notwithstanding the limitations on the issuance of new full-term permits, a permit issued prior to July thirtieth, nineteen hundred eighty-three which is in effect shall be renewable by the licensee to whom the permit was issued subject to the provisions of subparagraph (f) of this paragraph and provided that all other requirements for renewal under the provisions of this subchapter and any rules promulgated pursuant thereto are complied with, the license of the person to whom the permit was issued or the permit has not been revoked or suspended and the licensee has not committed a violation or violations which could be a basis for permit or license revocation or suspension.

§ 5. Subparagraph (a) of paragraph 3 of subdivision b of section 17-307 of the administrative code of the city of New York is amended to read as follows:

(a) Notwithstanding the provisions of paragraph two of this subdivision limiting the number of full-term permits that are authorized to be issued, and not including permits issued to persons holding supervisory licenses pursuant to section 17-307.1, the commissioner may issue up to a maximum of one hundred additional full-term permits authorizing the holders thereof to vend food from any vehicle or pushcart in any public place in the city of New York where food vendors are not prohibited from vending. Such permits shall be issued only to natural persons who at the time of application for a permit hereunder are not holders of a full-term permit issued pursuant to paragraph two of this subdivision and who have not had a full-term permit revoked or

suspended. No person shall be issued more than one permit. Such permits shall be issued in the order in which applications for such permits are received in accordance with the preferences specified in subparagraph (b) of this paragraph and the procedures established by the commissioner. The issuance or renewal of a full-term permit pursuant to this paragraph shall be subject to the permittee within three months after the certification of a complete application therefor presenting a pushcart or vehicle for inspection by the department and, within six months after such certification, passing such inspection, except that such deadlines shall not apply to an applicant for a full-term permit who has been issued a supervisory license pursuant to section 17-307.1. After the initial issuance of such permits, the commissioner shall establish a waiting list, not to exceed four hundred in number, to be administered in accordance with procedures to be established by rules of the commissioner.

§ 6. Subparagraph (a) of paragraph 4 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

(a) Notwithstanding the provisions of paragraph two of this subdivision limiting the total number of full-term permits that are authorized to be issued, the commissioner may issue up to a maximum of one thousand fresh fruits and vegetable permits, as that term is defined in subdivision r of section 17-306 of this chapter. [The initial issuance of these one thousand fresh fruits and vegetables permits shall be phased in over a two-year period. No more than five hundred permits shall be issued during the first year of permit availability, nor shall more than one-half of the number of fresh fruits and vegetables permits designated for use in a borough be issued during the first year of permit availability. During the second year of permit availability the commissioner may issue the remaining five hundred permits along with any permits from the initial five hundred not issued during the first year of permit availability. Thereafter, the maximum number of such permits which may be in effect shall be one thousand and no new permits shall be issued in excess of such number.] Each of the one thousand fruits and vegetables permits to be issued pursuant to this paragraph shall be designated for use exclusively in a specified borough as follows:

(i) three hundred fifty of such fruits and vegetables permits shall authorize the holders thereof to vend

fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of the Bronx in the areas designated in clause (i) of subparagraph b of this paragraph.

(ii) three hundred fifty of such fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Brooklyn in the areas designated in clause (ii) of subparagraph b of this paragraph.

(iii) one hundred fifty of such fresh fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Manhattan in the areas designated in clause (iii) of subparagraph b of this paragraph.

(iv) one hundred of such fresh fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Queens in the areas designated in clause (iv) of subparagraph b of this paragraph.

(v) fifty of such fresh fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Staten Island in the areas designated in clause (v) of subparagraph b of this paragraph.

§ 7. Subdivision d of section 17-307 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

d. A food vendor's license shall entitle the holder thereof to vend any food which the commissioner or board may authorize or otherwise approve, except that a food vendor vending from a green cart or vehicle with a fresh fruits and vegetables permit shall only be authorized to vend fresh fruit and vegetables, water, raw single

ingredient nuts and any other food that has been designated by the commissioner as healthful pursuant to section 17-324.1. No food vendor while acting as such shall vend any item which the commissioner or board has not authorized or otherwise approved.

§ 8. Section 17-307 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. On and after June 1, 2020, any newly issued permit to vend from a vehicle or pushcart, full-term or temporary, that is issued pursuant to this section shall require that such vehicle or pushcart be operated only when a person who has been issued a supervisory license pursuant to section 17-307.1 is present.

§ 9. Subchapter 2 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-307.1 to read as follows:

§ 17-307.1 Supervisory Licenses

a. Eligibility for supervisory license.

1. Any natural person may apply for a supervisory license who satisfies the qualifications described in at least one of the following categories:

(a) such person has been on a waiting list for a full-term permit or temporary permit pursuant to this subchapter since on or before October 1, 2012 and remains on such list as of the date of issuance; or

(b) such person has held a food vendor license continuously since on or before March 1, 2015.

2. Any natural person may apply for a supervisory license who has been issued a permit, on or after June 1, 2020, pursuant to paragraphs 2 or 3 of subdivision b, or subdivision f, of section 17-307.

b. Issuance of supervisory licenses.

1. For persons described in paragraph 1 of subdivision a, the department shall make available up to 400 supervisory licenses on the following dates:

(a) On June 1 of each calendar year beginning in 2020 until June 1, 2022;

(b) On June 1 of each calendar year beginning in 2023 until June 1, 2026; and

(c) On June 1 of each calendar beginning in 2027 until June 1, 2029.

(d) If more than 400 persons apply by June 1 of any such calendar year, such licenses shall be distributed first to those persons defined in paragraph 1 of subdivision a of this section by order of applicant submission . To the extent the number of persons that apply for such licenses exceeds the number of available supervisory licenses, and the list of persons defined in paragraph 1 of subdivision a has been exhausted, the distribution required by this paragraph shall be determined by lottery.

2. For persons described in paragraph 3 of subdivision b of section 17-307, the department shall make available up to 45 supervisory licenses on the following dates:

(a) On June 1 of each calendar year beginning in 2020 until June 1, 2022;

(b) On June 1 of each calendar year beginning in 2023 until June 1, 2026; and

(c) On June 1 of each calendar beginning in 2027 until June 1, 2029.

(d) If more than 45 persons apply by June 1 of any such calendar year, such licenses shall be determined by lottery.

3. The department shall not issue a supervisory license to any person who at the time of application had a permit issued pursuant to subdivision b or f of section 17-307 revoked or suspended or who is not fit and able to conduct, maintain or operate a food vending business.

4. The department shall not issue a supervisory license to any person who is a minor.

5. Any supervisory license issued pursuant to this section shall include, at minimum, the full name and address of the licensee.

6. No person shall be issued more than one supervisory license.

7. Any supervisory license issued pursuant to this section shall be valid for two years unless suspended or revoked.

c. Issuance of permit. Notwithstanding the numerical limitations on the number of full-term permits described in paragraphs 2 and 3 of subdivision b of section 17-307, the department shall make available a full-

term or temporary permit to any natural person holding a supervisory license pursuant to this section, provided that such person meets all other requirements for issuance of such permit.

d. Regulation of supervisory licenses.

1. Any vehicle or pushcart that has a decal issued by the department, which has been obtained by a person issued a permit on or after June 1, 2020, shall not be operated without the presence of a supervisory licensee.

2. A person issued a supervisory license is authorized to vend food from any vehicle or pushcart that has a decal issued by the department.

e. The department is authorized to promulgate any rules necessary to implement the provisions of this section.

§ 10. Subdivision b of section 17-308 of the administrative code of the city of New York is amended to read as follows:

b. The annual fee for a license or renewal thereof shall be twenty-five dollars, except that the annual fee for a supervisory license shall be four hundred dollars; provided, however, that for an initial license issued for more than two years the applicable license fee shall be increased proportionally to the nearest quarter year.

