



Legislation Text

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Int. No. 947

By the Public Advocate (Mr. Williams) and Council Member Fariás

A Local Law to amend the New York city charter, in relation to requiring quarterly reporting on enforcement interactions with street vendors

Be it enacted by the Council as follows:

Section 1. 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. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Applicable permittees or licensees. 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.

Office. The term “office” means the office of street vendor enforcement.

Street vendor enforcement interaction. The term “street vendor enforcement interaction” means an interaction between an officer, employee or agent of the office of street vendor enforcement, the police department, or any other relevant agency and a street vendor that results in the issuance of a civil or criminal summons, the seizure of items the street vendor offers for sale, or the arrest of the street vendor.

b. Establishment of the office. 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] the 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]

c. Powers and duties of the office. The office shall have the power and duty to:

[a. enforce] 1. Enforce all local laws and rules related to vending on the streets and sidewalks 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, 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] 2. 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 as excessively congested, including, but not limited to, areas where pedestrian volume regularly approaches or exceeds the capacity of the sidewalk, and areas featuring a high level of complaints about vendor activity, if any;

[c. collaborate] 3. 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] 4. 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] 5. Engage in such other activities related to enforcement of laws related to vending on the streets and sidewalks 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.]

d. Quarterly reporting. No later than 30 days after the end of each fiscal quarter, the office, in conjunction with the police department and any other relevant agency, shall submit to the mayor and the speaker of the council and post on its website a report regarding street vendor enforcement interactions that occurred during such fiscal quarter. Such report shall include the following information for every street vendor enforcement interaction:

1. The council district and zip code where the street vendor enforcement interaction occurred;
2. The date on which the street vendor enforcement interaction occurred;
3. Whether the street vendor enforcement interaction was initiated due to complaints;
4. Whether the street vendor enforcement interaction resulted in the issuance of a civil or criminal summons, the seizure of the street vendor's items for sale, or the arrest of the street vendor;
5. What items the street vendor involved in such street vendor enforcement interaction was selling;
6. What documentation and information was requested from the street vendor during the street vendor enforcement interaction;
7. Whether a language interpreter was provided during the street vendor enforcement interaction; and
8. Whether there had been prior street vendor enforcement interactions with the same street vendor.

§ 2. This local law takes effect 90 days after it becomes law.

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