

**NYC Department of Transportation Testimony Before the
City Council Committee on Transportation and Infrastructure
June 25, 2026**

Good morning, Chair Abreu and members of the Committee on Transportation and Infrastructure. I am Monty Dean, Deputy Commissioner of Traffic Operations. I am joined by Michelle Craven, Associate Deputy Commissioner of Cityscape and Franchises, Jeff Malamy, Director of Street Improvement Projects, and Rick Rodriguez, Assistant Commissioner for Intergovernmental and Community Affairs. Thank you for the opportunity to testify on behalf of Mayor Mamdani and Commissioner Flynn about Intro. 845, Intro. 866, Intro. 894, Intro. 917, and Intro. 918.

Intro. 845

First, Intro. 845, sponsored by Council Member Thomas-Henry. This bill would require DOT to install distinctive lighting under elevated train lines.

With nearly 400,000 streetlights citywide under our responsibility, we recognize the importance of street lighting in enhancing both street safety and quality of life. We are committed to ensuring streets are well lit for vehicle traffic as well as pedestrians in both the roadway and sidewalk. As a national leader in sustainable street lighting, our lighting studies are based on DOT standards. These standards include recommended practices and guidelines published by the Illuminating Engineering Society (IES), the internationally recognized entity that sets recommended practices for lighting levels in various applications, to ensure lighting standards are sufficiently addressed citywide.

We are happy to provide a quick breakdown of how lighting is installed to provide more background. Based on study evaluations, we routinely make upgrades in any street reconstruction project. For installation, there are three ways we can add additional lighting, depending on where the lower lighting levels are located. We can reduce the distance between streetlights, add secondary lighting on the back of existing poles over the sidewalk at a lower height, or install new standalone poles. DOT must consider various factors when installing lighting including extensive coordination with contractors and utilities when working around obstructions caused by trees or hydrants and existing below ground infrastructure like gas mains and electric ducts. These factors require further extensive survey and design work. Installations also often require time-consuming and disruptive street excavations to lay new electrical conduits and cables as well as ConEd construction for new feeds. Our team works every day to make sure our streets and roadways are well lit. In 2025 alone, we enhanced lighting at nearly 2,500 locations across the city. Despite these efforts, around the city we hear from New Yorkers that they feel safer and more secure when streets and sidewalks under elevated train lines are more brightly lit. Lighting under elevated

trains is uniquely challenging because the support columns create shadows and the elevated structures limit the height of the streetlight poles, and the elevated structures are not engineered to support additional lighting loads. Further, high vibration levels can prevent the installation of DOT equipment.

Along with the installation process, DOT has two categories of lighting we typically install: Standard and Distinctive. Any streetlight pole other than the standard steel “Octagonal” and “Davit” designs for city streets is considered Distinctive. There are seven types of distinctive streetlights, which are installed as part of streetscape projects and other elected funded initiatives, requiring Public Design Commission (PDC) approval. Due to the different funding streams and additional approval processes, distinctive lighting is generally more expensive and much slower to implement.

While DOT strives to be responsive in addressing community concerns regarding sufficient lighting, we have concerns with the bill as written. We are worried that this bill would have the unintended consequence of slowing down our ability to address lighting conditions by limiting us to distinctive lighting. We would be happy to discuss with the Council how we can enhance lighting in your districts and welcome feedback if there are particular locations of concern.

Intro. 866

Next, Intro. 866, sponsored by Council Member Epstein. This bill would require DOT to post signs in advance within a 500-foot radius of a location of disruptive work. Disruptive work, as defined in the legislation, means work that is performed by DOT or pursuant to a permit issued by DOT that is expected to create street, sidewalk, or parking space closures; rerouting traffic; relocation of bus stops or bike share stations; or work between 8 pm and 8 am that includes noise, vibrations, or bright lighting.

DOT already posts informational signs for long-term construction projects pursuant to existing requirements. We understand the need to communicate effectively to New Yorkers when there will be disruptive construction work. We believe that existing rules and current practices accomplish the goals of this bill, while balancing operational needs.

In addition to the informational construction signs, we have other tools in our toolkit to appropriately notify and involve communities within project areas. For example, our Street Ambassadors meet people where they are by discussing project impacts in impacted communities on the street. We also deploy VMS boards (those large portable signs that feature construction updates) when needed. Of course, we also are proud of the ongoing partnerships we have with the Council and the Community Boards utilize your networks to spread the word with residents

about critical projects in your neighborhoods.

Although we support the goal of the bill, as described with our existing toolkit of communication efforts, we have a number of concerns with the current scope of the bill and would prefer to utilize existing requirements on construction signage to meet the intended goals. With affordability and project delivery a top priority in this administration, we would be wary of creating additional requirements which would slow construction and raise costs. We would be happy to continue conversations with the Council to identify the best way to implement notice requirements.

Intro. 894

Next, Intro. 894 sponsored by Council Member Brewer. This bill would allow sidewalk cafes to include removable vertical screenings and overhead coverings from October 1 to March 31.

We are thrilled with the significant interest in expanding the Dining Out NYC program and we support the goals of this bill, as sidewalk cafes are already allowed to operate with overhead coverings and awnings pursuant to our rules, along with our sister agencies' requirements in specific instances. We have suggestions for how to include other winterization methods like vertical screenings and may want to modify the timeline, so the requirements are in alignment with existing discussions on winterization for roadway cafes. We are happy to have more conversations with the Council on how best to enhance the sidewalk cafe experience.

Intro. 917

Next, Intro. 917 sponsored by Council Member Sanchez. This bill would codify existing DOT rules pertaining to cleanliness standards for businesses operating sidewalk and roadway cafes. The bill would also raise maximum civil penalties to \$300 for the first violation and \$600 for second and subsequent violations at the same place of business.