§ 11. Paragraph 2 of subdivision c of section 17-308 of the administrative code of the city of New York, as amended by local law 9 for the year 2008, is amended to read as follows:

2. For a vehicle selling foods prepared or processed therein: one hundred dollars for a person with a supervisory license, and four hundred seventy-five dollars for a person without a supervisory license.

§ 12. Paragraph 1 of subdivision b of section 17-309 of the administrative code of the city of New York is amended to read as follows:

1. The name, home and business address of the applicant. If the applicant is applying for a permit to vend food from a vehicle or pushcart in a public place, the name, home address and license number of every

food vendor who will be authorized to operate such applicant's vehicle or pushcart, if such operation is permitted by the terms of such permit, and the legal relationship between such applicant and such food vendor.

§ 13. Subdivision d of section 17-315 of the administrative code of the city of New York, as amended by local law 18 for the year 2013, is amended to read as follows:

d. No vending pushcart shall be located against display windows of fixed location businesses, nor shall they be within twenty feet of any licensed stoop line stand, licensed sidewalk cafe, or any entranceway to any building, store, theatre, movie house, sports arena or other place of public assembly, or within twenty feet from exits, including service exits, to buildings that are exclusively residential at the street level.

§ 14. Section 17-315 of the administrative code of the city of New York is amended by adding new subdivisions m and n to read as follows:

m. No license or permit shall be issued to a person required to have a license or permit pursuant to this subchapter, and no license or permit shall be renewed for such a person, unless they obtain a certificate issued by the department subsequent to successful completion of a training developed by the department on the vending restrictions contained in this section, and passage of an examination administered by the department. A permittee or licensee shall not be required to retake the training and examination for subsequent license or permit renewals unless such person has been issued one or more violations of the provisions of this subchapter and any rules promulgated thereunder within a two year period. Any examinations, lectures or educational materials designed for such training program shall be made available in English and in the six most common languages spoken by limited English proficient individuals in the city according to the department of city planning. Such educational materials shall be available on the department's website.

n. The department, or such other agency designated by the mayor, shall provide a website and mobile application that allows the user to view a map of block faces on which food vending is not permissible pursuant to this section or any other law or rule, based on the day and hour entered.

§ 15. Paragraph 5 of subdivision a of section 17-317 of the administrative code of the city of New York,

as amended by local law number 9 for the year 2008, is amended to read as follows:

5. A licensee issued a "fresh fruits and vegetables" permit, pursuant to paragraph 4 of subdivision b of section 17-307 of this subchapter, is found to be vending food [other than fresh fruits and vegetables] they are not permitted to sell or is found to be vending in a police precinct other than one in which the licensee is authorized to vend in accordance with his (her) borough-specific permit.

§ 16. Subdivision e of section 17-321 of the administrative code of the city of New York is amended to read as follows:

e. Any notice of violation issued to a food vendor by an officer or employee described in subdivision a of this section that is returnable to [the environmental control board] a tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings shall state the permit number of the vehicle or pushcart associated with such notice of violation. Any fine, penalty or judgment duly imposed by such tribunal shall be considered to have been issued against the permittee associated with such permit number for the purposes of the non-issuance or renewal of a food vendor permit pursuant to subdivision b of section 17-317.

§ 17. Title 17 of the administrative code of the city of New York is hereby amended by adding a new section 17-324.1 to read as follows:

§ 17-324.1 Other Foods. The commissioner may designate by rule a list of additional healthful foods that are in compliance with the recommendations in the most recent dietary guidelines for americans issued by the United States department of agriculture. Such healthful foods may be sold by vendors who have been issued fresh fruits and vegetables permits pursuant to subdivision b of section 17-307 of this code.

§ 18. Subdivision a of section 20-454 of the administrative code of the city of New York is amended to read as follows:

a. All licenses issued pursuant to this subchapter shall be valid for [one year] two years unless sooner suspended or revoked. The commissioner shall establish by regulation the expiration date of such licenses.

