



Legislation Details (With Text)

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On agenda:	5/10/2006				
Enactment date:	10/17/2006	Enactment #:	2006/039		
Title:	A Local Law to amend the administrative code of the city of New York, in relation to small businesses and the repeal of subdivision f of section 20-268, section 20-274, section 20-283, subdivision three of section 20-291, subdivision f of section 20-296 and section 20-297 of such code.				
Sponsors:	David Yassky, Thomas White, Jr., Helen Sears, Alan J. Gerson				
Indexes:					
Attachments:	1. Int. No. 349 - 5/10/06, 2. Committee Report 5/11/06, 3. Proposed Int. No. 349-A (7/19/06) Deferred, 4. Hearing Transcript 5/11/06, 5. Committee Report 9/25/06, 6. Hearing Transcript 9/25/06, 7. Fiscal Impact Statement, 8. Hearing Transcript - Stated Meeting 9/27/06, 9. Local Law				

Date	Ver.	Action By	Action	Result
5/10/2006	*	City Council	Introduced by Council	
5/10/2006	*	City Council	Referred to Comm by Council	
5/11/2006	*	Committee on Small Business	Hearing Held by Committee	
5/11/2006	*	Committee on Small Business	Amendment Proposed by Comm	
5/11/2006	*	Committee on Small Business	Laid Over by Committee	
9/25/2006	*	Committee on Small Business	Hearing Held by Committee	
9/25/2006	*	Committee on Small Business	Amendment Proposed by Comm	
9/25/2006	*	Committee on Small Business	Amended by Committee	
9/25/2006	A	Committee on Small Business	Approved by Committee	Pass
9/27/2006	A	City Council	Approved by Council	Pass
9/27/2006	A	City Council	Sent to Mayor by Council	
10/17/2006	A	Mayor	Hearing Held by Mayor	
10/17/2006	A	Mayor	Signed Into Law by Mayor	
10/17/2006	A	City Council	Recved from Mayor by Council	

Int. No. 349-A

By Council Members Yassky, White Jr., Sears, Gerson, Garodnick and Liu

A Local Law to amend the administrative code of the city of New York, in relation to small businesses and the repeal of subdivision f of section 20-268, section 20-274, section 20-283, subdivision three of section 20-291, subdivision f of section 20-296 and section 20-297 of such code.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Council of the City of New York hereby finds that the Administrative Code of the City of New York contains several provisions that are either outdated, in need of modification or are no longer practical and the enforcement of which has a detrimental impact upon the City's small business community. It is the Council's intention to modify or repeal these antiquated and problematic provisions of the Administrative Code in a first effort to improve the small business environment in New York City so that these businesses can thrive.

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

c. All items relating to the operation of a food vending business shall be kept in or under the vending vehicle or pushcart, except that samples of the non-perishable items sold may be displayed on the vending vehicle or pushcart. No [such] items relating to the operation of a food vending business other than an adjoining acceptable waste container shall be placed upon any public space adjacent to the vending vehicle or pushcart, and no food shall be sold except from an authorized vehicle or pushcart.

§3. Section 20-244 of the administrative code of the city of New York is amended to read as follows:

a. Each applicant for such license shall be at least eighteen years of age; and

b. [Each applicant shall submit recommendations from at least three residents of the city who have known such applicant for at least two years. No such resident shall recommend more than two applicants.

c. Each application shall be accompanied by a certificate from the department of health and mental hygiene certifying that the applicant is not suffering from any disease or infirmity which would render him or her unfit as a guide.

d.] Each such applicant shall be required to pass an examination satisfactorily. Such examination shall be under the supervision of the commissioner and shall test the knowledge of the applicant concerning places or points of historic or public interest in and about the city. Any person who can present satisfactory proof to the commissioner that he or she has been engaged as a sightseeing guide in the city for a period of at least two years prior to August second, nineteen hundred thirty-seven shall be exempt from such examination.

[e. The commissioner shall investigate each applicant as to character and fitness before such license shall be issued.]

§4. Subdivisions a, b and c of section 20-268 of the administrative code of the city of New York are amended to read as follows:

a. It shall be unlawful for any dealer in second-hand articles to carry on his or her business at any place other than the one designated in such license [, except that any licensed dealer in or peddler of old clothes shall have the right to purchase or sell old clothes from house to house, and if he or she has no store, his or her home shall be designated as his or her place of business].

b. It shall be unlawful for any such dealer to purchase any second-hand goods, or things from any person whom he or she knows to be or has reason to believe is a minor [, apprentice, or servant].

c. It shall be unlawful for any person whose principal business is dealing in second-hand articles to purchase any second-hand goods or articles from any person between the hours of [six o'clock in the evening and seven o'clock in the morning] 12:00 A.M. and 6:00 A.M.

§5. Subdivision f of section 20-268 is hereby REPEALED and subdivisions g and h of such section are relettered as subdivisions f and g, respectively.

§6. Section 20-274 of the administrative code of the city of New York is hereby REPEALED.

§7. Section 20-283 of the administrative code of the city of New York is hereby REPEALED.

§8. Paragraph three of section 20-291 of the administrative code of the city of New York is hereby REPEALED and paragraph four of such section is renumbered as paragraph three.

§9. Subdivision f of section 20-296 of the administrative code of the city of New York is REPEALED, subdivision g is relettered as subdivision f and, as relettered, is amended to read as follows:

f. All coin-operated and customer-activated laundries shall be required to have on the premises an attendant from [6:00] 8:00 P.M. until closing or 6 A.M. the following day, whichever is earlier.

§10. Section 20-297 of the administrative code of the city of New York is hereby REPEALED.

§11. Section 20-368 of the administrative code of the city of New York is amended to read as follows:

§20-368 Rules and regulations. a. The commissioner is authorized to adopt such reasonable rules and regulations as he or she may deem necessary for the proper control, operation, and supervision of public dance halls, cabarets and catering establishments.

b. Upon request of a patron or guest of a public dance hall or cabaret, such patron or guest shall be furnished with a clearly printed menu or other written list that itemizes the prices charged for food and drink sold before he or she is served, or, in the alternative, one or more signs reciting such itemized prices may be placed in conspicuous locations within the premises so as to be readily observable to all patrons and guests.

§12. Subdivision g of section 20-465 of the administrative code of the city of New York is amended by adding thereto a new paragraph three to read as follows:

(3) Upon issuance of a new general vendor license or a renewal of an existing license, the commissioner shall provide a copy of subchapter twenty-seven of chapter two of this title and of the rules of the city of New York implementing such subchapter to such new or renewal licensee.

§13. Section 24-332 of the administrative code of the city of New York is amended to read as follows:

§24-332 Use of water through hose. It shall be unlawful for any person to wash any street, sidewalk, areaway, steps, building or other place in the city by means of a hose or piping, or to use water through a hose or sprinkler for watering lawns or

gardens, or to operate any outside shower where the water runs upon a street, sidewalk, or other public place[, unless and until a permit therefor shall have been obtained from the department of environmental protection. Such permit shall not be granted for the use of a hose, sprinkler or outside shower] between the first day of November and the last day of March following.

§14. This local law shall take effect sixty days after it is enacted into law.

JH/NK

H/Small Business Bills/Proposed Int. No. 349-A 8-01-06.doc

8/1/06 11:00 am