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Int. No. 1948

By Council Members Cumbo, Kallos, Brannan, Perkins, Ayala and Louis

A Local Law to amend the administrative code of the city of New York, in relation to limiting the sale of goods in short supply during declared states of emergency

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 20 of the administrative code of the city of New York is amended by adding a section 20-706.6 to read as follows:

§ 20-706.6 Limiting sales of goods in short supply. a. During an emergency declared by the governor, or by the mayor pursuant to section 24 of the executive law, the department may establish purchase limitations on goods that are determined to be in short supply pursuant to section 5-38 of title 6 of the rules of the city of New York. The department shall consider household size and demand for such goods when determining any such limitations.

b. It shall be unlawful for a seller to sell goods to a single buyer in excess of any limits established pursuant to subdivision a of this section.

c. A seller of goods the department has declared in short supply must give all consumers an equal opportunity to purchase the goods with purchase limits, to the extent that such opportunity existed before the determination that such goods were in short supply, except that a seller may give preference to a category of consumers having a special health- or safety-related need for the good in short supply.

d. Any person who violates subdivision b or c of this section, or any rule promulgated pursuant to this section, within two days of the establishment of purchase limits with respect to the item at issue shall receive a warning from the department. Any person who commits any other violation of subdivision b or c of this section,

or any rule promulgated pursuant to this section, shall be subject to a civil penalty of $300 per excess item sold.

§ 2. This local law takes effect immediately.

JG
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