§ 19. Subdivision q of section 20-465 of the administrative code of the city of New York, as added by local law 12 for the year 1989, is amended to read as follows:

q. No general vendor shall vend:

1. within twenty feet from sidewalk cafes or licensed stoop line stands; and
2. within five feet from (a) bus shelters, (b) newsstands, (c) public telephones or (d) disabled access ramps[; and].

§ 20. Section 20-465 of the administrative code of the city of New York is amended by adding a new subdivision r to read as follows:

r. The department, or such other agency designated by the mayor, shall provide a website and mobile application that allows the user to view a map of the block faces on which general vending is not permissible pursuant to this section or any other law or rule, based on the day and hour entered.

§ 21. Subchapter 27 of chapter 2 of title 20 of administrative code of the city of New York is amended by adding a new section 20-465.2 to read as follows:

§ 20-465.2 Street vendor advisory board. a. There is hereby established a street vendor advisory board consisting of the commissioner of consumer affairs, the commissioner of health and mental hygiene, the commissioner of small business services, the commissioner of transportation, and the police commissioner, or their designees, six members appointed by the speaker, two of whom represent street vendors, one of whom represents the small business community, one of whom represents organizations representing workers at retail food stores, one of whom represents property owners and one of whom who represents a community organization, and three members appointed by the mayor, two of whom represent street vendors and one of whom represents the small business community.

b. In addition to its other duties, the street vendor advisory board shall, prior to May 1 of each year from 2021 through 2029, issue to the speaker of the council a recommendation on whether the department of health and mental hygiene's authority to issue any or all of the supervisory licenses authorized to be issued by such

department should be restricted, expanded, or otherwise altered based on an analysis of the results of the increased number of mobile food vendor permits issued pursuant to the local law that created this section.

c. The street vendor advisory board shall review and evaluate all state and local laws and rules related to street vendors, including placement restrictions such as the minimum distance of 20 feet from any building entrance or exit, and the process for obtaining a street vendor license or permit pursuant to titles 17 and 20 of the administrative code. In conducting such review and evaluation the board shall consider whether such laws and rules should be clarified, are overly burdensome, or are duplicative. On or before January 1, 2020, the board shall submit to the speaker of the council and the mayor a report containing the board's recommendations in relation to amendments to local laws and/or rules based on such review and evaluation and the basis for each recommendation. Such report shall also include recommendations for the creation of designated community spaces where street vendors can congregate to vend, including specific recommendations concerning appropriate locations for food trucks and the availability of commissary space throughout the city.

§ 22. The department of transportation shall operate a designated vending locations pilot program. Such pilot program shall, no later than June 1, 2019, identify at least five areas in the city that contain a high level of vendor activity and generate a high number of vending-related complaints. The boundaries of such areas shall be posted on such department's website and may be modified at any time. Until June 1, 2021, the department of transportation may, after consultation with affected community boards and business improvement districts, waive or modify restrictions on the placement of food and general vendors contained in sections 17-315 and 20-465 in such areas. Modifications to restrictions made pursuant to this section shall not result in a net decrease of more than twenty percent in permissible vending areas in any area in the designated vending locations pilot program. The department of transportation shall issue a report to the mayor and council on or before October 1, 2021 on the results of any such waivers or modifications.

§ 23. Nothing in this local law limits the authority of any agency granted elsewhere in law to enforce any law or rule.

§ 24. The commissioners of health and mental hygiene and consumer affairs, and the board of health, may promulgate rules as may be necessary for the purposes of carrying out the provisions of this local law.

§ 25. Sections one, ten, eleven, and sixteen of this local law take effect 90 days after they become law. Sections two, three, four, five, six, seven, eight, nine, twelve, fifteen, seventeen, twenty-one, twenty-two, twenty-three and twenty-four of this local law take effect immediately. Sections thirteen, nineteen and twenty of this local law take effect 30 days after they become law. Section nineteen of this local law takes effect 180 days after it becomes law. Section fourteen of this local law takes effect one year after it becomes law.

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