Prioritizing quality of life concerns is critical to the success of our Dining Out NYC program. We have been working to be incredibly responsive to complaints and carry out enforcement when necessary. The Dining Out NYC program requires durable, modular, and easy-to-clean materials for outdoor dining setups, establishes weekly cleaning requirements, and prohibits messy sand-filled barriers, which result in a dramatic improvement to the outdoor dining experience.

Regarding the fine structure, we understand the desire to raise the fees, but believe it is important that all program violations related to non-compliance be treated uniformly. We look forward to working with the Council to determine appropriate violation amounts.

We are always striving to make the Dining Out NYC program the best it can be for New Yorkers and visitors, and we are happy to work with Council on this bill to strengthen cleanliness and sanitation standards.

Intro. 918

Finally, Intro. 918 sponsored by Council Member Thomas-Henry. This bill would give businesses the option to pay revocable consent fees in quarterly installments.

Along with addressing quality of life concerns, we are also working every day to help small businesses thrive through outdoor dining – a program that New Yorkers love and that restaurants depend on. We strive to make participation as accessible and streamlined as possible. Currently, restaurants must pay an initial revocable consent fee once their application is approved. Across the board for DOT programs, we require a one-time, upfront payment for all revocable consents.

Additionally, it has been DOTs experience that restaurants have a harder time meeting program requirements once they have been authorized to commence operations. We worry that if this new payment method was authorized, DOT would struggle to collect after the initial payment. This would not only leave DOT with a program deficit, but would result in new costs for the department and delays in application approval for the restaurants, due to already limited staff capacity being shifted to chase down payments four times a year.

While quarterly payments perhaps were necessary in the DCWP program when fees were notably higher, DOT charges far less for the revocable consent, making a quarterly payment less relevant.

We share Council's goal to improve the application process and are happy to have more discussions with Council and stakeholders about adapting our program processes.

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today. We would now be happy to answer any questions.



**Public Testimony of Transportation Alternatives
Committee on Transportation and Infrastructure Hearing
on Thursday, June 25, 2026**

Good morning. My name is Corey Hannigan, and I am the Policy and Government Relations Director for Safe Streets at Transportation Alternatives. Thank you for this opportunity to testify today on Int-0866, which would require the DOT to post advance notice of upcoming “disruptive work,” adding countless hours of red tape, layers of bureaucracy, and costs to critical government safety projects.

Transportation Alternatives opposes this bill. As written, the additional requirements would delay critical safety projects and raise costs precisely at a time when we need to move quickly and efficiently to fulfill the Streets Plan benchmarks unmet by the previous administration while meeting and exceeding the goals of the Plan’s next phase.

The Streets Plan promised New Yorkers safer streets, faster buses, and better public spaces, but meeting those promises has been constrained too often by procedural barriers and capacity issues. We are deeply frustrated by how long it already takes to implement critical projects — for example, the Queens Boulevard overhaul, which won’t be done until 2032, *17 years* after DOT installed its temporary street improvement project with painted bike lanes back in 2015.

As written, Int 866 would significantly slow down even the simplest and most temporary street projects. The law would require DOT employees to post signs within a 500-foot radius of any work performed by the agency or related to a permit issued by the agency. This includes street, sidewalk, or parking space closures; traffic reroutes; the relocation of bus stops or bike share stations; or any work between 8 p.m. and 8 a.m. that includes noise, vibrations, or bright lighting. Posting even a fraction of these notices would easily exceed existing staff capacity; further delay implementation of critical safety, accessibility, and service reliability improvements; and serve no tangible benefit. This bill is overbroad, anti-safety, and the pinnacle of government waste.

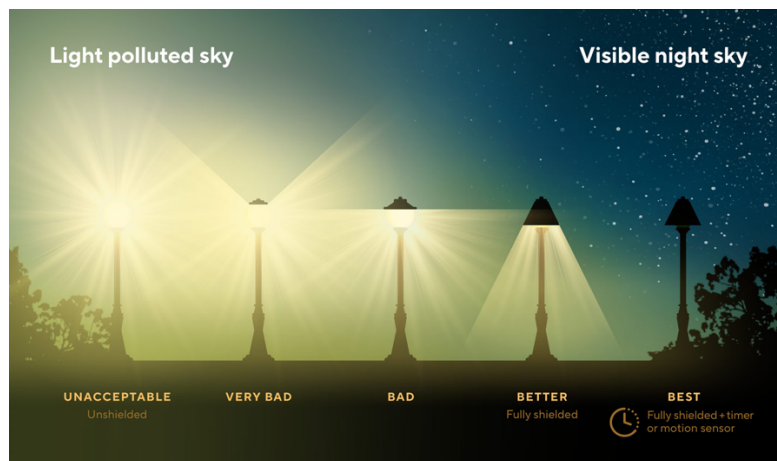
Street safety projects are standardized and have been statistically proven to reduce crash risk and save lives. That means that every additional barrier to implementation is needlessly putting New Yorkers in danger. We should be looking for opportunities to

speed up implementation, not further slow it down. Thank you for your time and for the opportunity to testify on this important matter.

**American Institute of Architects New York Chapter Testimony to City Council Committee on
Transportation and Infrastructure on Int 0845-2026
June 25, 2026**

American Institute of Architects New York Chapter (AIANY) writes to recommend amendments to Int 0845-2026 on quality design standards to minimize light pollution. AIANY is the leading design non-profit representing 5,000 architects and design professionals committed to positively impacting the physical and social qualities of our city.

[Int 845-2026](#) (Thomas-Henry) is a bill to require DOT to install lighting under elevated train lines. While AIANY supports the intention of this legislation, we ask the Council to consider language that ensures quality lighting design principles and limits potential for unnecessary light pollution.



