The New York City Council

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Legislation Details (With Text)

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Title: 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

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Indexes: Agency Rule-making Required, Council Appointment Required, Other Appointment Required, Oversight, Report Required, Sunset Date Applies

Attachments: 1. Summary of Int. No. 1116-B, 2. Summary of Int. No. 1116-A, 3. Summary of Int. No. 1116, 4. Int. No. 1116, 5. September 26, 2018 - Stated Meeting Agenda with Links to Files, 6. Hearing Transcript - Stated Meeting 09-26-2018, 7. Minutes of the Stated Meeting - September 26, 2018, 8. Committee Report 4/11/19, 9. Hearing Testimony 4/11/19, 10. Hearing Transcript 4/11/19, 11. Proposed Int. No. 1116-A - 1/19/21, 12. Proposed Int. No. 1116-B - 1/26/21, 13. Committee Report 1/28/21, 14. Hearing Testimony 1/28/21, 15. Hearing Transcript 1/28/21, 16. Committee Report - Stated Meeting, 17. January 28, 2021 - Stated Meeting Agenda with Links to Files, 18. Hearing Transcript - Stated Meeting 1-28-21, 19. Minutes of the Stated Meeting - January 28, 2021, 20. Int. No. 1116-B (FINAL), 21. Fiscal Impact Statement, 22. Legislative Documents - Letter to the Mayor, 23. Local Law 18

Date	Ver.	Action By	Action	Result
9/26/2018	*	City Council	Introduced by Council	
9/26/2018	*	City Council	Referred to Comm by Council	
4/11/2019	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
4/11/2019	*	Committee on Consumer Affairs and Business Licensing	Laid Over by Committee	
1/28/2021	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
1/28/2021	*	Committee on Consumer Affairs and Business Licensing	Amendment Proposed by Comm	
1/28/2021	*	Committee on Consumer Affairs and Business Licensing	Amended by Committee	
1/28/2021	B	Committee on Consumer Affairs and Business Licensing	Approved by Committee	Pass
1/28/2021	B	City Council	Approved by Council	Pass
1/28/2021	B	City Council	Sent to Mayor by Council	
2/28/2021	B	Administration	City Charter Rule Adopted	

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3/1/2021 B City Council Returned Unsigned by Mayor

Int. No. 1116-B

By Council Members Chin, Menchaca, Lander, Rose, Miller, Koslowitz, Reynoso, Dromm, Barron, Treyger, Levine, Ayala, Brannan, Diaz, Levin, Kallos, the Public Advocate (Mr. Williams), Rodriguez, Eugene, Ampry-Samuel, Perkins, Rivera, Adams, Moya, Gibson, Van Bramer, Cumbo, Rosenthal, Powers, Salamanca and Louis

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, 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 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 the

administrative code; article 89 of the health code; and any rules of the city of New York implementing such laws;

b. 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 and featuring a high level of complaints about vendor activity, if any;

c. 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 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 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. Section 17-306 of the administrative code of the city of New York is amended by adding new subdivisions u and v to read as follows:

u. “Plate or permit plate”. Certificate issued by the department subsequent to inspection and approval of a vehicle or pushcart.

v. “Supervisory license”. On or after July 1, 2022, a food vendor license that authorizes the licensee to vend from a vehicle or pushcart for which a permit is issued in accordance with the provisions of this subchapter.

§ 4. 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 without having first obtained a permit for such vehicle or pushcart from the commissioner in accordance with the provisions of this subchapter. On or after July 1, 2032, it shall be unlawful to vend food from any vehicle or pushcart in a public place without a supervisory licensee physically present and vending at such vehicle or pushcart.

(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.

§ 5. Subparagraph (a) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 15 for the year 1995, is amended to read as follows:

(a) [On and after July thirtieth, nineteen hundred eighty-three, no] No new full-term permits shall be issued until the number of such permits which are in effect is less than [three thousand] 3,000. Thereafter, the maximum number of such permits which may be in effect shall be [three thousand] 3,000 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] July 30, 1983 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.

§ 6. Clause (ii) of subparagraph (b) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York, as added by local law number 15 for the year 1995, is amended to read as follows:

(ii) After the initial issuance of such permits, the commissioner shall establish a separate waiting list for each of the relevant boroughs to be administered in accordance with procedures to be established by rules of the commissioner. The commissioner may by rule limit the number of places on each such waiting list. On or after July 1, 2022 all new permits issued pursuant to this subparagraph shall be designated for use exclusively in any borough outside of Manhattan and shall be issued only to the holder of a supervisory license. Such requirement shall not apply to a borough specific permit issued before July 1, 2022 or renewal thereof until July 1, 2032. On or after July 1, 2032, permits issued pursuant to this subparagraph shall issue only to the holder of a supervisory license. Supervisory licenses shall be made available for application to individuals on the waiting lists for borough-specific permits in the order of priority set out in subparagraph (d) of paragraph 5 of this subdivision

until such waiting lists are exhausted.

