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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of New York
City of New York

Local Law No. ____117____ of the year 2024

Amendments to the New York City Charter adopted by the voters at the general election held on November 5, 2024.

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

I hereby certify that the foregoing revisions to the New York City Charter, designated as Local Law No. 117 for the year 2024 of the City of New York, having been submitted to referendum pursuant to the provisions of section 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the general election held on the 5th of November 2024, became operative.



MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council.

Amendments to the Charter of the City of New York

Adopted by the Voters at the
General Election held November 5, 2024

1. The matter that is italicized contained in these charter revisions shall be read as matter being added to the charter by amendment.
2. The bracketed matter contained in these charter revisions shall be read as matter being deleted from the charter by amendment.
3. The matter which is neither enclosed in brackets nor italicized consists of existing provisions of the charter which are to continue unamended. They are included for purposes of information and completeness.

Question 2

Explanation: Matter in italics is new, to be added; matter in brackets
[] is old law, to be omitted.

Section 1. Subdivision a of section 753 of the New York city charter, as amended by local law number 68 for the year 2023, is amended to read as follows:

a. Except as otherwise provided by law, the commissioner shall have charge and control of and be responsible for all those functions and operations of the city relating to the cleanliness of the streets and the disposal of waste, including, without limitation, the following:

(1) the sweeping, cleaning, sprinkling, flushing, washing and sanding of the streets;

(2) the removal and disposition of ashes, street sweepings, garbage, refuse, rubbish and waste;

(3) the removal of ice and snow from the streets;

(4) the removal of encumbrances from the streets and the storage or disposal of such encumbrances; [and]

(5) plans, design, construction, operation, alteration, repair, maintenance, replacement, enlargement and regulation of the use of incinerators, landfills and other plants, facilities and equipment necessary for or useful for performing the functions and exercising the powers and duties enumerated in this section;

(6) the manner in which garbage, refuse, rubbish or waste may be set out for collection, including, to the extent practicable, ensuring that garbage, refuse, rubbish, or waste are not placed directly on the street or sidewalk; and

(7) upon designation by the mayor, the cleaning of any other city-owned property.

§ 2. Section 753 of the New York city charter is amended by adding a new subdivision g to read as follows:

g. Upon designation by the mayor, the department of sanitation shall have the authority to enforce any laws, rules and regulations in force in the city as they relate to the cleanliness of streets, sidewalks, and the exterior of city-owned real property. Such authority shall be in addition to and not in place of the authority of any other agency responsible for such enforcement.

§ 3. Section 13-e of the New York city charter, as added by local law number 18 for the year 2021, is amended 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, 2021 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 administrative code, or persons issued licenses to vend pursuant to sections 17-307 or 17-307.1 of the administrative code, or licenses issued pursuant to section 20-456 of the administrative 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 *and in parks* 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, *section 18-146*, 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 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 or department of parks and recreation 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, outreach and education to all street vendors on entrepreneurship and compliance with all applicable local laws and regulations, as well as solicit feedback from the street vendor community;

d. receive all complaints related to street vending on the streets and sidewalks of the city of New York from the 311 service center or from any other means; and

e. engage in such other activities related to enforcement of laws related to vending on the streets and sidewalks *and in parks* 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.

§ 4. Section 1152 of the New York city charter is amended by adding a new subdivision o, paragraph (1) to read as follows:

o. (1) The amendments to the charter amending section 13-e and subdivision a of section 753 and adding a new subdivision g to section 753, approved by the electors on November 5, 2024, shall take effect immediately upon certification that the electors have approved such amendments to the charter.

Question 3

Explanation: Matter in italics is new, to be added; matter in brackets
[] is old law, to be omitted.

Section 1. Section 33 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

a. No *public hearing on a proposed local law shall be held by a council committee, and no proposed local law [or budget modification] shall be voted on by [a council committee or] the council, unless[it]: (i) the council committee, the council, or the speaker has provided no fewer than 8 days' notice of such hearing or the council's intent to vote on such proposed local law, as applicable, to the director of management and budget, provided that such notice shall not be required if the mayor shall have certified as to the necessity for the immediate passage of such local law; and (ii) such proposed local law is accompanied by a fiscal impact statement containing the information set forth in subdivision [b] c of this section.*

b. *No proposed budget modification shall be voted on by a council committee or the council unless such budget modification is accompanied by a fiscal impact statement containing the information set forth in subdivision c of this section.*

c. *A fiscal impact statement required by subdivision a of this section shall contain estimates from the council and the office of management and budget, provided, however, that an estimate from the office of management and budget shall not be required where such office has not provided such estimate to the council at least 3 days before a hearing or vote subject to such subdivision a. A fiscal impact statement required by subdivision b of this section need only contain an estimate from the council. Each such estimate in a fiscal impact statement shall: indicate the fiscal year in which the proposed law or modification would first become effective and the first fiscal year in which the full fiscal impact of the law or modification is expected to occur; and contain an estimate of the fiscal impact of the law or modification on the revenues and expenditures of the city during the fiscal year in which the law or modification is to first become effective, during the succeeding fiscal year, and during the first fiscal year in which the full fiscal impact of the law or modification is expected to occur.*

[c.] *d. All agency heads shall promptly provide to any council committee any information that it requests to assist it in preparing a fiscal impact statement.*

[d.] *e. Each estimate contained in a fiscal impact statement shall identify the sources of information used in its preparation.*

[e.] *f.* If [any of] the estimate [or estimates] contained in [the] *a* fiscal impact [statements are] *statement is* inaccurate, such [inaccuracies] *inaccuracy* shall not affect, impair, or invalidate the local law or budget modification.