Source: [Dark Sky](#)

Light pollution is the excessive, misdirected, poorly timed use of artificial light at night. For humans, light pollution is tied to a number of negative health effects, such as circadian rhythm disruption that can lead to insomnia and poor sleep quality; risk of chronic disease like obesity, diabetes, cardiovascular disease, and certain cancers ([ex: thyroid cancer](#)); and mental health impacts. Light pollution can be mitigated through design solutions, including fixture design, light levels, color temperature, and adaptive controls. Two case studies in Chicago and Baltimore demonstrate quality lighting design in action.

Chicago Smart Lighting Program

Between 2017 and 2022, Chicago undertook a major streetlight modernization effort replacing 270,000 streetlights citywide with smart control LED fixtures. The coordinated system allows the city to reduce over lighting during low-traffic hours and tune color temperature to avoid circadian disruption. Additionally, they targeted light distribution, so light was directed downwards onto sidewalks and roadways instead of spilling upwards into adjacent buildings. The Chicago model was an example of how cities can deliver adequate lighting for safety and quality of life while minimizing the negative human health impacts.

Baltimore North Avenue Smart Corridor: Signal Station North Pilot

Between 2017 and 2019, as part of Baltimore’s North Avenue Smart Corridor revitalization project, they piloted a creative placemaking design strategy integrating lighting with existing streetscape elements like bus shelters. They installed lower, more localized lighting to improve visibility at the pedestrian level without flooding the entire corridor with high-intensity lights from overhead streetlights. The lights installed were embedded within existing structures, which reduced glare and prevented upward spill. By co-locating lighting within existing structures, it avoided layering multiple independent light sources, which can cumulatively contribute to light pollution. Baltimore’s approach was focused on design precision, enhancing safety and usability of the public realm while limiting negative effects of light pollution.

The Illuminating Engineering Society’s guidance document, *IES LP-10-26*, details how to design exterior lighting to meet safety and visibility needs while minimizing light pollution. The document provides a framework for good lighting as “right light, right place, right time, right amount.” It defines the types of light pollution that exist: skyglow (brightening the night sky), glare (discomfort/reduced visibility from overly bright sources), light trespass (spill into homes/unintended areas), and clutter (visually confusing/excessive lighting). For quality lighting design, IES LP-10-26 recommends installing shielded full-cutoff fixtures that direct light downward; setting appropriate light levels for the context to avoid over lighting; including adaptive controls like dimmers, timers, and motion centers; and reducing lighting at night where appropriate. AIANY recommends Int 845-2026 be amended to define quality design standards for lighting based on IES LP-10-26.

We appreciate the Council’s consideration of our testimony and look forward to working closely with the Council to enact legislation that upholds the tenants of quality design.

Additional Resources

- New Yorker: [*The controversial floodlights illuminating New York City’s public housing developments*](#) (Hallgren, Kortava, June 2021)
- One Breath Partnership: [*How racist ‘redlining’ gave rise to cancer clusters and other environmental injustices*](#) (Jan 2020)
- Untapped Cities: [*Why are NYPD floodlights illuminating NYC Parks and housing developments?*](#) (Inserra, March 2018)
- Brown Political Review: [*Public lighting and the urban wealth gap*](#) (Creatura, Feb 2017)
- Time: [*Light pollution is getting worse every year. That’s bad for your health*](#) (Kluger, Nov 2017)

Monday, June 25, 2026

Testimony Before the New York City Council Committee on Transportation and Infrastructure

My name is Mark Caserta, and I serve as Vice President of Small Business Support at the Brooklyn Chamber of Commerce. Thank you for the opportunity to testify in support of Intro. 918 and Intro. 894.

The Brooklyn Alliance supports Intro. 918 because it makes participation in the City's Outdoor Dining program more accessible for restaurants. During the COVID-19 pandemic, the program was simple, free, and essential to the survival of many restaurants. Today, however, the combination of annual permit fees and the cost of constructing temporary dining setups has made participation prohibitively expensive for many small businesses. Allowing restaurants to pay revocable consent permit fees in quarterly installments is a practical step that will reduce financial barriers and encourage greater participation.

The Brooklyn Chamber of Commerce also supports Intro. 894. Allowing enclosed sidewalk dining during the colder months is a common-sense improvement to the Outdoor Dining program. It gives restaurants the opportunity to serve customers year-round and provides an important source of revenue during the winter months, when many establishments face slower business.

Thank you for your consideration. If you have any questions regarding this testimony, please feel free to contact me at (718) 875-1000, ext. 109, or mcaserta@brooklynchamber.com.



**New York City Council
Committees on Transportation and Infrastructure
Testimony on Int. No. 845: Requiring the DOT to install lighting under elevated train lines
June 25, 2026**

I am writing to express my support for Intro 845-2026, requiring the New York City Department of Transportation to install lighting under elevated train lines. I highly encourage City Councilmembers to join as a sponsor and pass this bill. I am the President of the Long Island City Partnership (LICP), the local economic development organization for Long Island City, Queens.

LICP serves as the neighborhood development organization for Long Island City (LIC). Our mission is to advocate for economic development that benefits LIC's industrial, commercial, science and technology, cultural, tourism, and residential sectors. We aim to attract new businesses, retain those already here, engage residents and visitors, and promote a vibrant and authentic mixed-use community. We also operate the LIC Business Improvement District and Industrial Business Zone (IBZ).

The 7, N, and W Train Underpass: LIC's Busiest Crossing, and Its Darkest

Hovering over Long Island City are the MTA tracks that hold the 7, N, and W trains. These trains are a primary connector that links Long Island City to Manhattan, to the rest of Queens, and to the regional transit network that our residents and workers depend on every single day. The corridor right below them are, without question, one of the most heavily trafficked pedestrian intersections in our neighborhood. Thousands of people pass beneath these tracks on foot every day: commuters heading to and from the subway, families walking to school, employees opening and closing small businesses, and visitors discovering LIC for the first time.

