



Legislation Text

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Int. No. 1268

By the Public Advocate (Mr. Williams) and Council Members Louis, Sanchez, Hanif, Menin, Won, Marte, Farías, De La Rosa, Krishnan, Ayala, Ossé, Cabán, Nurse, Restler, Gutiérrez, Avilés, Hudson, Rivera and Joseph

A Local Law to amend the New York city charter, in relation to creating a division within the department of small business services to assist street vendors and requiring the commissioner of small business services to update the department's programs to facilitate street vendor access

Be it enacted by the Council as follows:

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1309.1 to read as follows:

§ 1309.1. Division of street vendor assistance. a. Definitions. For purposes of this section, the following terms have the following meanings:

Food vendor. The term “food vendor” has the same meaning as set forth in section 17-306 of the administrative code.

General vendor. The term “general vendor” has the same meaning as set forth in section 20-452 of the administrative code.

b. Responsibilities of the division. 1. There shall be a division of street vendor assistance within the department. Such division shall:

(a) Serve as a clearinghouse for the provision of services and resources relating to business and economic development to food vendors and general vendors;

(b) Publish on the department's website a list of such services and resources that food vendors and general vendors may utilize;

(c) Assist food vendors and general vendors in applying for and accessing the department's programs;

(d) Collaborate with the office of street vendor enforcement to offer training and education and conduct outreach in the designated citywide languages, as such term is defined in section 23-1101, to all food vendors and general vendors on entrepreneurship and compliance with all applicable local laws, rules, and regulations, including but not limited to such laws, rules, and regulations concerning legal vending locations and time, place, and manner restrictions applicable to vending;

(e) Create business development programs specific to food vendors and general vendors;

(f) Review all department programs and recommend to the commissioner which such programs food vendors and general vendors should be permitted to access; and

(g) Review all department programs and recommend to the commissioner any administrative requirements for such programs that should be removed or adjusted to facilitate access for food vendor and general vendor applicants.

2. The division shall offer training and education and conduct outreach required under subparagraph (d) of paragraph 1 of this subdivision on a monthly basis. The division shall focus the outreach required under such subparagraph in areas that have a high density of food vendors or general vendors and in any areas identified by the office of street vendor enforcement as featuring a high level of complaints about food vendor or general vendor activity.

c. Responsibilities of the commissioner. 1. The commissioner shall update department programs to permit access to food vendors and general vendors based on recommendations made by the division of street vendor assistance pursuant to subparagraph (f) of paragraph 1 of subdivision b of this section, subject to the purposes of such programs as determined by the commissioner and unless otherwise prohibited by law.

2. The commissioner shall update department programs to remove or adjust administrative requirements for such programs based on recommendations made by the division of street vendor assistance pursuant to subparagraph (g) of paragraph 1 of subdivision b of this section, subject to, as determined by the commissioner,

the purposes of such programs and the role of such requirements in preventing fraud, and unless otherwise prohibited by law.

d. Reporting. 1. No later than 180 days after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and to the mayor, and the commissioner shall publish on the department's website, a report outlining the commissioner's reasons for the exclusion of food vendors and general vendors from any department programs and for the commissioner's removal or adjustment of any administrative requirements for department programs pursuant to paragraph 2 of subdivision c of this section.

2. No later than 180 days after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and to the mayor, and the commissioner shall publish on the department's website, a report on (i) the number of food vendors and general vendors to which the division of street vendor assistance provided assistance during the previous year, and (ii) the types of assistance provided to food vendors and general vendors by such division during the previous year, disaggregated by percentage.

§ 2. This local law takes effect 120 days after it becomes law.

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