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Sponsors:	Melissa Mark-Viverito, Margaret S. Chin, Carlos Menchaca, Eric A. Ulrich, I. Daneek Miller, Julissa Ferreras-Copeland, Mark Levine, Deborah L. Rose, Stephen T. Levin, Inez D. Barron, Donovan J. Richards, Ydanis A. Rodriguez, Mathieu Eugene, Daniel Dromm, Bill Perkins, Rafael L. Espinal, Jr., Andy L. King, Rosie Mendez, Brad S. Lander, The Public Advocate (Ms. James), (by request of the Manhattan Borough President)		
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Proposed Int. No. 1303-A

By the Speaker (Council Member Mark-Viverito) and Council Members Chin, Menchaca, Ulrich, Miller, Ferreras-Copeland, Levine, Rose, Levin, Barron, Richards, Rodriguez, Eugene, Dromm, Perkins, Espinal, King, Mendez, Lander and the Public Advocate (Ms. James) (by request of the Manhattan Borough President)

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding the availability of food vendor permits, creating an office of street vendor enforcement, and establishing a street vendor advisory board

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 13-e 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, 2018 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 permitees or licensees on an annual basis. For the purposes of this section, the term "applicable permitees or licensees" means persons issued full-term or temporary permits pursuant to section 17-307 of the code, or persons issued licenses to vend pursuant to sections 17-307 or 17-307.1 of the code, or licenses issued pursuant to section 20-456 of the 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 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 this code; article 89 of the health code; and subchapter AA of chapter 2 of title 6, chapter 6 of title 24 and chapter 1 of title 56 of the rules of the city of New York;

b. focus its enforcement efforts on areas including, but not limited to, areas in the designated vending locations pilot program created by the local law that added this section, 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 and featuring a high level of complaints about vendor activity, if any;

c. collaborate with the department of small business services to provide training and education to all street vendors on all applicable local laws and regulations, with a focus on areas including, but not limited to, areas in the designated vending locations pilot program created by the local law that added this section, as well

as other areas identified by the department of transportation as excessively congested and featuring a high level of compaints about vendor activity, if any; and

d. 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.

§ 2. Subdivisions q, r and s of section 17-306 of the administrative code of the city of New York, as added by local law number 9 for the year 2008, are amended to read as follows:

q. "Fresh fruits and vegetables". [Unprocessed unfrozen] Unfrozen raw fruits and vegetables that have not been combined with other ingredients.

r. "Fresh fruits and vegetables permit". A full-term permit for the vending at retail solely of fresh fruits or vegetables, [or both,] water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1, from a pushcart or vehicle in a public place. Unless otherwise specified, a fresh fruits and vegetables permit shall be a permit in accordance with the provisions of this subchapter.

s. "Green cart". A pushcart or vehicle used exclusively by those issued fresh fruits and vegetables full-term permits pursuant to section 17-307 of this subchapter [and which, in addition to being in compliance with all other legal requirements applicable to non-processing pushcarts, must also have a distinctive and easily recognizable appearance in accordance with rules to be established by the commissioner].

§ 3. Paragraph 1 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

1. (a) It shall be unlawful to vend food [from any vehicle or pushcart] in a public space from any vehicle or pushcart not bearing a decal issued by the department demonstrating that it has been inspected and approved, and without:

(i) having first obtained a fresh fruit or vegetables permit, or a permit issued prior to June 1, 2019, or such a permit that has been transferred by the commissioner in accordance with subdivision d of section 17-314.1, for such vehicle or pushcart from the commissioner in accordance with the provisions of this subchapter; or

(ii) having first been issued a supervisory license pursuant to section 17-307.1; or

(iii) working alongside a food vendor at such vehicle or pushcart who has been issued a supervisory license pursuant to section 17-307.1.

(b) The commissioner shall establish standards relating to the size and design of such vehicles and pushcarts. No vendors shall vend from any vehicle or pushcart which does not comply with the standards established by the commissioner. No vendor shall vend from other than a vehicle or pushcart.

(c) No food vendor issued a fresh fruits and vegetables permit shall vend from other than a vehicle or a green cart. No food vendor issued a fresh fruits and vegetables permit shall vend any food other than fresh fruits and vegetables, water, raw single ingredient nuts and other food designated by the commissioner as healthful pursuant to section 17-324.1 from the green cart or vehicle for which the permit was issued.

§ 4. Subparagraph (a) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York is amended to read as follows:

(a) [On] Except for permits issued to persons holding supervisory licenses pursuant to section 17-307.1, on and after July thirtieth, nineteen hundred eighty-three, no new full-term permits shall be issued until the number of such permits which are in effect is less than three thousand. Thereafter, the maximum number of such permits which may be in effect shall be three thousand and no new permits shall be issued in excess of such maximum number. Notwithstanding the limitations on the issuance of new full-term permits, a permit issued prior to July thirtieth, nineteen hundred eighty-three which is in effect shall be renewable by the licensee to whom the permit was issued subject to the provisions of subparagraph (f) of this paragraph and provided that all other requirements for renewal under the provisions of this subchapter and any rules promulgated pursuant

thereto are complied with, the license of the person to whom the permit was issued or the permit has not been revoked or suspended and the licensee has not committed a violation or violations which could be a basis for permit or license revocation or suspension.

§ 5. Subparagraph (a) of paragraph 3 of subdivision b of section 17-307 of the administrative code of the city of New York is amended to read as follows:

(a) Notwithstanding the provisions of paragraph two of this subdivision limiting the number of full-term permits that are authorized to be issued, and not including permits issued to persons holding supervisory licenses pursuant to section 17-307.1, the commissioner may issue up to a maximum of one hundred additional full-term permits authorizing the holders thereof to vend food from any vehicle or pushcart in any public place in the city of New York where food vendors are not prohibited from vending. Such permits shall be issued only to natural persons who at the time of application for a permit hereunder are not holders of a full-term permit issued pursuant to paragraph two of this subdivision and who have not had a full-term permit revoked or suspended. No person shall be issued more than one permit. Such permits shall be issued in the order in which applications for such permits are received in accordance with the preferences specified in subparagraph (b) of this paragraph and the procedures established by the commissioner. The issuance or renewal of a full-term permit pursuant to this paragraph shall be subject to the permittee within three months after the certification of a complete application therefor presenting a pushcart or vehicle for inspection by the department and, within six months after such certification, passing such inspection, except that such deadlines shall not apply to an applicant for a full-term permit who has been issued a supervisory license pursuant to section 17-307.1. After the initial issuance of such permits, the commissioner shall establish a waiting list, not to exceed four hundred in number, to be administered in accordance with procedures to be established by rules of the commissioner.

§ 6. Subparagraph (a) of paragraph 4 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

(a) Notwithstanding the provisions of paragraph two of this subdivision limiting the total number of full

-term permits that are authorized to be issued, the commissioner may issue up to a maximum of one thousand fresh fruits and vegetable permits, as that term is defined in subdivision r of section 17-306 of this chapter. [The initial issuance of these one thousand fresh fruits and vegetables permits shall be phased in over a two-year period. No more than five hundred permits shall be issued during the first year of permit availability, nor shall more than one-half of the number of fresh fruits and vegetables permits designated for use in a borough be issued during the first year of permit availability. During the second year of permit availability the commissioner may issue the remaining five hundred permits along with any permits from the initial five hundred not issued during the first year of permit availability. Thereafter, the maximum number of such permits which may be in effect shall be one thousand and no new permits shall be issued in excess of such number.] Each of the one thousand fruits and vegetables permits to be issued pursuant to this paragraph shall be designated for use exclusively in a specified borough as follows:

(i) three hundred fifty of such fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of the Bronx in the areas designated in clause (i) of subparagraph b of this paragraph.

(ii) three hundred fifty of such fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Brooklyn in the areas designated in clause (ii) of subparagraph b of this paragraph.

(iii) one hundred fifty of such fresh fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Manhattan in the areas designated in clause (iii) of subparagraph b of this paragraph.

(iv) one hundred of such fresh fruits and vegetables permits shall authorize the holders thereof to vend

fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Queens in the areas designated in clause (iv) of subparagraph b of this paragraph.

(v) fifty of such fresh fruits and vegetables permits shall authorize the holders thereof to vend fresh fruits and vegetables, water, raw single ingredient nuts and any other food designated by the commissioner as healthful pursuant to section 17-324.1 from any vehicle or any green cart in the borough of Staten Island in the areas designated in clause (v) of subparagraph b of this paragraph.

§ 7. Subdivision d of section 17-307 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

d. A food vendor's license shall entitle the holder thereof to vend any food which the commissioner or board may authorize or otherwise approve, except that a food vendor vending from a green cart or vehicle with a fresh fruits and vegetables permit shall only be authorized to vend fresh fruit and vegetables, water, raw single ingredient nuts and any other food that has been designated by the commissioner as healthful pursuant to section 17-324.1. No food vendor while acting as such shall vend any item which the commissioner or board has not authorized or otherwise approved.

§ 8. Section 17-307 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. On and after June 1, 2019, any newly issued permit to vend from a vehicle or pushcart, full-term or temporary, that is issued pursuant to this section shall require that such vehicle or pushcart be operated only when a person who has been issued a supervisory license pursuant to section 17-307.1 is present.

§ 9. Subchapter 2 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-307.1 to read as follows:

§ 17-307.1 Supervisory Licenses

a. Eligibility for supervisory license.

1. Any natural person may apply for a supervisory license who satisfies the qualifications described in at least one of the following categories:

(a) such person has been on a waiting list for a full-term permit or temporary permit pursuant to this subchapter since October 1, 2011 and remains on such list as of the date of issuance;

(b) such person has held a food vendor license continuously since March 1, 2014; or

(c) such person has been on a waiting list for a full-term permit or temporary permit pursuant to this subchapter as of, or earlier than, September 30 , 2011 and remains on such list as of the date of issuance.

2. Any natural person may apply for a supervisory license who has been issued a permit, on or after June 1, 2019, pursuant to paragraphs 2 or 3 of subdivision b, or subdivision f, of section 17-307.

b. Issuance of supervisory licenses.

1. For persons described in paragraph 1 of subdivision a, the department shall make available up to 300 supervisory licenses on the following dates:

(a) On June 1 of each calendar year beginning in 2019 until June 1, 2021;

(b) On June 1 of each calendar year beginning in 2022 until June 1, 2025; and

(c) On June 1 of each calendar beginning in 2026 until June 1, 2028.

(d) If more than 300 persons apply by June 1 of any such calendar year, such licenses shall be distributed in the order of priority listed in paragraph 1 of subdivision a. To the extent the number of persons that apply for such licenses exceeds the number of available supervisory licenses, the distribution required by this paragraph shall be determined by lottery.

2. For persons described in paragraph 3 of subdivision b of section 17-307, the department shall make available up to 30 supervisory licenses on the following dates:

(a) On June 1 of each calendar year beginning in 2019 until June 1, 2021;

(b) On June 1 of each calendar year beginning in 2022 until June 1, 2025; and

(c) On June 1 of each calendar beginning in 2026 until June 1, 2028.

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(d) If more than 30 persons apply by June 1 of any such calendar year, such licenses shall be determined by lottery.

3. The department shall not issue a supervisory license to any person who at the time of application had a permit issued pursuant to subdivision b or f of section 17-307 revoked or suspended or who is not fit and able to conduct, maintain or operate a food vending business.

4. The department shall not issue a supervisory license to any person who is a minor.

5. Any supervisory license issued pursuant to this section shall include, at minimum, the full name and address of the licensee.

6. No person shall be issued more than one supervisory license.

7. Any supervisory license issued pursuant to this section shall be valid for two years unless suspended or revoked.

c. Issuance of permit. Notwithstanding the numerical limitations on the number of full-term permits described in paragraphs 2 and 3 of subdivision b of section 17-307, the department shall make available a full-term or temporary permit to any natural person holding a supervisory license pursuant to this section, provided that such person meets all other requirements for issuance of such permit.

d. Regulation of supervisory licenses.

1. Any vehicle or pushcart that has a decal issued by the department, which has been obtained by a person issued a permit on or after June 1, 2019, shall not be operated without the presence of a supervisory licensee.

2. A person issued a supervisory license is authorized to vend food from any vehicle or pushcart that has a decal issued by the department.

e. The department is authorized to promulgate any rules necessary to implement the provisions of this section.

§ 10. Subchapter 2 of title 17 of the administrative code of the city of New York is amended by adding a

new section 17-307.2 to read as follows:

§ 17-307.2. Authority to issue additional permits.

a. Notwithstanding the provisions of subparagraphs (b) and (c) of paragraphs 1 and 2 of subdivision b of section 17-307.1, the commissioner may by rule, upon a determination that it is in the best interest of the city, issue fewer permits than required pursuant to subparagraphs (b) and (c) of paragraph 1 and 2 of subdivision b of section 17-307.1. Such determination and rule shall be based on the findings of a study which shall examine the impact of the permits issued pursuant to section 17-307.1, and the dedicated enforcement unit created pursuant to section 13-e of the charter, on the following:

