

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1989**

No. 112

Introduced by Council Member Greitzer; also Council Members Spigner, Dear, Eisland and Wooten. (Ordered reprinted and laid over)

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to licensing and the regulation of general vendors.

Be it enacted by the Council as follows:

Section one. Legislative findings and declaration. The Council hereby finds and declares that existing regulations on location and spacing of general vendors are inadequate to maintain a clear path for pedestrians, especially near entrances, corners, and sidewalk fixtures such as bus shelters and public telephones. The Council also finds that the maximum size of each vendor's display must be reduced and its maximum and minimum height delimited, to avoid hazards to pedestrians and blockage of access from the street to the sidewalk. The Council also finds and declares that enforcement of these provisions will be best achieved by providing criminal sanctions for their violation.

§2. Subdivision b of section 20-464 of the administrative code of the city of New York is hereby amended to read as follows:

b. [Carry on his or her person and p] Provide to the commissioner, or other authorized officer or employee of a city agency requesting such information, *on a semi-annual basis, or more often if required by regulation promulgated by the Commissioner*, the address and name of the owners or the manufacturers, suppliers or distributors from whom the licensee receives his or her goods and also the address at which the licensee stores his or her goods or any vehicle, pushcart or stand used in the operation of the vending business;

§3. Subdivision b of section 20-465 of such code is hereby amended to read as follows:

b. No general vendor shall occupy more than [ten] *eight* linear feet of public space parallel to the curb in the operation of a vending business and, in addition, no general vendor operating any vending business on any sidewalk shall occupy more than [four] *three* linear feet to be measured from the curb toward the property line.

§4. Subdivision e of section 20-465 of such code is hereby amended to read as follows:

e. No general vendor shall vend within any bus stop [,] *or taxi stand, or within ten feet of any driveway, any subway entrance or exit, or any [crosswalk at any intersection] corner. For purposes of this subdivision, ten feet from any corner shall be measured from a point where the property line on the nearest intersecting block face, when extended, meets the curb.*

§5. Section 20-465 of such code is hereby amended by adding new subdivisions m, n, o, p, and q, to respectively read as follows:

m. No general vendor shall vend over any ventilation grill, cellar door, manhole, transformer vault, or subway access grating.

n. No general vendor shall vend using the surface of the sidewalk, or a blanket or board placed immediately on the sidewalk or on top of a trash receptacle or cardboard boxes to display merchandise. No general vendor display may exceed five feet in height from ground level. The display may not be less than twenty-four inches above the sidewalk where the display surface is parallel to the sidewalk, and may not be less than twelve inches above the sidewalk where the display surface is vertical. Where a rack or other display structure is placed on top of or above a table or other base, the size of the base shall not be less than the size of the display structure placed thereon. Nothing shall be placed on the base so as to exceed the size limitations contained in this section. No general vendor shall use any area other than that area immediately beneath the surface of the display space for the storage of items for sale.

o. No general vendor shall sell or offer for sale any item directly from any parked or double parked motor vehicle.

p. No general vendor shall use electricity, electrical generating equipment or oil or gasoline powered equipment, devices or machinery of any kind.

q. No general vendor shall vend:

- 1. within twenty feet from sidewalk cafes;*
- 2. within five feet from (a) bus shelters, (b) newsstands, (c) public telephones or (d) disabled access ramps; and*
- 3. within ten feet from entrances or exits to buildings which are exclusively residential at the street level.*

§6. Section 20-472 of such code is hereby amended by the addition of a new subdivision e, to read as follows:

e. Any person who violates the provisions of section 20-465 of this subchapter shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than thirty days or by both such fine and imprisonment.

§7. If any provision of this local law shall be held invalid or ineffective in whole or in part or inapplicable to any person or situation, it is the purpose and intent of this local law that all other provisions thereof shall nevertheless be separate and fully effective and the application of any such provision to other persons or situations shall not be affected.

§8. This local law shall take effect sixty days after it shall have become a law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, S.S.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 19, 1989, and approved by the Mayor on December 27, 1989.

CARLOS CUEVAS, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed local law (Local Law 112 of 1989, Council Int. No. 1337-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on December 19, 1989: 32 for, 0 against

Was approved by the Mayor on December 27, 1989.

Was returned to the City Clerk on December 28, 1989.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel