



THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
PRESTON NIBLACK, DIRECTOR  
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 21-A

COMMITTEE: Parks and Recreation

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the location of concessions within a park. **SPONSORS:** Council Members Nelson, Foster, James, Mark-Viverito and Mendez

**SUMMARY OF LEGISLATION:** The proposed legislation would amend chapter one of title 18 of the administrative code of the city of New York by adding a new section 18-138 to require any concession under the jurisdiction of the Department of Parks and Recreation (DPR) and any restaurant located within any park that is the subject of a lease or other agreement between the DPR and a not-for-profit corporation to have visibly marked authorized boundaries that are indicated on a map of the park in which such concession or restaurant is located, with the map made available on the City's website within one year of the effective date of this legislation. No such concession or restaurant shall extend beyond the boundaries indicated on such map. However, any concession or restaurant covered by the provision of this local law where the concession agreement, lease or other agreement is entered into or renewed following the effective date of this law would be required to have such maps posted within 60 days of the execution or renewal of the concession or lease agreement. This legislation would not apply to concessions occupying less than 200 square feet, greater than two acres, or operating in three or more boroughs, or seasonal concessions of less than 45 days in duration.

In addition, the bill requires that the DPR visibly mark the authorized boundaries of each such concession or restaurant and maintain such markings, unless all boundaries are within a building or similar stationary structure or marking a boundary is not practicable.

Lastly, the bill provides for civil penalty of not less than two hundred dollars nor more than one thousand dollars for each such violation of this law. Such civil penalty shall be in addition to any penalty imposed pursuant to a concession agreement with the DPR.

**EFFECTIVE DATE:** This legislation would take effect 180 days after its enactment into law, except that the commissioner of the Department of Parks and Recreation shall take such actions as are necessary for its implementation prior to such effective date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2012

**FISCAL IMPACT STATEMENT:**

	Effective FY11	FY Succeeding Effective FY12	Full Fiscal Impact FY12
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is estimated that there would be minimal to no impact on revenues resulting from the enactment of this legislation.

**IMPACT ON EXPENDITURES:** There would be no impact on expenditures resulting from the enactment of this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** City Council Finance Division

**ESTIMATE PREPARED BY:** Nathan Toth, Assistant Director  
Chima Obichere, Supervising Legislative Financial Analyst

**HISTORY:** Int. 21 was introduced by the Council and referred to the Committee on Parks and Recreation on February 3, 2010. Hearing held and laid over by the Committee on April 27, 2010. The amended version, Proposed Int. 21-A, will be considered by the Committee on June 8, 2010.

**DATE SUBMITTED TO COUNCIL:** February 3, 2010.