1. Opportunities for individuals to obtain permits to vend on vehicles and carts;

2. The prevalence of illegal vending or vending with a permit obtained through an illegal transfer;

3. The effectiveness of such enforcement unit in promoting the consistent enforcement of laws and rules related to mobile food vending;

4. The viability of the restaurant industry;

5. The viability of the food retail industry;

6. Sidewalk congestion; and

7. Air pollution, noise pollution and cleanliness of the streets and sidewalks.

b. Any study performed pursuant to this section shall be presented to the street vendor advisory board and submitted to the speaker of the council and the mayor at least six months prior to the time during which permits would be issued pursuant to subparagraphs (b) and (c) of paragraph 1 and 2 of subdivision b of section 17-307.1.

§ 11. Subdivision b of section 17-308 of the administrative code of the city of New York is amended to read as follows:

b. The annual fee for a license or renewal thereof shall be twenty-five dollars, except that the annual fee for a supervisory license shall be four hundred dollars; provided, however, that for an initial license issued for

more than two years the applicable license fee shall be increased proportionally to the nearest quarter year.

§ 12. Paragraph 2 of subdivision c of section 17-308 of the administrative code of the city of New York, as amended by local law 9 for the year 2008, is amended to read as follows:

2. For a vehicle selling foods prepared or processed therein: one hundred dollars for a person with a supervisory license, and four hundred seventy-five dollars for a person without a supervisory license.

§ 13. Paragraph 1 of subdivision b of section 17-309 of the administrative code of the city of New York is amended to read as follows:

1. The name, home and business address of the applicant. If the applicant is applying for a permit to vend food from a vehicle or pushcart in a public place, the name, home address and license number of every food vendor who will be authorized to operate such applicant's vehicle or pushcart, if such operation is permitted by the terms of such permit, and the legal relationship between such applicant and such food vendor.

§ 14. Subdivision d of section 17-315 of the administrative code of the city of New York, as amended by local law 18 for the year 2013, is amended to read as follows:

d. No vending pushcart shall be located against display windows of fixed location businesses, nor shall they be within twenty feet of any licensed stoop line stand, licensed sidewalk cafe, or any entranceway to any building, store, theatre, movie house, sports arena or other place of public assembly, or within twenty feet from exits, including service exits, to buildings that are exclusively residential at the street level.

§ 15. Subdivision k of section 17-315 of the administrative code of the city of New York is amended to read as follows:

k. No food vendor shall vend on any street at any time where and when the operation of any food vending business is prohibited pursuant to either local law or section 20-465.1 of the code and any rules promulgated pursuant thereto. No food vendor shall vend in the area including and bounded on the east by the easterly side of Broadway, on the south by the southerly [side of Liberty Street] sides of Albany Street and Thames Street, on the west by the westerly side of West Street and on the north by the northerly side of [Vesey]

Barclay Street. In addition:

1. No food vendor shall vend on the easterly or westerly side of Greenich Street between Albany Street and Thames Street; and

2. No food vendor shall vend on the easterly or westerly side of West Broadway between Barclay Street and Park Place.

§ 16. Subdivision l of section 17-315 of the administrative code of the city of New York is amended to read as follows:

l. Food vendors shall be prohibited from vending on the following streets at the following days and times:

BOROUGH OF MANHATTAN

Third Avenue: East 40th to East 57th Street, Monday through Friday, 8 am to 6 pm; East 58th to East 60th Street, Monday through Saturday, 8 am to 9 pm; Lexington Avenue: East 40th to East 57th Street, Monday through Saturday, 8 am to 7 pm; East 58th to East 60th Street, Monday through Saturday, 8 am to 9 pm; East 61st to East 69th Street, Monday through Saturday, 8 am to 6 pm; Park Avenue: East 34th to East 42nd Street, Monday through Friday, 8 am to 7 pm; East 55th to East 59th Street, Monday through Friday, 10 am to 7 pm; Vanderbilt Avenue: East 42nd to East 45th Street, Monday through Friday, 8 am to 7 pm; Madison Avenue: East 34th to East 45th Street, Monday through Friday, 8 am to 6 pm; East 46th to East 59th Street, Monday through Saturday, 10 am to 7 pm; Fifth Avenue: 32nd to 59th Street, Monday through Saturday, 8 am to 7 pm; Avenue of the Americas: West 32nd to West 59th Street, Monday through Saturday, 8 am to 7 pm; Broadway: West 32nd to West 52nd Street, Everyday, 8 am to 8 pm; Seventh Avenue: West 33rd to West 34th Street, Monday through Saturday, 8 am to 6 pm; West 35th to West 45th Street, Monday through Saturday, 8 am to midnight; West 46th to West 52nd Street, Monday through Saturday, 2 pm to 7 pm; Fourteenth Street: Broadway to Seventh Avenue, Monday through Saturday, noon to 8 pm; West Thirty-fourth Street: Fifth Avenue to Seventh Avenue, Monday through Saturday, 8 am to 7 pm; Forty-second Street: Third Avenue to [Eighth] Sixth

