|  |  |
| --- | --- |
|  | **The Council of the City of New York****Finance Division****Preston niblack, Director****jeffrey rodus, first deputy director****Fiscal Impact Statement****Intro. No: 1039-A****Committee: Consumer Affairs** |
| **Title:**  A Local Law to amend the administrative code of the city of New York, in relation to the review and approval of petitions for revocable consents to operate sidewalk cafes. | **Sponsor(S):** Reyna, Koo, Gennaro and Vallone, Jr.  |

**Summary of Legislation:** Proposed Intro. 1039-A will amend the New York City Charter to streamline the review process of application for revocable consent to construct and operate a sidewalk café.

1039-A would streamline the application process in the following manner:

Permit DCA to waive its hearing on revocable consent applications. Currently, DCA is given 30 days to hold a hearing, and approve or deny an application for revocable consent. If DCA waives its hearing it could approve or deny the application within ten days.

Allow an applicant to request additional time to fix any deficiencies in their application. An applicant would be able to request up to 180 days to make changes.

Additional review by the Mayor, currently done by the Mayor’s Office of Contract Services, would be optional. If this additional review is waived, the application process would be shortened by five days.

Clarify that a community board has 45 days to hold a public hearing and submit comments to DCA on an application. After 45 days, DCA would accept comments from a community board at the discretion of the DCA Commissioner.

**Effective Date:** This local law shall take effect one hundred twenty days after it shall have become a law, provided, however, that the commissioner shall take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

**Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2015

**Fiscal Impact Statement:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Effective FY14** | **FY Succeeding****Effective FY14** | **Full Fiscal****Impact FY15** |
| **Revenues**  | **$0** | **$0** | **$0** |
| **Expenditures**  | **$0** | **$0** | **$0** |
| **Net** | **$0** | **$0** | **$0** |

**Impact on Revenues:** The legislation would have no impact on revenues.

**Impact on Expenditures:** The legislation would have no impact on expenditures.

**Source of Funds To Cover Estimated Costs:** N/A

**Source of Information:** New York City Council Finance Division

 New York City Department of Consumer Affairs

**Estimate Prepared By:** Aliya Ali, Legislative Financial Analyst

**Estimated Reviewed By:** Nathan Toth, Deputy Director

**Legislative History:** This legislation was introduced to the full Council on April 25, 2012 as Proposed Intro. 1039 and was referred to the Committee on Consumer Affairs. A hearing was held by the Committee on May 7, 2013 and the bill was laid over. An amended version of the legislation, Proposed Intro. 1039-A, will be considered by the Committee on December 18, 2013, and upon successful vote of the Committee, Proposed Intro. 1039-A will be submitted to the Full Council for a vote on December 19, 2013.