§ 7. Subparagraph (c) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 27 for the year 1997, is amended to read as follows:

(c) [On and after January first, nineteen hundred ninety-five, full] Full-term permits issued under this subchapter shall be issued only to persons who at the time of application [for a permit] have not had a full-term or temporary permit or supervisory license revoked or suspended and who satisfy the commissioner that they are fit and able to conduct, maintain or operate a food vending business. Except as otherwise provided in item (B) of clause (ii) of subparagraph (a) of paragraph three of subdivision f of this section, no person shall be issued more than one permit under this subchapter, whether full-term or temporary. Any full-term permit issued under this subchapter on or after July 1, 2022 shall be issued only to the holder of a supervisory license, applications for which shall be distributed in the order prescribed in subparagraph (d) of paragraph 5 of this subdivision.

§ 8. Subparagraph (d) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York, as added by local law number 15 for the year 1995, is amended to read as follows:

(d) The issuance or renewal of a full-term permit pursuant to this subchapter 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 a supervisory licensee may apply for a permit at any time between acquiring a supervisory license and the expiration of such license.

§ 9. Subparagraph (e) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York, as added by local law number 15 for the year 1995, is amended to read as follows:

(e) The commissioner shall establish a separate waiting list or lists for the issuance of full-term permits pursuant to this subchapter to be administered in accordance with requirements to be established by rules of the commissioner. The commissioner may by rule limit the number of places on such waiting list or lists.

§ 10. Subparagraph (a) of paragraph 3 of subdivision b of section 17-307 of the administrative code of the city of New York, as amended by local law number 15 for the year 1995, is amended to read as follows:

(a) (i) Notwithstanding the provisions of paragraph two of this subdivision limiting the number of full-term permits that are authorized to be issued, the commissioner may issue up to a maximum of [one hundred] 100 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].

(ii) The department shall make available for application 45 supervisory licenses per twelve-month period for ten consecutive years beginning on July 1, 2022. In addition to the 100 permits authorized to be issued by clause (i) of this subparagraph, and notwithstanding the provisions of paragraph two of this subdivision limiting the number of full-term permits authorized to be issued, the department shall make available for application to applicants who comply with the requirements for such supervisory licenses an additional 45 permits per twelve-month period for ten consecutive years beginning on July 1, 2022 and issue a permit to each applicant who complies with the requirements for such permit.

(iii) Supervisory licenses available pursuant to this paragraph shall be [issued in the order in which applications for such permits are received] made available for application 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. After the initial issuance of such permits, the]

(iv) 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.

§ 11. Subparagraph (c) of paragraph 3 of subdivision b of section 17-307 of the administrative code of the city of New York is REPEALED.

§ 12. Subparagraph (d) of paragraph 3 of subdivision b of section 17-307 of the administrative code of the city of New York is relettered as subparagraph (c).

§ 13. Subparagraphs (a), (b) and (c) of paragraph 4 of subdivision b of section 17-307 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:

(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] (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] (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] (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] (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] (b) of this paragraph.

(b) The issuance or renewal of a full-term permit issued pursuant to this paragraph shall be subject to the permittee within three months after the certification of a complete application therefore presenting a green cart for inspection by the department and, within six months after such certification, passing such inspection. No person shall be issued more than one permit. Fresh fruits and vegetables permits, in addition to being designated for use exclusively in a borough as specified in subparagraph (a) of this paragraph, shall be designated for use exclusively within the police precincts specified below or pursuant to subparagraph (c) of this paragraph, and shall be subject to the same time and place restrictions for vending in such areas as other food vendors:

(i) Bronx: Police Precincts 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52;

(ii) Brooklyn: Police Precincts 67, 70, 71, 72, 73, 75, 77, 79, 81, 83;

(iii) Manhattan: Police Precincts 23, 25, 26, 28, 30, 32, 33, 34;

(iv) Queens: Police Precincts 100, 101, 103, 113; and

(v) Staten Island: Police Precinct 120.

(c) [Notwithstanding any provision of this section to the contrary, within eight months of the effective date of the local law adding this paragraph, the commissioner may exempt by rule any police precinct specified in subparagraph b of paragraph four of this section upon] In addition to the police precincts listed in subparagraph (b) of this paragraph, a fresh fruits and vegetable permits that is designated for use exclusively in a borough as specified in subparagraph (a) of this paragraph may also be designated for use in any other police precinct in such borough that the commissioner has specified in rules of the department, after determining that the rate of consumption of fresh fruits and vegetables in [the] such precinct is [not] substantially lower than the citywide average and that the precinct [does not have] has an elevated rate of nutrition-related health problems compared to the rest of the city.