Yet despite that volume of foot traffic, the underpass remains poorly lit. The structure of the elevated line itself blocks natural light throughout the day, and inadequate fixtures leave the area dim well into the evening rush. The result is that one of the most important crossings in our neighborhood is also one of its most uninviting. Pedestrians hesitate before crossing, hurting the small businesses. And the corridor that should stitch Long Island City together instead acts as a dividing line - cutting one side of the neighborhood off from the other and discouraging the very foot traffic that local businesses rely on to survive.

Lighting Is the Foundation of a Safe, Thriving, and Welcoming Neighborhood

Lighting is not a cosmetic improvement or a nice-to-have. It is a basic public safety necessity - one of the most fundamental ingredients of a neighborhood that feels safe, functions well, and allows businesses to thrive. When a street is dark, people do not feel safe walking it, parents do not feel safe sending their kids through it, and small businesses lose the foot traffic that keeps them open. When a street is lit, residents are excited to explore the neighborhood, employees stay in the neighborhood after work, and visitors rush to visit restaurants and businesses.

Poor lighting sends an unmistakable signal that no one is watching, and that signal invites folks to illegally dump, graffiti, and commit other crimes. Closing that gap in visibility is one of the most direct and cost-effective tools the City has to deter crime before it happens.

DOT's Process Must Move Faster, and Contracting Gaps Must Be Closed

DOT's commitment to a careful, methodical process for studying and approving lighting installations. Sound engineering review matters, and we do not ask the agency to skip the steps that ensure fixtures are installed safely and correctly. But, more lighting is needed in our city. DOT has hesitated to allow for additional lighting that may be game-changing and for requests that they have approved it is uncertain whether they will be installed. We have seen this firsthand in Long Island City, where lighting fixtures that DOT itself approved years ago still have not been installed simply because no contract existed to carry out the installation.

Long Island City has grown rapidly into one of the densest, most dynamic neighborhoods in New York City, but our streetscape - and our lighting in particular - has not kept pace with that growth. The underpass beneath the 7, N, W train is a daily reminder of that gap: a crossing used by thousands of people every day, divided by darkness, in a neighborhood that should instead be united by safe and welcoming streets. We ask the Council to pass Int. No. 845, to apply its lighting standard broadly across all underpass areas, and to pair the bill's assessment and installation deadlines with the funding and contracting support DOT needs to meet them. Lighting is a basic need. It is public safety infrastructure. And it is essential to building the safe, thriving, and welcoming neighborhood that Long Island City's residents, workers, and small businesses deserve.

Thank you for your time and consideration.

NYC HOSPITALITY ALLIANCE

June 25, 2026

Testimony of the NYC Hospitality Alliance on Int 0894-2026: Seasonal enclosures for sidewalk cafes; Int. 0917-2026 Sanitation and cleanliness requirements for roadway and sidewalk cafes; and Int. 0918-2026 Paying sidewalk and roadway cafe revocable consent fees in quarterly installments.

On behalf of the NYC Hospitality Alliance, a nonprofit trade association representing thousands of restaurants, bars, and nightlife establishments across New York City, we respectfully submit testimony in support of Ints. 0894-2026 and 0918-2026 and in opposition to Int. 0917-2026.

Int 0894-2026: Seasonal enclosures for sidewalk cafes.

The Alliance supports this legislation and urges the City Council to pass it. The bill would allow sidewalk cafés to utilize removable screenings and coverings between October 1 and March 31, helping businesses make full use of their permitted outdoor dining space during the colder months.

Outdoor dining remains an important tool for restaurants and bars, but winter weather can significantly limit the usability of approved sidewalk café areas. Because businesses are paying the City for year-round sidewalk café licenses, they should be able to use those spaces throughout the entire year.

Allowing removable seasonal coverings would help protect customers and workers from harsh weather conditions while maintaining the temporary nature of sidewalk café installations. These high-quality, winter-style vestibules would enable small businesses to generate much-needed revenue during the slow winter months, provide greater job stability and income for employees whose hours may otherwise be reduced, and offer patrons additional seating at their favorite local establishments.

This proposal provides businesses with reasonable flexibility to adapt to seasonal weather conditions while preserving the temporary and removable character of outdoor dining structures. It is an important issue for many hospitality businesses across the five boroughs, as it would allow them to maximize the value of their permitted outdoor dining space, support year-round operations, and strengthen the economic vitality of New York City's restaurant industry.



NYC HOSPITALITY ALLIANCE

Int. 0918-2026: Paying sidewalk and roadway cafe revocable consent fees in quarterly installments.

The Alliance supports Int. 0918, which would allow sidewalk and roadway café revocable consent fees to be paid in quarterly installments rather than requiring payment in a single annual lump sum. For decades, when the program was administered by the New York City Department of Consumer and Worker Protection, businesses were not required to pay these fees upfront, and paid them quarterly. Requiring small businesses to make a full year's payment at once creates an unnecessary financial burden. Not even landlords require tenants to pay an entire year's rent in advance, so it is reasonable to ask why the City is imposing such a requirement on small businesses when they did not in the past.

Restaurants and bars continue to face significant financial pressures, including rising labor, food, rent, insurance, utility, and regulatory costs. Allowing businesses to spread these payments throughout the year would improve cash flow, reduce financial strain, and make participation in the outdoor dining program more accessible and manageable for many small businesses.

We have heard directly from business owners who were discouraged from applying for outdoor dining permits because of the upfront costs, as well as from operators for whom the lump-sum payment created significant financial hardship. These fees must be paid during the same period when businesses are also responsible for licensing fees, security deposits, public notice costs, and, in many cases, professional fees associated with preparing and submitting applications. In addition, businesses must often invest in outdoor dining infrastructure, including tables, chairs, and, where applicable, roadway dining structures. Allowing quarterly payments would ease these financial pressures and help ensure that more small businesses and workers can participate in and benefit from the City's outdoor dining program.

