



Legislation Text

File #: Int 0491-2004, **Version:** A

Int. No. 491-A

By Council Members Barron, Boyland, Dilan, James, Liu, Martinez, Seabrook, Stewart, Vann, Clarke, Gonzalez, Reed, Jackson and Weprin

A Local Law to amend the administrative code of the city of New York, in relation to the license application requirements for general and food street vendors and to repeal paragraph 7 of subdivision b of section 17-309 and paragraph 6 of subdivision b of section 20-455 of the administrative code of the city of New York.

Be it enacted by the Council as follows:

Section One. Legislative findings and intent.

New York has a longstanding history as a home to immigrants from around the world who have always contributed to the vibrant diversity of our city. Street vendors of New York City, many of whom are immigrants, are small business owners who work hard to support their families and contribute to the economic development of their neighborhoods. Every day millions of New Yorkers and tourists enjoy the cultural diversity that these vendors bring to our community.

Although immigrants have vended on city streets for many decades, they have often been the targets for anti-immigrant hostility. In an attempt to clear the Lower East Side of Jewish, Italian and other ethnic vendors, the City began prohibiting non-citizens from vending as early as 1938. Recognizing this history and the City's current commitment to justice and diversity, the City finds that all applicants for general vendor and food vendor licenses should be treated equally and subjected to the same requirements.

The City's interests in community health and safety, administrative efficiency and justice are best served by a system where immigrants can more fully participate in the City's economy and services. Recent Executive Orders Nos. 34 and 41 place

new restrictions on the types of private information the City is allowed to collect or disclose, including immigration information. Respect for privacy and confidentiality is essential to ensure the effective performance of the City's many services. Street vendors should be able to access government services without fear that their personal information will be collected or disseminated.

Allowing greater access to the City's services will help vendors successfully integrate into the City's small business system and cooperate with City agencies. Vendors will provide more revenue to the City through licensing fees and taxation. Through its health code, the City will be more able to control and regulate the sale and hygiene of food. More residents will be able to support their families, including those who began to vend in the streets as their only option for survival after losing their jobs as a result of the September 11 terrorist attacks. By providing greater access to vending licenses, the City will encourage equality and entrepreneurship.

§2. Paragraph 7 of subdivision b of section 17-309 of the administrative code of the city of New York is hereby REPEALED, and a new paragraph 7 is added to read as follows:

7. No City officer or employee shall inquire about an applicant's immigration or citizenship status as part of an application made pursuant to this section. Information about an applicant's immigration or citizenship status shall not affect the consideration of the application for a food vendor's license or renewal thereof.

§3. Paragraph 6 of subdivision b of section 20-455 of the administrative code of the city of New York is hereby REPEALED, and a new paragraph 6 is added to read as follows:

6. No City officer or employee shall inquire about an applicant's immigration or citizenship status as part of an application made pursuant to this section. Information about an applicant's immigration or citizenship status shall not affect the consideration of the application for a general vendor's license or renewal thereof.

thereof.

§4. This local law shall take effect thirty days after it is enacted into law.