§ 14. Subdivision b of section 17-307 of the administrative code of the city of New York is amended by adding a new paragraph 5 to read as follows:

5. (a) On or after July 1, 2022 all new permits issued under this subchapter, except fresh fruits and vegetables permits, shall be designated for use only when any holder of a supervisory license is physically present and vending. Such requirement shall not apply to a permit issued before July 1, 2022 or a renewal thereof until July 1, 2032. On or after July 1, 2032, all permits issued under this subchapter, except fresh fruits and vegetables permits, shall be designated for use only when any holder of a supervisory license is physically present and vending.

(b) The commissioner shall make available for application 400 supervisory licenses per twelve-month period for ten consecutive years beginning on July 1, 2022. Notwithstanding the provisions of this subdivision

limiting the total number of full-term permits that are authorized to be issued, the commissioner shall make available a permit application to each license applicant who complies with the requirements for such supervisory license and issue a permit to each permit applicant who complies with the requirements for such permit. On or before July 1, 2032, the commissioner shall make available for application supervisory licenses to any person seeking to renew a permit that was issued under this subchapter before July 1, 2022.

(c) In accordance with procedures to be established by rules of the commissioner, in each twelve month period, 100 of the supervisory licenses made available for application under this paragraph shall be designated for use in any borough, and the remaining 300 such supervisory licenses shall be designated for use in boroughs outside of Manhattan.

(d) Preferences shall be given in the availability of applications for supervisory licenses pursuant to this paragraph and in the placement on a waiting list therefor to the following categories of persons in the following order:

(i) Persons who have held a food vendor license continuously since on or before March 1, 2017 and have been on a waiting list for a full-term permit pursuant to subparagraph (e) of paragraph 2 of this subdivision and remain on such list as of the date an application is made available. Applications shall be made available to such persons by order of numerical rank on the waiting list.

(ii) Persons who have been on a waiting list for a full-term permit pursuant to this subchapter and remain on such list as of the date an application is made available but have not held a food vendor license continuously since on or before March 1, 2017. Applications shall be made available to such persons by order of numerical rank on the waiting list.

(iii) Persons who have held a food vendor license continuously since on or before March 1, 20175 but are were not on a waiting list for a full-term permit pursuant to this subchapter as of the effective date of the local law that added this paragraph.

(iv) Persons who have not held a food vendor license continuously since on or before March 1, 2017

and were not on a waiting list for a full-term permit pursuant to this subchapter as of the effective date of the local law that added this paragraph.

(e) The commissioner may by rule limit the number of places on such waiting list, but shall ensure that such waiting list is operative prior to supervisory licenses becoming available to new individuals.

§ 15. 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 not entitle the holder thereof to vend any food other than foods which the commissioner or board may authorize or otherwise approve[, except that a]. A food vendor vending from a green cart or vehicle with a fresh fruits and vegetables permit shall [only] not be authorized to vend any food other than 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.]

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

h. No permit or license, including a supervisory license, shall be issued to a person required to have a permit or license pursuant to this subchapter unless such person obtains a certificate issued by the department subsequent to successful completion of a training developed or approved by the department on the vending restrictions contained in this section and any other information the department deems necessary to the safe operation of such vending unit, and passage of an examination administered by the department. The department shall require renewal of such certificate every four years. Renewal shall be contingent on passing an examination regarding the vending restrictions contained in this section and any other information the department deems necessary to the safe operation of such vending unit pursuant to rules promulgated by the department. Any examinations, or educational materials designed for such training program shall be made available in English and in the ten 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.

§ 17. 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. License restrictions. In addition to laws applicable to food vendors, the following additional requirements apply to supervisory licensees:

1. A permittee issued a supervisory license shall not allow the operation of such permittee's vehicle or pushcart unless such permittee or another holder of a supervisory licensee is physically present and vending at such vehicle or pushcart, subject to any exceptions provided in rules of the commissioner.

2. A person issued a supervisory license may not vend food from any vehicle or pushcart located outside of the geographical restrictions on such person's supervisory license unless a licensee authorized to vend alone from such vehicle or pushcart is also physically present and vending or the permit for such vehicle or pushcart does not require the presence of a supervisory licensee.

b. Eligibility for supervisory license.

1. The department shall issue a supervisory license only to a natural person.

2. The department shall not issue a supervisory license to any person who at the time of application had a full-term or temporary permit or supervisory license revoked or suspended or who is not fit and able to conduct, maintain or operate a food vending business.

