



Legislation Text

File #: Int 0731-2005, **Version:** A

Int. No. 731-A

By Council Members Comrie, Liu, Jackson, Fidler, Nelson, Stewart and Weprin

A Local Law to amend the administrative code of the city of New York, in relation to establishing a citywide stoop line stand task force.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-239.1 to read as follows:

§20-239.1 Citywide stoop line stand task force. a. Within ninety days of the effective date of this section, there shall be established a citywide stoop line stand task force. Such task force shall be comprised of seven members, four of whom shall be appointed by the speaker of the council and three of whom shall be appointed by the mayor. To the extent possible, appointments to the task force shall represent the interests of small businesses and members of the general public. Each member may be removed at any time by the appointing authority and any vacancy shall be filled in the same manner as the appointment was made. The members of such task force shall select the chairman of the task force from among its members. The citywide task force on stoop line stands shall be deemed established upon the appointment of four of its members.

b. The citywide stoop line stand task force shall convene whenever the department or the department of transportation proposes, or is required by law, to promulgate or revise rules relating to stoop line stands, but in no event shall the task force meet less often than three times in every calendar year. Every four months, the department and the department of transportation shall jointly report to the council and the mayor on a borough-by-borough basis as to the status of the stoop line stand licensing and enforcement programs, the number of complaints received or directed to each of those agencies since the issuance of the immediately preceding

report that relate to stoop line stands, the nature of such complaints, and the impacts of the stoop line stand licensing and enforcement programs on small businesses.

c. The citywide stoop line stand task force shall review all current and proposed procedures and rules relating to licensing and enforcement of stoop line stand laws and rules and present to the department and the department of transportation for their consideration, when deemed appropriate, proposed rules or revisions to existing rules regarding stoop line stands that address the issues examined by the task force.

d. Within thirty days of each such meeting, the citywide stoop line stand task force shall submit a written report of its findings and recommendations to the council, the mayor, the department and the department of transportation.

§2. Section 20-239 of the administrative code of the city of New York is amended by lettering the existing section as subdivision a and by adding a new subdivision b to read as follows:

b. Where a license issued under section 20-233 may not be renewed solely due to the determination of the department of transportation that the stoop line stand poses an obstruction to the free use of sidewalks by pedestrians, notice of such determination shall be sent by regular mail to the licensee. The licensee shall have thirty days from receipt of such notice to cure the obstruction to the satisfaction of the department of transportation. Notice of such determination shall be deemed to have been received by the licensee three business days subsequent to mailing. Until such time as the department determines that the licensee has failed to cure the obstruction, the license for such stoop line stand shall be deemed to be in full force and effect and no violation may be issued for such obstruction.

§3. This local law shall take effect immediately upon its enactment into law and section 20-239.1 of the administrative code of the city of New York, as added by section one of this local law, shall expire four years from the date upon which the citywide task force on stoop line stands was established.

10-18-05 4:20 pm