



Legislation Text

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Int. No. 2068

By Council Members Van Bramer, Cumbo, Reynoso, Kallos, Rose, Menchaca, Powers, Cabrera, Vallone, Holden, Salamanca, Gjonaj, Chin, Cornegy, Rosenthal, Adams and Lander

A Local Law in relation to temporary outdoor space for art and cultural institutions affected by COVID-19

Be it enacted by the Council as follows:

Section 1. Temporary space for art and cultural institutions affected by COVID-19. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Affected art and cultural institution. The term “affected art and cultural institution” means any not-for-profit art or cultural group, organization, venue or institution within the city of New York that was ordered to close due to the state disaster emergency declared by the governor of the state of New York in executive order number 202, dated March 7, 2020, as amended and extended.

COVID-19. The term “COVID-19” means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Open space. The term “open space” means any location of roadway space, park space, or any other public outdoor location, including but not limited to a pedestrian plaza, roadway or public parking lot, that may be used by an affected art and cultural institution for temporary outdoor performance or rehearsal space and that has been approved for such use by the department of transportation or the department of parks and recreation.

Park space. The term “park space” means space located in a city park in accordance with guidelines established by the department of parks and recreation pursuant to this section.

Pedestrian plaza. The term “pedestrian plaza” has the same meaning as set forth in section 19-157 of the

administrative code of the city of New York.

Roadway space. The term “roadway space” means space located in the roadway adjacent to the curb in accordance with guidelines established by the department of transportation pursuant to this section.

b. Open culture program. 1. The city shall establish a program pursuant to which affected art and cultural institutions may utilize open space as a temporary outdoor performance and rehearsal area.

2. Affected art and cultural institutions shall be permitted to utilize any open space as a temporary outdoor performance and rehearsal area after the completion of an online self-certification application, which shall be in a form and manner as determined by the department of transportation, in consultation with the department of parks and recreation.

3. There shall be no fee for participation in such program.

c. Compliance with other laws. Nothing in this local law shall relieve an affected art and cultural institution from their obligation to adhere to all emergency executive orders issued pursuant to section 24 or 29-a of the executive law, and to all local, state, and federal requirements relating to health and safety, except as modified by any such emergency executive order or this local law. Any affected art and cultural institution participating in the program established pursuant to subdivision b of this section shall adhere to all applicable guidance issued by the department of transportation, the department of parks and recreation, the department of cultural affairs, the department of health and mental hygiene, and the New York state department of health.

d. Validity of self-certification. A self-certification submitted pursuant to paragraph 2 of subdivision b of this section shall remain valid until terminated or suspended by the department of transportation. The department of transportation may terminate or suspend a self-certification for non-compliance with the requirements of the program established pursuant to subdivision b of this section or as necessary to protect health or safety.

e. Expiration. The program established pursuant to subdivision b of this section shall remain in effect

until January 31, 2021 or until such later date as the department of transportation, in consultation with the department of parks and recreation, shall determine; provided however that such program shall not remain in effect after March 31, 2021. The department of transportation shall provide the speaker of the council notice five days prior to the termination of such program.

§ 2. This local law takes effect immediately.

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