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

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

§ 18. 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 five 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.

§ 19. Paragraph 2 of subdivision c of section 17-308 of the administrative code of the city of New York is amended to read as follows:

2. For a vehicle selling foods prepared or processed therein: [one hundred dollars] as specified by rules of the commissioner.

§ 20. Subdivision b of section 17-311 of the administrative code of the city of New York, as amended by local law number 108 for the year 2017, is amended to read as follows:

b. The food vendor's license, including a supervisory license, shall be worn conspicuously by him or her at all times while he or she is operating as a food vendor.

§ 21. Section 17-311 of the administrative code of the city of New York is amended by adding a subdivision e to read as follows:

e. A permit plate on a vehicle or pushcart issued to a supervisory licensee shall indicate, either by color or other designation of the department's choosing, that such vehicle or pushcart may only be operated when a supervisory licensee is physically present and vending at such vehicle or pushcart.

§ 22. Subdivision d of section 17-315 of the administrative code of the city of New York, as amended by local law number 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.

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

m. The department, or such other agency designated by the mayor, shall provide a website that shows a

map of block faces where food vending is prohibited by law, based on the day and hour entered by the user.

§ 24. Paragraph 5 of subdivision a of section 17-317 of the administrative code of the city of New York, as added 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] such licensee is 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)] such licensee's borough-specific permit.

§ 25. Subdivision a of section 17-317 of the administrative code of the city of New York is amended by adding a new paragraph 6 as follows:

6. A vehicle or pushcart for which the department issued a permit to a supervisory licensee is found to be operating without the presence of a person who has been issued a supervisory license or outside of the geographical restrictions permitted by the supervisory license.

§ 26. Subdivision e of section 17-321 of the administrative code of the city of New York, as added by local law number 20 for the year 2013, 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, or to any court of competent jurisdiction, shall state the permit number of the vehicle or pushcart associated with such notice of violation. Any penalty duly imposed by such tribunal, and any fine or penalty imposed by such court, 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.

§ 27. 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:

§ 17-324.1 Other foods. The commissioner may designate by rule a list of healthful foods in addition to fresh fruits and vegetables, water, and raw single ingredient nuts, provided that any food designated as healthful is in alignment with evidence-based dietary recommendations.

§ 28. 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.

§ 29. Subdivision q of section 20-465 of the administrative code of the city of New York, as added by local law number 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].

§ 30. 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 that shows a map of block faces where general vending is prohibited by law, based on the day and hour entered by the user.

§ 31. 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 commissioner of consumer and worker protection, the commissioner of health and mental hygiene, the commissioner of small business services, the commissioner of transportation, and the police commissioner, or the designee of any such commissioner, six members appointed by the speaker, two of whom represent street vendors, one of whom represent 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 four members appointed by the mayor, two of whom represent street vendors and two of whom represent the small business community.

b. In addition to its other duties, the street vendor advisory board shall, prior to June 1 of each year from 2023 through 2030, 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 food vendor permits issued pursuant to the local law that added this section.

§ 32. The street vendor advisory board shall convene no later than April 28, 2021. The 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 of the city of New York. In conducting such review and evaluation the board shall consider whether such laws and rules should be clarified, are overly burdensome, or are duplicative. Such review shall also include an assessment of how the open streets, open restaurants and open storefronts programs affect the availability of legal spaces to vend, as well as whether new placement restrictions should be considered to ensure equitable and efficient use of sidewalk and street space. On or before November 1, 2021, 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 and the availability of commissary space throughout the city.

§ 33. The commissioner of health and mental hygiene shall open the waiting list for full-term permits operated pursuant to subparagraph (e) of paragraph 2 of subdivision b of section 17-307 of the administrative

code of the city of New York as soon as practicable, but no later than six months prior to the first issuance of supervisory licenses pursuant to subparagraph (b) of paragraph 5 of subdivision b of section 17-307 of the administrative code of the city of New York. At such time, only persons who have held a food vendor license continuously since on or before March 1, 2017 may be added to the waiting list.

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

§ 35. Sections one, three, four, five, six, seven, eight, nine, ten, eleven, twelve, fourteen, seventeen, eighteen, twenty, twenty-one, twenty-five, twenty-six, thirty-three and thirty-four of this local law take effect immediately. Sections two, thirteen, fifteen, twenty-four, twenty-seven, twenty-eight, thirty-one and thirty-two of this local law take effect 90 days after they become law. Sections sixteen, nineteen, twenty-two and twenty-nine of this local law take effect 180 days after they become law. Sections twenty-three and thirty of this local law take effect 1 year after they become law.

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