



## Legislation Text

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**File #:** Int 2277-2021, **Version:** \*

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Int. No. 2277

By Council Members Powers and Menchaca

A Local Law to amend the administrative code of the city of New York, in relation to commercial loading zones

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.5 to read as follows:

§ 19-159.5 Temporary commercial loading zones. a. For the purposes of this section, the following terms have the following meanings:

Commercial loading zone. The term “commercial loading zone” has the same meaning as such term is defined in section 19-170.1.

Commercial vehicle. The term “commercial vehicle” means a motor vehicle designed, maintained, or used primarily for the transportation of property, provided that such vehicle:

(i) bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

(ii) is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered.

(iii) displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed

approximately midway vertically on doors or side panels.

Temporary commercial loading zone. The term “temporary commercial loading zone” means a commercial loading zone intended to be used for a limited period of time during which construction staging prevents or otherwise affects use of a commercial loading zone.

b. Any permit issued by the commissioner authorizing work affecting a street segment or intersection that has a commercial loading zone shall include a stipulation requiring that the applicant shall not occupy or otherwise inhibit the use of a commercial loading zone in the affected street segment or intersection. In the event that a construction loading zone must be occupied or otherwise obstructed, the applicant shall maintain a temporary commercial loading zone, unless the commissioner determines that maintenance of a temporary commercial loading zone would significantly disrupt traffic flow, public safety or would be otherwise impractical. The applicant shall specify the particular manner in which the temporary commercial loading zone for such street segment or intersection will be maintained, provided that such temporary commercial loading zone is located within 100 feet of the original commercial loading zone and clearly identified on posted signage.

c. Upon approving an application for a permit authorizing construction staging affecting a street segment that has a commercial loading zone, the department shall provide notice, through electronic means, to the affected borough president, the council member of the affected council district and the district manager of the affected community board. Such notice shall include the following information:

1. The name and contact information of the applicant;
2. The anticipated start and end dates of the work;
3. The location, nature and extent of the work to be performed;
4. The permit type;
5. The location and nature of the temporary commercial loading zone or mitigation measures; and
6. Contact information for a department office where questions may be directed.

d. In the event a permittee violates any stipulation required by subdivision b of this section, the commissioner may revoke or refuse to renew such permit pursuant to subdivision e of section 19-103 or take any other action authorized by law.

§ 2. Paragraph 2 of subdivision f of section 19-162.3 of the administrative code of the city of New York, as added by local law number 9 for the year 2020, is amended to read as follows:

2. Parking with a city-issued parking permit shall not be permitted in the following areas, in addition to any areas designated by rule or specified on or programmed into the permit:

(g) bridges and highways; [and]

(h) carsharing parking spaces[.]; and

(i) commercial loading zones within the area south of and including 60<sup>th</sup> street in the borough of Manhattan.

§ 3. Subdivision a of section 19-170 of the administrative code of the city of New York, as added by local law 25 of 1988 and amended by chapter 458 of the laws of 2010, is amended to read as follows:

a. When parking is not otherwise restricted, no person shall park a commercial vehicle in excess of three hours[.], unless such parking is regulated by a parking meter. The maximum time for such metered parking on a single block shall be a total of eight hours, unless otherwise indicated by a posted sign. For purposes of this section, commercial vehicle [shall] means a motor vehicle designed, maintained, or used primarily for the transportation of property[.]; provided that such vehicle:

1. bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

2. is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered; and

3. displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

§ 4. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-170.1 to read as follows:

§ 19-170.1 Commercial loading zones. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commercial loading zone. The term “commercial loading zone” means a portion of curb space at which no vehicle except a commercial vehicle, may stand or park for the purpose of making pickups, deliveries, or service calls pursuant to department rules and regulations, except where such space is a temporary commercial loading zone.

Commercial vehicle. The term “commercial vehicle” means a motor vehicle designed, maintained, or used primarily for the transportation of property, provided that such vehicle:

(i) bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

(ii) is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered.

(iii) displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

Muni-meter. The term “muni-meter” means an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicle's dashboard.

Muni-meter payment receipt. The term “muni-meter receipt” means a receipt showing the amount of parking time purchased that is dispensed by an electronic parking meter.

Temporary commercial loading zone. The term “temporary commercial loading zone” means a commercial loading zone intended to be used for a limited period of time during which construction staging prevents or otherwise affects use of a commercial loading zone.

b. All commercial loading zones, except temporary commercial loading zones, shall be controlled by a muni-meter. No person shall park a commercial vehicle, whether attended or not, in a commercial loading zone:

1. without first purchasing the amount of parking time desired from a muni-meter, or from a valid electronic communication device as approved by the department;

2. without displaying a muni-meter payment receipt on the vehicle’s dashboard where such requirement is indicated, unless such parking time was purchased through an authorized electronic communication device as approved by the department; or

3. in excess of the amount of time indicated on the muni-meter payment receipt, electronic communication device as approved by the department, or posted signs.

c. When parking is not otherwise restricted, no person shall park a commercial vehicle in a commercial loading zone or temporary commercial loading zone in excess of eight hours on a single block, unless otherwise indicated by a posted sign.

d. The parking rate for commercial vehicles shall be no less than \$6 for the first hour, and shall increase by no less than \$2 for each additional hour of parking.

e. The owner of a commercial vehicle shall be liable for a civil penalty of \$100 when parked in violation of this section.

f. The department may authorize non-vehicular modes of delivery to park in commercial loading zones, including, but not limited to, cargo bicycles.

§ 5. This local law takes effect 180 days after it becomes law, except that the department shall take such

measures as are necessary for the implementation of this local law, including the promulgation of rules and the installation of muni-meters, before such date.

AL/IP/EL  
LS 8675/10178  
4/19/2021