As the City continues working to make the Dining Out NYC program more accessible and sustainable, this proposal represents a practical and commonsense improvement that would help businesses participate.

The Alliance appreciates the sponsors for advancing this proposal and urges its adoption.

Int. 0917-2026: Sanitation and cleanliness requirements for roadway and sidewalk cafes.



New York City Hospitality Alliance
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NYC HOSPITALITY ALLIANCE

The Alliance opposes Int. 0917, which would create new sanitation and cleanliness violations and fines for sidewalk and roadway cafés.

Restaurants already have strong incentives to maintain clean, safe, and welcoming outdoor dining areas for their customers and surrounding communities. In addition, existing laws, regulations, and program requirements already address sanitation, cleanliness, litter, and maintenance obligations. As a result, this proposal appears largely duplicative of existing requirements while creating an additional enforcement mechanism and new fines.

We are particularly concerned that the legislation would establish penalties of up to \$300 for a first violation and \$600 for subsequent violations without providing any opportunity for businesses to cure the condition before a fine is issued.

At a time when policymakers are seeking ways to reduce unnecessary penalties on small businesses, this proposal moves in the opposite direction. Mayor Mamdani's Executive Order 11 directed agencies to expand the use of warnings, education, and cure periods before issuing fines. The City Council has similarly advanced efforts to reduce burdensome enforcement practices and help businesses achieve compliance. If the Council believes additional outdoor dining cleanliness standards are necessary, any enforcement framework must include a warning and cure period before monetary penalties are imposed, and reduced penalty amounts.

We are also concerned about provisions requiring businesses to maintain areas extending beyond the footprint of their café. Operators should not be held responsible for conditions caused by pedestrians, weather, illegal dumping, or other factors outside their reasonable control.

The outdoor dining program has already proven difficult for many businesses to navigate due to lengthy approval timelines, significant costs, and complex compliance requirements. The City's focus should be on reducing barriers, improving administration, and encouraging participation – not creating new fines and enforcement risks for businesses that are already subject to existing sanitation requirements.

Thank you for the opportunity to testify and for your consideration of these comments.





June 25, 2026

Testimony of Sandra Jaquez

President

New York State Latino Restaurant Bar & Lounge Association (NYSLRBLA)

Before the

New York City Council Committee on Transportation and Infrastructure

Regarding

Int 918 — Paying sidewalk and roadway café revocable consent fees in quarterly installments

Int 894 — Seasonal enclosures for sidewalk cafés

Thank you, Majority Leader and Chair Abreu and members of the Committee, for the opportunity to provide testimony. The New York State Latino Restaurant Bar & Lounge Association (NYSLRBLA) is a non-profit organization representing the interests of hundreds of Hispanic, minority, and immigrant-owned restaurants and nightlife venues throughout New York City.

The Association strongly supports Int 918, which would allow sidewalk and roadway café revocable consent fees to be paid in quarterly installments rather than through a single annual payment. This is a commonsense change that would provide meaningful flexibility for small business owners without reducing the amount of revenue collected by the City. Restaurants are continuing to navigate rising operating costs, including labor, food, insurance, rent, and utilities. Now that the outdoor dining program carries associated costs, it has become inaccessible for some small businesses. Allowing businesses to spread these required payments throughout the year will help operators better manage cash flow, meet their obligations, and make participation in the program more attainable.

We also note the importance of and support of Int 894, which would allow sidewalk café operators to temporarily enclose their year-round sidewalk cafés annually from October 1

through March 31. Allowing enclosed sidewalk café during the colder months is a commonsense improvement to the entire outdoor dining program.

Together, these measures would help ensure that the outdoor dining program remains both accessible and viable for small businesses throughout the year. The New York State Latino Restaurant Bar & Lounge Association respectfully urges the Council to pass Int 918 and Int 894. Thank you for your time and consideration of the Association's position.



**Testimony on 6/25/26 City Council
Transportation & Infrastructure Committee Hearing**

Open Plans writes today in regard to the 6/25/26 hearing of the Transportation & Infrastructure Committee. We have long been proponents of an outdoor dining program that works for residents and businesses. Below are our positions on some of the bills being heard:

- **We support Int. 918.** By allowing restaurants to pay their revocable consent fees in quarterly installments, we ease the financial burden on business owners to participate in the Dining Out program. In an industry where many small, local restaurants are operating on slim margins and barely keeping their doors open, this can lower the obstacles for participating, leading to more income for the restaurants, increased tax revenues for the city, and more vibrancy on our streets. The Department of Transportation (DOT) has shared in hearings that revocable consent fee payment has been a roadblock to restaurants, and allowing these payments in smaller and more manageable increments works for everyone.
- **We support rules to ensure outdoor dining setups are being operated cleanly, and have questions about Int. 917 in relation to current DOT procedures.** Currently, DOT has internal policies to fine businesses that are not in compliance with their operations requirements: businesses receive a corrective action request (CAR) and must resolve the issue within 30 days. If they do not, they are subject to a \$200 fine for the first violation and a \$500 fine for subsequent violations. We see the merit in codifying rules around sanitation and cleanliness of outdoor structures, and have questions about Int. 917's implementation:
 - Would restaurants still receive CARs under Int. 917? We believe restaurants should have the opportunities to resolve their violations before a fine is issued.
 - Why is the fine schedule different under Int. 917 as compared to DOT's fine schedule? We believe that fines should remain under DOT's schedule (\$200/\$500).
 - Would Int. 917 & DOT fines double up? We believe that restaurants should only pay one fee for a violation if they do not resolve the issue.

Respectfully,
Open Plans



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**Written Testimony of Cindy McLaughlin
Chair, Public Realm Committee
Brooklyn Heights Association**

**Submitted to the New York City Council Committee on Transportation and Infrastructure
Hearing on the Streets Plan and Dining Out NYC Program — Intro 918**

June 25, 2026

The Brooklyn Heights Association submits this testimony in support of Intro 918 and in support of a year-round Dining Out NYC program that is equitable, practical for small businesses, and respectful of the public realm.

