Legislation Details (With Text)

File #:	Int 0939-2012 **Version:** A	**Name:**	Stoop line stands.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Consumer Affairs
On agenda:	9/24/2012		
Enactment date:	1/18/2013	**Enactment #:**	2013/005
Title:	A Local Law to amend the administrative code of the city of New York, in relation to stoop line stands.		
Sponsors:	David G. Greenfield, Domenic M. Recchia, Jr., Sara M. Gonzalez, Lewis A. Fidler, Letitia James, Michael C. Nelson, Jumaane D. Williams, Annabel Palma, Karen Koslowitz, Vincent J. Gentile, Daniel Dromm, Ydanis A. Rodriguez, James S. Oddo, Daniel J. Halloran III, Charles Barron, James F. Gennaro		
Indexes:			
Attachments:	1. Int. No. 939 - 9/24/12, 2. Committee Report 12/14/12, 3. Hearing Testimony 12/14/12, 4. Hearing Transcript 12/14/12, 5. Committee Report 12/17/12, 6. Hearing Transcript 12/17/12, 7. Fiscal Impact Statement, 8. Committee Report - Stated Meeting 12/18/12, 9. Hearing Transcript - Stated Meeting 12-18-12, 10. Mayor's Letter, 11. Local Law 5		

Date	Ver.	Action By	Action	Result
9/24/2012	*	City Council	Introduced by Council	
9/24/2012	*	City Council	Referred to Comm by Council	
12/14/2012	*	Committee on Consumer Affairs	Hearing Held by Committee	
12/14/2012	*	Committee on Consumer Affairs	Amendment Proposed by Comm	
12/14/2012	*	Committee on Consumer Affairs	Laid Over by Committee	
12/17/2012	*	Committee on Consumer Affairs	Hearing Held by Committee	
12/17/2012	*	Committee on Consumer Affairs	Amendment Proposed by Comm	
12/17/2012	*	Committee on Consumer Affairs	Amended by Committee	
12/17/2012	A	Committee on Consumer Affairs	Approved by Committee	Pass
12/18/2012	A	City Council	Approved by Council	Pass
12/18/2012	A	City Council	Sent to Mayor by Council	
1/18/2013	A	Administration	City Charter Rule Adopted	

Int. No. 939-A

By Council Members Greenfield, Recchia, Gonzalez, Fidler, James, Nelson, Williams, Palma, Koslowitz, Gentile, Dromm, Rodriguez, Oddo, Halloran, Barron and Gennaro

A Local Law to amend the administrative code of the city of New York, in relation to stoop line stands.

Be it enacted by the Council as follows:

Section 1. Section 20-228 of the administrative code of the city of New York is amended by adding new

subdivision f to read as follows:

f. Stoop line stand. A stand or booth operated on a sidewalk for the sale or display of the articles enumerated in subdivision b of section 20-233 of this subchapter, which shall be subject to the restrictions and requirements of sections 20-233 through 20-241 of this subchapter.

§ 2. Section 20-233 of the administrative code of the city of New York, subdivision a as amended by local law number 118 for the year 1954 and subdivision b as amended by local law number 65 for the year 1992, is amended to read as follows:

§ 20-233 [Stoopline] Stoop line stands; license required; permitted use. a. It shall be unlawful to maintain a [stand or booth within stooplines] stoop line stand without a license therefor.

b. [Such stands or booths] Stoop line stands shall be used for the sale or display of fruits, vegetables, soft drinks, [cigars, cigarettes, tobacco, confectionary] confectionery, ice cream, flowers or any of the foregoing.

§ 3. Section 20-236 of the administrative code of the city of New York, as amended by local law number 65 for the year 1992, is amended to read as follows:

§ 20-236 Stoop line stands; fees. The fee for such license shall be based on the article or articles permitted to be sold or displayed as follows:

1. For fruits, vegetables, soft drinks or combinations thereof .....eighty dollars

[2. For cigars, cigarettes, tobacco or combinations thereof ..... forty dollars]

[3] 2. For confectionery ..... forty dollars

[4] 3. For ice cream ..... forty dollars

[5] 4. For any combination of the foregoing, the license fee shall be the total of the prescribed fees, except that such fee shall not exceed one hundred dollars.

§ 4. Subdivisions a and b of section 20-237 of the administrative code of the city of New York, as amended by local law number 46 for the year 1993, are amended to read as follows:

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§ 20-237 Stoop line stands; restrictions. a. [Displays] Stoop line stands shall not extend farther than three feet from the front of any premises and [in no case] shall not [such stand or display] exceed seven feet in height. Every [licensed] stoop line stand shall be maintained wholly within the stoop line and shall not obstruct the free use of the sidewalk by pedestrians. [It] Stoop line stands shall not exceed ten feet in length nor four feet in width, except as provided[,however that where the sidewalk in front of the premises is at least sixteen feet wide, such stand shall not exceed ten feet in length nor five feet in width as long as a straight, unobstructed pathway of at least nine and one-half feet is maintained at all times on the sidewalk in front of the entire length of the premises where such stand or stands are located] in subdivision b of this section.

b. [Any stand licensed for the sale of any combination of the articles enumerated in subdivision b of section 20-233 of this subchapter, shall not exceed ten feet by four feet, provided, however that where] Where the sidewalk in front of the premises is at least sixteen feet wide, such stoop line stand [shall not] may [exceed] extend up to ten feet in length [nor] and five feet in width as long as a straight, unobstructed pathway of at least nine and one-half feet is maintained at all times on the sidewalk in front of the entire length of the premises where such stoop line stand [or stands are] is located. Where the sidewalk in front of the premises is at least twenty-one feet wide, and if the entire premises is located within an M1, M2 or M3 zoning district, and if a stoop line stand on such premises was licensed on or before the first day of September, two thousand twelve, such stoop line stand may extend up to ten feet in length and ten feet in width as long as a straight, unobstructed pathway of at least nine and one-half feet is maintained at all times on the sidewalk in front of the entire length of the premises where such stoop line stand is located. In addition to any license fee required to be paid pursuant to section 20-236 of this subchapter, an applicant seeking to obtain or renew a license for any stoop line stand that extends beyond five feet in width shall pay to the department an inspection fee of seventy-five dollars for each stoop line stand that it seeks to license. Such fee shall be paid with the application for such license and shall be retained by the department regardless of whether the license is granted.

§ 5. Section 20-239 of the administrative code of the city of New York, as amended by local law

number 46 for the year 1993, is amended to read as follows:

§ 20-239 Approval. [Any] A stoop line stand [required to be licensed under section 20-233] shall not be licensed unless the location thereof has been approved by the department of transportation. No license [issued under section 20-233] shall be approved or renewed if the department of transportation determines that the stoop line stand [so licensed] poses an obstruction to the free use of sidewalks by pedestrians. Notwithstanding anything in this subchapter to the contrary, if the department of transportation determines that a stoop line stand which is permitted to [be five feet] extend more than four feet in width pursuant to section 20-237 of this subchapter poses an obstruction to the free use of sidewalks by pedestrians solely because the width of such stoop line stand [is five feet rather than] exceeds four feet, the [department of transportation] commissioner shall approve [the renewal of] or renew such license at a width of four feet.

§ 6. This local law shall take effect ninety days following enactment, except that the commissioner of the department of consumer affairs may take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

R.C.
LS 2029
11/27/12