



Legislation Text

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Int. No. 2041

By Council Members Gibson, Maisel, Rosenthal, Perkins, Chin, Ampry-Samuel and Barron

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of health and mental hygiene to establish guidelines for restaurants and bars during the COVID-19 pandemic

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1508 to read as follows:

§ 17-1508 Dining and bar spaces. a. Definitions. As used in this section, the following terms have the following meanings:

Covered establishment. The term “covered establishment” means a bar or food service establishment inspected pursuant to the restaurant grading program established pursuant to subdivision a of section 81.51 of the New York city health code.

COVID-19. The term “COVID-19” means the 2019 novel coronavirus or 2019-nCoV.

b. The commissioner shall establish guidelines for the operations of covered establishments during the COVID-19 pandemic to prevent the spread of COVID-19 and infections therewith. Each covered establishment shall comply with such guidelines before opening indoor dining or bar spaces for food or beverage service during the COVID-19 pandemic. In establishing such guidelines, the commissioner shall:

1. Consider guidelines and recommended best practices for reopening dining and bar spaces during the COVID-19 pandemic issued by the World Health Organization, the United States centers for disease control and prevention, the New York state department of health and other relevant agencies and organizations;

2. Consider regional and local industry determinations and plans for opening indoor dining and bar spaces;

3. Determine ways to operate food and beverage services in indoor dining and bar spaces at limited and full capacity with the lowest risk of infection for customers and employees in such spaces;

4. Establish requirements for indoor seating capacity and physical spacing of tables;

5. Determine whether additional outdoor spaces can be used for customer seating;

6. Consider requirements of the Americans with disabilities act, chapter 126 of title 42 of the United States code and any applicable guidelines or regulations promulgated pursuant to such law; and

7. Consider such other sources of information as the commissioner may deem relevant.

c. The commissioner shall establish on the department's website a digital affirmation which shall require each covered establishment to self-certify that such establishment has read and understands the guidelines established pursuant to subdivision b of this section before opening indoor dining and bar spaces.

d. Any person that violates any provision of this local law or any rule promulgated pursuant thereto shall be liable for a civil penalty of not more than \$250 per violation.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of health and mental hygiene shall take such measures as are necessary for the implementation of this local law, including promulgation of rules, before such effective date.

JEF
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