My name is Cindy McLaughlin, and I serve as Chair of the Public Realm Committee of the Brooklyn Heights Association. The BHA strongly supports a vibrant, safe, accessible, and well-managed public realm. In Brooklyn Heights, our sidewalks, streets, plazas, parks, and curb lanes are where neighborhood life happens. They are how people walk to school, get to work, visit local businesses, meet neighbors, and experience the city.

Outdoor dining is a critical part of that public realm. Done well, it supports small businesses, brings life to our commercial corridors, and creates places where New Yorkers can gather safely and joyfully. Many of our neighborhood restaurants are not just businesses; they are anchors of community life.

We strongly favor year-round open dining. But for the permanent Dining Out NYC program to succeed, it has to be workable for the small, family-owned restaurants in neighborhoods like ours. Right now, many face a program that is too expensive, uncertain, operationally complex, and difficult to justify financially.

The recurring fees and related costs are a major barrier. Restaurants are being asked to make large investments in outdoor dining setups, while also managing the cost of building, dismantling, storing, and reassembling structures for only a partial year of use. Those costs are especially hard to absorb for smaller, independent restaurants, and they are even harder when fees are not clear at the beginning of the process.

The result is an exclusionary program. If only restaurants in the highest-traffic commercial districts can afford to participate, then outdoor dining will no longer serve the whole city equitably. Neighborhood restaurants should have a fair chance to participate.

That is why the Brooklyn Heights Association supports Intro 918.

Allowing restaurants and cafes more flexibility in their payment arrangements is a practical and important improvement. Quarterly payments would reduce upfront financial pressure and make it easier for small businesses to participate responsibly. This is not about removing standards or

weakening oversight. It is about making the program financially realistic so that outdoor dining remains available across a wider range of neighborhoods and business types.

At the same time, the Council and DOT should continue treating outdoor dining as a public-realm program, not simply as a restaurant-permitting program. Public space belongs to all New Yorkers. Any use of that space should make it more vibrant and community-serving while ensuring pedestrian access, sanitation, accessibility, and neighborhood quality of life.

Brooklyn Heights has narrow sidewalks, historic streetscapes, older residents, families with strollers, people using wheelchairs and mobility devices, and many visitors. A successful outdoor dining program must work for all of them. That means clear rules and use of in-curb dining wherever feasible to preserve sidewalk access, transparent applications, reliable enforcement, and cafe designs that respect the sidewalk as a public passageway first. We believe these goals are compatible. The City can support restaurants and enhance the public realm. In fact, a well-designed outdoor dining program should do both.

Intro 918 is a useful step toward making Dining Out NYC more equitable, more accessible to small businesses, and more sustainable over time. The Brooklyn Heights Association urges the Council to pass Intro 918 and to continue refining the program so that outdoor dining strengthens neighborhood life without compromising the shared public spaces that make New York City work.

Thank you for considering this testimony.

Dear New York City Council

I am writing in support of Intro. 894 and to respectfully urge the Council to expand its scope to include not only sidewalk cafés, but also roadway dining structures located in the curb lane.

Intro. 894 would enable small businesses to make better use of the outdoor dining space they already pay the City to utilize year-round, while also providing much-needed clarity about what is permitted. However, limiting this opportunity to sidewalk cafés alone overlooks a critical portion of New York City's outdoor dining ecosystem. Since 2020, thousands of restaurants have invested heavily in curb lane dining sheds, transforming underutilized street space into vibrant, community-oriented public realms. These structures have been especially useful for restaurants on streets lacking sufficient sidewalk space for outdoor dining setups and have become an essential part of many restaurants' business models and neighborhood streetscapes.

Excluding roadway dining setups from the ability to install winter vestibules creates an uneven playing field and undermines the long-term viability of outdoor dining. Restaurants operating in the curb lane face the same seasonal challenges as those on the sidewalk yet would be denied the same opportunity to weatherproof their spaces and maintain revenue during the winter months.

Allowing enclosed, well-designed winter structures in the curb lane would:

- Support small businesses and restaurant workers by stabilizing year-round revenue
- Encourage higher-quality, standardized designs that improve safety and aesthetics
- Maximize the productive use of public space that is already allocated for dining
- Build on the success of outdoor dining as a permanent feature of New York City's streets

Importantly, the City can and should establish clear design, safety, and accessibility standards to ensure that enclosed curb lane structures are well-ventilated, visually appealing, and compatible with other street uses.

New York has already demonstrated that reimagining street space can yield enormous benefits for residents, businesses, and visitors alike. Expanding Intro. 894 to include curb lane dining structures is a logical next step that will help ensure the long-term success, equity, and resilience of the outdoor dining program.

Thank you for your consideration.

Sincerely,
Scott Cosgun

Dr. C. M. Pyle, Manhattan 10024: Testimony in favor of Intro 894.

This bill would allow restaurants to install high-quality winter vestibules, enclosing their licensed sidewalk café areas during the colder months (October through March).

This would help restaurants make better use of the outdoor dining space they already pay the City to use year-round while providing clearer guidance about what is permitted.

It would also allow clients of these restaurants to continue dining in outdoor space, which is safer when contagious infections are present.

Furthermore, the outdoor space helps restaurants to remain in business and make a reasonable profit.

From: [Gregory Nissen](#)
To: [Testimony](#)
Subject: [EXTERNAL] Here is my testimony about dangerous intersections.
Date: Thursday, June 11, 2026 9:17:48 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspected phishing emails with the Phish Alert Button or forward them to [REDACTED] as an attachment.