Avenue, Monday through Saturday, 8 am to 7 pm and Sixth Avenue to Eighth Avenue, Monday through Saturday, 8am to 11pm; West Forty-third Street: Broadway to Eighth Avenue, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-fourth Street: Broadway to Eighth Avenue, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-fifth Street: Broadway to Eighth Avenue, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-sixth Street: Seventh to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-seventh Street: Fifth to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-eighth Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-ninth Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fiftieth Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fifty-first Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fifty-second Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fifty-third Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm.

§ 17. Section 17-315 of the administrative code of the city of New York is amended by adding new subdivisions m and n to read as follows:

m. No license or permit shall be issued to a person required to have a license or permit pursuant to this subchapter, and no license or permit shall be renewed for such a person, unless they obtain a certificate issued by the department subsequent to successful completion of a training developed by the department on the vending restrictions contained in this section, and passage of an examination administered by the department. A permitee or licensee shall not be required to retake the training and examination for subsequent license or permit renewals unless such person has been issued one or more violations of the provisions of this subchapter

and any rules promulgated thereunder within a two year period. Any examinations, lectures or educational materials designed for such training program shall be made available in English and in the six most common languages spoken by limited English proficient individuals in the city according to the department of city planning. Such educational materials shall be available on the department's website.

n. The department, or such other agency designated by the mayor, shall provide a website and mobile application that allows the user to view a map of block faces on which food vending is not permissible pursuant to this section or any other law or rule, based on the day and hour entered.

§ 18. Paragraph 5 of subdivision a of section 17-317 of the administrative code of the city of New York, as amended by local law number 9 for the year 2008, is amended to read as follows:

5. A licensee issued a "fresh fruits and vegetables" permit, pursuant to paragraph 4 of subdivision b of section 17-307 of this subchapter, is found to be vending food [other than fresh fruits and vegetables] they are not permitted to sell or is found to be vending in a police precinct other than one in which the licensee is authorized to vend in accordance with his (her) borough-specific permit.

§ 19. Subdivision e of section 17-321 of the administrative code of the city of New York is amended to read as follows:

e. Any notice of violation issued to a food vendor by an officer or employee described in subdivision a of this section that is returnable to [the environmental control board] a tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings shall state the permit number of the vehicle or pushcart associated with such notice of violation. Any fine, penalty or judgment duly imposed by such tribunal shall be considered to have been issued against the permittee associated with such permit number for the purposes of the non-issuance or renewal of a food vendor permit pursuant to subdivision b of section 17-317.

§ 20. Title 17 of the administrative code of the city of New York is hereby amended by adding a new section 17-324.1 to read as follows:

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§ 17-324.1 Other Foods. The commissioner may designate by rule a list of additional healthful foods that are in compliance with the recommendations in the most recent dietary guidelines for americans issued by the United States department of agriculture. Such healthful foods may be sold by vendors who have been issued fresh fruits and vegetables permits pursuant to subdivision b of section 17-307 of this code.

§ 21. Subdivision a of section 20-454 of the administrative code of the city of New York is amended to read as follows:

a. All licenses issued pursuant to this subchapter shall be valid for [one year] two years unless sooner suspended or revoked. The commissioner shall establish by regulation the expiration date of such licenses.

§ 22. Paragraph 2 of subdivision g of section 20-465 of the administrative code of the city of New York, as added by local law 11 for the year 2004, is amended to read as follows:

(2) No general vendor shall vend on any street which is in the area including and bounded on the east by the easterly side of Broadway, on the south by the southerly [side of Liberty Street] sides of Albany Street and Thames Street, on the west by the westerly side of West Street and on the north by the northerly side of [Vesey] Barclay Street. In addition:

1. No general vendor shall vend on the easterly or westerly side of Greenwich Street between Albany Street and Thames Street; and

2. No general vendor shall vend on the easterly or westerly side of West Broadway between Barclay Street and Park Place.

§ 23. Subdivision q of section 20-465 of the administrative code of the city of New York, as added by local law 12 for the year 1989, is amended to read as follows:

q. No general vendor shall vend:

1. within twenty feet from sidewalk cafes or licensed stoop line stands; and

2. within five feet from (a) bus shelters, (b) newsstands, (c) public telephones or (d) disabled access ramps[; and].