§ 2. Section 235 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

§ 235. Preliminary certificate of the mayor on capital debt and obligations. No later than the sixteenth day of January, *or in any calendar year immediately following the election of a mayor, the first day of February*, the mayor shall submit to the council, the comptroller, the borough presidents and the city planning commission and publish a preliminary certificate setting forth the maximum amount of debt and reserves which, in the mayor's opinion, the city may soundly incur for capital projects during the ensuing fiscal year and during each of the following three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which the city, given such maximum amount of debt and reserves, may soundly make during each such fiscal year. At any time up to the submission of the executive capital budget to the council, the mayor may amend such preliminary certificate. Any such amendments shall be submitted to the council, the comptroller, the borough presidents and the city planning commission, and published forthwith in the City Record.

§ 3. Section 236 of the New York city charter, as amended by local law number 218 for the year 2017, is amended to read as follows:

Not later than the sixteenth day of January, *or in any calendar year immediately following the election of a mayor, the first day of February*, the mayor shall submit to the council and publish a preliminary budget for the ensuing fiscal year. Copies of such budget shall be provided to the council, borough presidents, each community board and borough board, the city planning commission, and the department of city planning. A copy of such preliminary budget shall also be provided to the council not later than the sixteenth day of January, *or in any calendar year immediately following the election of a mayor, the first day of February*, in both a human-readable format or spreadsheet and in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk or any other format mutually agreed upon between the mayor and the council.

§ 4. Section 237 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

§ 237. Report of independent budget office on revenues and expenditures. On or before the first day of February, *or in any calendar year immediately following the election of a mayor, the fifteenth day of February*, the director of the independent budget office shall publish a report, for the ensuing fiscal year, with respect to expected levels of revenues and expenditures, taking into account projected economic factors and the proposals contained in the preliminary budget submitted by the mayor for such fiscal year. Such report shall also include a discussion of city budget priorities, including alternative ways of allocating the total amount of appropriations, expenditures and commitments for such fiscal year among major programs or functional categories taking into account how such alternative allocations will meet major city needs and effect balanced growth and development in the city.

§ 5. Subdivision a of section 249 of the New York city charter, as amended by local law number 218 for the year 2017, is amended to read as follows:

a. Not later than the [twenty-sixth] *first* day of [April] *May*, the mayor shall submit to the council (1) a proposed executive budget for the ensuing fiscal year, and (2) a budget message, both of which, along with any accompanying reports and schedules, shall be printed forthwith. Copies of such proposed executive budget, budget message and any accompanying reports and schedules shall also be provided to the council not later than the [twenty-sixth] *first* day of [April] *May* in both a human-readable format or spreadsheet and in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk or any other format mutually agreed upon between the mayor and the council.

§ 6. Section 251 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

§ 251. Borough president recommendations on the executive budget. Not later than the [sixth] *thirteenth* day of May, each borough president shall submit to the mayor and the council a response to the mayor's executive budget. Such response shall indicate which of the recommended appropriations submitted by the borough president pursuant to section two hundred forty-five,

which were not included by the mayor in the executive budget, should be considered by the council for inclusion in the budget. Any appropriations recommended in this manner for inclusion in the budget shall be accompanied by recommendations for offsetting reductions in other appropriations within the borough. Any such increases or reductions must be stated separately and distinctly and refer each to a single object or purpose.

§ 7. Section 1152 of the New York city charter is amended by adding a new subdivision o, paragraph (2) to read as follows:

o. (2) The amendments to the charter amending sections 33, 235, 236, 237, 251, and subdivision a of section 249, approved by the electors on November 5, 2024, shall take effect immediately upon certification that the electors have approved such amendments, provided, however, that the amendments to section 33 shall apply only to proposed local laws for which a public hearing or vote of the council is held after the effective date.

Question 4

Explanation: Matter in italics is new, to be added; matter in brackets
[] is old law, to be omitted.

Section 1. Chapter 2 of the New York city charter is amended by adding a new section 33-a to read as follows:

§ 33-a. Local laws relating to public safety.

a. No proposed local law relating to the public safety operations of the police department, the fire department, or the department of correction shall be voted on by the council unless the council has provided to the public, the mayor and the commissioner of each such department written notice of the council's intent to vote on the proposed local law no sooner than thirty days following such notice. During the period between the provision of notice and a vote on the proposed local law, the mayor or any such commissioner may hold one or more public hearings to solicit additional public comment on such proposed local law, provided, however, that nothing in this section shall limit the authority of the mayor or any commissioner to hold public hearings at other times.

b. The speaker may perform functions assigned to the council pursuant to subdivision a of this section.

c. The requirements of subdivision a shall not prevent the council or a council committee from amending the proposed local law prior to voting on it, and such amendments shall not require additional notices as long as the notice required by subdivision a has been provided.

d. The mayor may waive in writing any requirement imposed by this section.