To whoever will listen:

It is essential that the City Council act at better protecting pedestrians at intersections - from cyclists! "Daylighting" is not enough .Bollards or other physical structures must be installed that prevent cyclists from charging right past pedestrians - which they are doing more and more, at any speed and in any direction. Also: the law against this constant and terrorizing danger is already on the books . It's called "reckless endangerment." Now let's apply it to bicycles and any two wheeled vehicles.

I wany to speak at a public form about this under-discussed issue.

Gregory Nissen

[REDACTED]

[REDACTED]

To Committee Chair Abreu,

My name is James and I am the proud owner of **Sean Og's Irish Pub** and **Woodside Cafe** located in Central Queens. We have one of the largest curbside dining sheds in the city, as well as one of the oldest Irish pubs in the borough.

Thank you for holding this hearing, Chair Abreu, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses and pass Intro 918. **Sean Og's** did participate in this program last year, but we unfortunately didn't see a clear return due to all of the costs associated with managing our shed. The large, recurring fee required to participate made it very difficult to justify the large investment when many potential customers in New Yorkers face heavy financial strains. Having the flexibility to break up our payments into quarterly installments would make a lot more sense and allow us to focus on drawing a crowd for World Cup watch parties and summertime happy hours.

Restaurants are critical businesses that sustain and feed our local economies. We delivered food through the pandemic and continue to allow people to gather safely and joyfully with their neighbors and friends in our outdoor dining structures. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

We hope that we can count on your support and look forward to working with you to make an affordable Outdoor Dining program a reality.

Thank You, Chair Abreu.

James of the & Sean Og's and Woodside Cafe

Dear sirs/madams,

I am writing to discuss my advocacy for a change to the current outdoor dining rules which prohibit enclosures during winter months (indeed they ban them year round).

I own a restaurant in the East Village on the corner of 2nd Ave and 14th street. I have a sidewalk café on two sides; the avenue and the 14th street side. During the summer months this sidewalk space is a godsend, it helps business no end. I hired 6 more staff for these months, effectively doubling my current staff. During colder months I at best, break even on the business. If I had not outdoor dining, I would have to hand back the keys to the landlord. When I rented it post-covid it was with the belief I would have outdoor dining all year round. There was at the time an enclosure on the avenue side and it was very helpful in winter time to hold overflow or small parties. However, then the new rules came and I was forced to take it down.

It has been a sense of immense frustration dealing with the outdoor dining rules since their inception as many facets of them make absolutely no sense to anyone. And that includes to the Department of Transport itself. The main, egregiously illogical rule which has caused me the most vexation has been the ban on enclosures. The city has said we can have X-amount of pavement space, that we will pay them for the use of it and in return we are granted a 12 MONTH outdoor dining license. Since its inception I have been screaming about the disingenuousness of such a deal. As I said to the many DOT staff I spoke with on the phone or the inspectors who came to force me to take down the pre-existing enclosure left over from Covid times “Has everyone forgotten about that thing that happens every year....WINTER?!”

We can seat people outside on our pavement in Winter time but we are not allowed to keep them dry and warm. Which basically makes the whole thing redundant. Even the rules around electric heating are nonsensical but regardless, at a certain point you can have all the electric heating you want and people will still not sit outside in New York in December or January. Every single DOT representative I spoke to actually apologized to me and told me they didn’t know why these rules were brought in like that, that they agreed with me they made no sense, but that unfortunately they just had to enforce them.

I understand that rules needed to be brought in post-covid; that there were certain enclosures that were dilapidated, dangerous and rat-infested. The vast majority were made of wood and weren’t maintained. However, new enclosures could be permitted that

conform to certain standards; fire-retardant, not built on platforms and hence nowhere for rodents to go, height restricted, etc.

Sidewalk cafes are literally situated on the cement and hence it's almost impossible for rodents to find anywhere to nest.

And regarding space; they would only occupy space that is already given over to the restaurant (and paid for!) so it's not further inhibiting pedestrians in any way. We already have winter vestibules so why can't businesses extend that to enclose the part of the pavement they are already paying the city for? It makes no sense.

If I have to go without an enclosure for winter again it means nothing but bad news. I have to let go half my staff, less sales for me means less taxes for the city and potentially my business becomes another empty site waiting for a Starbucks or a Pret-a-Manger to move in.

I hope common sense and fairness prevails and all parties vote to remedy this utterly senseless rule.

Thank you,

Kevin Mulligan

Owner of The Laurels

Dear Sir/Madam,

I am writing on behalf of numerous businesses in my immediate neighborhood who are unhappy with the restrictions imposed by the new outdoor dining rules. While we are appreciative the city has agreed that outdoor dining is a tremendous asset to the city, both to its residents and businesses, we believe there are illogical and unfair criteria included in the new rules which are going to have potentially catastrophic affects for both the businesses themselves, and also the communities around them.

Unfortunately, it is only now, as the DOT starts to issue violations, businesses are realizing the impact these new rules are going to have on their ability to effectively administer outdoor dining, while ensuring comfort for their patrons and keeping the sidewalks tidy for the pedestrians in their neighborhood.

The one major flaw with the new rules is it forbids the use of enclosed structures. This is nonsensical and unfair for a number of reasons.

1. The city is granting licenses for year-round dining. This is a very disingenuous offer as it completely ignores the fact that for at least about 6 months of the year over Fall/Winter/Spring, no one can sit outside due to the elements. Businesses are being asked to pay for a 12 month license, when any reasonable person can see it is not usable for a significant portion of that time. We are into April now and still a lot of days barely make it into the 50's and that's during day-time hours. By peak dinner hours it is too cold to sit outside.
2. Storage. Inherently, outdoor dining means there is obviously an amount of tables and chairs placed outside. There is also barriers placed around them to demarcate the area. Where are businesses expected to store all this at night? In our own case, given the extreme breadth of the sidewalk on our section of Second Avenue, there could be 45-55 tables outside and 90-110 chairs. We have a 2am license during the week and a 4am one for the weekends. We cannot move the furniture inside after the 10 or 11pm curfew on using the outdoor area. There will be customers inside. Nor is there space if we could. Like most places, we do not have enough basement storage and even if we did, it is not feasible (nor safe) to ask the one member of staff who opens every day to lug all that furniture up the steps from the basement. The only "solution" left to us is to stack mountains of furniture outside on the pavement every night. This leads to numerous other issues;
 - a. It is unsightly.
 - b. It can give a strong impression a business is closed.