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§ 24. Section 20-465 of the administrative code of the city of New York is amended by adding a new subdivision r to read as follows:

r. The department, or such other agency designated by the mayor, shall provide a website and mobile application that allows the user to view a map of the block faces on which general vending is not permissible pursuant to this section or any other law or rule, based on the day and hour entered.

§ 25. Subchapter 27 of chapter 2 of title 20 of administrative code of the city of New York is amended by adding a new section 20-465.2 to read as follows:

§ 20-465.2 Street vendor advisory board. a. There is hereby established a street vendor advisory board consisting of the commissioners of the department of consumer affairs, the department of health and mental hygiene, the department of small business services, the department of transportation, and the police department, or their designees, five members appointed by the speaker, one of whom represents street vendors, one of whom represents the small business community, one of whom represents organizations representing workers at retail food stores, one of whom represents property owners and one of whom who represents a community organization, and two members appointed by the mayor, one of whom represents street vendors and one of whom represents the small business community.

b. In addition to its other duties, the street vendor advisory board shall, prior to May 1 of each year from 2020 through 2028, issue to the speaker of the council a recommendation on whether the department of health and mental hygiene's authority to issue any or all of the supervisory licenses authorized to be issued by such department should be restricted, expanded, or otherwise altered based on an analysis of the results of the increased number of mobile food vendor permits issued pursuant to the local law that created this section.

§ 26. Title 24 of the administrative code of the city of New York is amended by adding a new section 24 -149.7 to read as follows:

§ 24-149.7 Commercial under-fired char broiling. No person shall operate a commercial under-fired char broiler on a mobile food vending unit.

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§ 27. The street vendor advisory board shall review and evaluate all state and local laws and rules related to street vendors, including placement restrictions such as the minimum distance of 20 feet from any building entrance or exit, and the process for obtaining a street vendor license or permit pursuant to titles 17 and 20 of the administrative code. In conducting such review and evaluation the board shall consider whether such laws and rules should be clarified, are overly burdensome, or are duplicative. On or before January 1, 2019, the board shall submit to the speaker of the council and the mayor a report containing the board's recommendations in relation to amendments to local laws and/or rules based on such review and evaluation and the basis for each recommendation. Such report shall also include recommendations for the creation of designated community spaces where street vendors can congregate to vend, including specific recommendations concerning appropriate locations for food trucks.

§ 28. The department of transportation shall operate a designated vending locations pilot program. Such pilot program shall, no later than June 1, 2018, identify at least five areas in the city that contain a high level of vendor activity and generate a high number of vending-related complaints. The boundaries of such areas shall be posted on such department's website and may be modified at any time.

Until June 1, 2020, the department of transportation may, after consultation with affected community boards and business improvement districts, waive or modify restrictions on the placement of food and general vendors contained in sections 17-315 and 20-465 in such areas. Modifications to restrictions made pursuant to this section shall not result in a net decrease of more than twenty percent in permissible vending areas in any area in the designated vending locations pilot program. The department of transportation shall issue a report to the mayor and council on or before October 1, 2020 on the results of any such waivers or modifications.

§ 29. Nothing in this local law limits the authority of any agency granted elsewhere in law to enforce any law or rule.

§ 30. The commissioners of health and mental hygiene and consumer affairs, and the board of health, may promulgate rules as may be necessary for the purposes of carrying out the provisions of this local law.

§ 31. Sections one, eleven, twelve, and nineteen of this local law take effect 90 days after they become law. Sections two, three, four, five, six, seven, eight, nine, ten, thirteen, eighteen, twenty, twenty-five, twenty-seven, twenty-eight, twenty-nine and thirty of this local law take effect immediately. Sections fourteen, fifteen, sixteen, twenty-two, twenty-three and twenty-four of this local law take effect 30 days after they become law. Section twenty-seven expires and shall be deemed repealed on January 1, 2020. Section twenty-one of this local law takes effect 180 days after it becomes law. Section seventeen of this local law takes effect one year after it becomes law. Section twenty-six of this local law takes effect two years after it becomes law.

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