



Legislation Text

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Int. No. 911

By Council Members Farías, Cabán and Won

A Local Law to amend the administrative code of the city of New York, in relation to reducing the fine and civil penalty for unlicensed general vending

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-472 of the administrative code of the city of New York, as amended by local law number 63 for the year 1990, is amended to read as follows:

a. Any person who violates the provisions of sections 20-453 and 20-474.1 of this subchapter shall be guilty of a misdemeanor punishable by a fine of not less than two hundred fifty dollars nor more than [one thousand] five hundred dollars, or by imprisonment for not more than three months or by both such fine and imprisonment. In addition, any police officer may seize any vehicle used to transport goods to a general vendor, along with the goods contained therein, where the driver is required to but cannot produce evidence of a distributor's license. Any vehicle and goods so seized may be subject to forfeiture upon notice and judicial determination. If a forfeiture proceeding is not commenced, the owner or other person lawfully entitled to possession of such vehicle and goods may be charged with the reasonable cost for removal and storage payable prior to the release of such vehicle and goods, unless the charge of unlicensed distributing has been dismissed.

§ 2. Paragraph 1 of subdivision c of section 20-472 of the administrative code of the city of New York, as amended by local law number 80 for the year 2021, is amended to read as follows:

1. In addition to the penalties prescribed by subdivision a of this section, any person who violates, or any person aiding another to violate, the provisions of section 20-453 of this subchapter shall be liable for a civil penalty of two hundred and fifty dollars together with a penalty of [two hundred and] fifty dollars per day

for every day during which the unlicensed business operated; except that a person who violates, or any person aiding another to violate, the provisions of section 20-453 of this subchapter by engaging in continued unlicensed activity as defined by the commissioner, considering factors including but not limited to the frequency and duration of such unlicensed activity, shall be liable for a civil penalty of one thousand dollars together with a penalty of [two hundred] fifty dollars per day for every day during which the unlicensed business operated.

§ 3. This local law takes effect immediately.

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