- c. It is difficult to tie all this down to prevent it from being stolen. Regardless, drunken people or mentally ill people will likely pull at these stacks of furniture causing them to fall.
 - d. They will likely be used as toilet areas by some.
 - e. This furniture is going to fall into disrepair very quickly from having to sit outside in the elements every night. This causes great expense to the business in trying to repair but, most likely, replace items.
-
- 3. Many businesses absolutely rely on the extra space and custom the outdoor dining areas allow during the colder months to keep ourselves afloat. My own business is very small and during Winter months it is the only section I have for spill-over customers. Without it, all that business is gone. That also corresponds to less employment.
 - 4. The deal we negotiated with the landlord over 2 years ago was with the understanding the outdoor dining areas were here to stay. It was factored into the rent price that we would have that section as a usable section all year round. Without it, our business is in serious trouble, as the landlord will not renegotiate a new rent price. There are many other businesses in similar positions.
 - 5. Customers want to sit in these areas. It is by far the most requested section by the bulk of customers as they want to have that “outdoorsy” vibe while still feeling warm and dry.

To conclude, we see no reason as to why the new outdoor dining areas permitted by the DOT cannot be enclosed, while still following guidelines to make them compliant with common-sense ideals. We understand things like the material used, height restrictions, etc. would need to be considered and worked within but that is a very easy addendum to the current rules. **If the issue is not the space the business is taking up on the pavement (and it is not, as there are definite parameters they must work within there) then what significant reason can there be to disallow the business from keeping its customers warm and dry during colder months?** These structures can easily be made so as to allow quick disassembly, can have side sections/windows that will be taken down in summer months (businesses want that open air affect as much as possible too!), be fire retardant, etc. Many places have vestibules set up every Winter to conserve heat energy; the enclosed structures would merely be bigger versions of these *following the current*

spatial parameters set forth by the city in terms of how much sidewalk each business is entitled to.

We believe businesses should have discretion as to whether they wish to leave these structures up year round, or make it seasonal, as some smaller businesses with limited tables outside may feel they do not need it during summer months while those with much larger areas may require that structure to safe-keep all their storage at night. Installing heating and lighting in them will be a costly endeavor too so erecting and dismantling them twice yearly is a very inhibitive proposition. And storing the actual structure is another conundrum. It will be a very large expense.

Indeed, frustratingly, there was a program that allowed such structures called the Enclosed Sidewalk Café Program that for some reason was discontinued a couple of years ago, right when it should have been the template for the outdoor dining proposals!

Again, we are not looking to take over more space on the pavement, merely asking we are allowed to make that which is permitted to us more comfortable for our customers and more conducive to assimilating the program with the community and their expressed wishes. We have only had people express disillusionment and regret when we tell them the enclosed structures are not permitted.

Below is a list of businesses adversely affected by these new rules and asking that the city look again at undoing the unfair and illogical aspects of the new program. We offer employment to over 2,500 people, many of whose jobs are in jeopardy if these dining areas are made redundant for over half the year. That increased revenue means more tax revenue going to the city. At a time when bars/restaurants are really struggling to stay open and facing into what looks like a looming economic downturn, we implore the city to make the necessary changes before it is too late for many businesses around the city.

Thank you for your consideration of this issue,

Kevin Mulligan, The Laurels Café and Bar



Paul McDaid and Ronan Carter, Jackdaw Group



Paul McDaid (Apr 9, 2025 12:04 GMT+0)

Rob Mahon, Mahon Hospitality Group

Rob Mahon

Rob Mahon (Apr 9, 2025 15:49 EDT)

Case Nela Hospitality Group



Tiffany Collings, Wayne and Sons



Ronan Downs



Ronan Downs (Apr 28, 2025 12:16 EDT)

Tom O'Byrne



Paula Dinoris, Coyote Ugly

Paula Dinoris

Paula Dinoris (Jun 4, 2025 18:39 EDT)

Mark Tafoya, The Winslow

Mark Tafoya

Mark Tafoya (Apr 11, 2025 14:26 EDT)

Kyle O'Brien, Garret West, Williamsburg Pizza, Bar Nico

Kyle O'Brien

Kyle O'Brien (Apr 10, 2025 17:52 EDT)

I do not support the idea of year-round dining sheds being allowed. They take up so much space and make traffic worse. Traffic is already difficult with the creation of bike lanes. Closing lanes and reducing parking makes for much more congested traffic flow, which is a real negative.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6-25-26

(PLEASE PRINT)

Name: Michelle Craven

Address: _____

I represent: DOT

Address: 55 Wacker St 9th Fl, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: Monty Dean

Address: _____

I represent: DOT

Address: 34-02 Queens Boulevard

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Reck Rodriguez

Address: _____

I represent: DOT

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: Jeffrey Malamy

Address: [REDACTED] Bk, NY

I represent: NYC DOT

Address: 55 Water St, NYC

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 894 917,418 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: ANDREW KIGIE

Address: 244 FIFTH AVE, NY NY 10001

I represent: NEW YORK CITY HOSPITALITY ALLIANCE

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Blake Walker

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: Jun 29, 2026

(PLEASE PRINT)

Name: Vinny Dons

Address: [REDACTED] Flushing 11367

I represent: Self

Address: _____

Please complete this card and return to the Sergeant-at-Arms