§ 2. Section 1152 of the New York city charter is amended by adding a new subdivision o, paragraph (3) to read as follows:

o. (3) The amendments to the charter adding section 33-a, approved by the electors on November 5, 2024, shall take effect immediately upon certification that the electors have approved such amendments.

Question 5

Explanation: Matter in italics is new, to be added; matter in brackets
[] is old law, to be omitted.

Section 1. Subdivision a of section 204 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

a. Each year not later than the fifteenth day of November, the mayor shall submit to the council, borough presidents, borough boards and community boards a citywide statement of needs concerning city facilities prepared in accordance with the criteria established pursuant to section two hundred three. Copies of the statement shall also be made available to the public in the main branch of the public library in each borough. The statement shall identify by agency and program: (1) all new city facilities and all significant expansions of city facilities for which the mayor or an agency intends to make or propose an expenditure or to select or propose a site during the ensuing two fiscal years and (2) all city facilities which the city plans to close or to reduce significantly in size or in capacity for service delivery during the ensuing two fiscal years. *To the extent practicable, the statement shall also identify for each city facility its condition, function, location, estimated useful life, and whether such facility would enable or benefit from related capital investments in other city facilities.*

§ 2. Section 215 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

a. *For the purposes of this section, the term “ten-year capital strategy” means the report issued by the mayor in accordance with this section and pursuant to section two hundred forty-eight. Such strategy shall be informed by the citywide statement of needs and the capital plant inventory required by sections two hundred four and one thousand one hundred ten-a, respectively.*

b. The ten-year capital strategy shall be issued by the mayor pursuant to section two hundred forty-eight after (i) submission of a preliminary strategy by the department of city planning and the office of management and budget pursuant to section two hundred twenty-eight, and (ii) submission of a report on the preliminary strategy by the city planning commission following a public hearing, pursuant to section two hundred thirty-four.

[b.] c. Contents of ten-year capital strategy. Each ten-year capital strategy shall include:

(1) a narrative describing the strategy for the development of the city's capital facilities for the ensuing ten fiscal years; the factors underlying such strategy including goals, policies, constraints, assumptions, and [the criteria for assessment of] *the city's* capital needs; the

anticipated sources of financing for such strategy; and the implications of the strategy, including possible economic, social and environmental effects;

(2) tables presenting the capital commitments estimated to be made during each of the ensuing ten fiscal years, by program category and agency. Where relevant the anticipated sources of financing for particular categories and projects shall be specified; and

(3) a map or maps which illustrate major components of the strategy as relevant.

[c.] *d.* In the preparation of the preliminary ten-year capital strategy, the department of city planning and office of management and budget shall consider: (i) the strategic policy statements of the mayor and the borough presidents pursuant to section seventeen, (ii) relevant citywide, borough and community plans adopted pursuant to section one hundred ninety seven-a, [and] (iii) the reports pursuant to section two hundred fifty-seven comparing the most recent ten-year capital strategy with the capital budgets and programs adopted for the current and previous fiscal years, *and (iv) the city's capital needs, as informed by the citywide statement of needs and the capital plant inventory required by sections two hundred four and one thousand one hundred ten-a, respectively, including but not limited to city facility and capital plant conditions and deterioration, geographic distribution, impact on agency function or mission, impact on resiliency, and relevant federal or state conditions or requirements.*

§ 3. Section 228 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

Not later than the [first] day [of November] *the preliminary budget is published pursuant to section two hundred thirty-six* in each [even] *odd*-numbered year, the director of management and budget and the director of city planning shall jointly submit to the mayor, the council, the borough presidents and the city planning commission a draft ten-year capital strategy prepared in accordance with the provisions of section two hundred fifteen.

§ 4. Section 234 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

Not later than the sixteenth day of [January] *March* in each odd-numbered year, the city planning commission shall submit to the mayor, the borough presidents and the council a report containing its comments on the draft ten-year capital strategy submitted in accordance with section

two hundred twenty-eight of this chapter, including such recommendations as it deems appropriate. The city planning commission, in the preparation of such report, shall, upon adequate public notice, hold a public hearing at which interested organizations and individuals may express their opinions regarding the draft ten-year capital strategy.

§ 5. Section 1152 of the New York city charter is amended by adding a new subdivision o, paragraph (4) to read as follows:

o. (4) The amendments to the charter amending subdivision a of section 204, and sections 215, 228, and 234, approved by the electors on November 5, 2024, shall take effect on April 1, 2025.

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

I hereby certify that the foregoing revisions to the New York City Charter, designated as Local Law No. 117 for the year 2024 of the City of New York, having been submitted to referendum pursuant to the provisions of section 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the general election held on the 5th of November 2024, became operative.

A handwritten signature in black ink, appearing to read "Michael M. McSweeney", with a long horizontal flourish extending to the right.

**MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council.**