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Int. No. 34

By Council Members Ariola, Louis, Ung, Wong, Morano and Paladino

A Local Law to amend the New York city charter, in relation to requiring an interagency portal to track street vending enforcement

Be it enacted by the Council as follows:

Section 1. Section 13-e of the New York city charter, as amended by a vote of the electors on November 5, 2024, is amended to read as follows:

a. Definitions. For purposes of this section:

Applicable permittees or licenses. The term “applicable permittees or licensees” means persons issued full-term or temporary permits pursuant to section 17-307 of the administrative code, or persons issued licenses to vend pursuant to sections 17-307 or 17-307.1 of the administrative code, or licenses issued pursuant to section 20-456 of the administrative code.

Excessively congested areas. The term “excessively congested areas” includes, but is not limited to, areas where pedestrian volume regularly approaches or exceeds the capacity of the sidewalk.

b. There shall be an office of street vendor enforcement, which shall consist of enforcement agents who are specially trained in local laws and rules related to vending on the streets and sidewalks of the city of New York. The office of street vendor enforcement shall be fully operational on or before September 1, 2021 and shall commence enforcement activities on or before such date. Such enforcement activities shall, at a minimum, include a sufficient number of street patrols to inspect or examine the vending activities of at least 75 percent of applicable permittees or licensees on an annual basis. [For the purposes of this section, the term "applicable permittees or licensees" means persons issued full-term or temporary permits pursuant to section 17-307 of the

administrative code, or persons issued licenses to vend pursuant to sections 17-307 or 17-307.1 of the administrative code, or licenses issued pursuant to section 20-456 of the administrative code.] The mayor may establish such office in the executive office of the mayor, within any other office in the executive office of the mayor, or within any department, the head of which is appointed by the mayor.

c. Such office shall have the power and duty to:

[a] 1. [enforce] Enforce all local laws and rules related to vending on the streets and sidewalks and in parks of the city of New York, other than such local laws and rules related to food safety, including, but not limited to: section 16-118, subchapter 2 of chapter 3 of title 17, section 18-146, subchapter 27 of chapter 2 of title 20 and chapter 1 of title 24 of the administrative code; article 89 of the health code; and any rules of the city of New York implementing such laws;

[b] 2. [focus] Focus its enforcement efforts on areas including, but not limited to, areas adjacent to retailers that dedicate substantial floor area to the sale of fresh fruits and vegetables, and any other areas identified by the department of transportation as excessively congested and featuring a high level of complaints about vendor activity, if any;

[c] 3. [collaborate] Collaborate with the department of small business services to provide training, outreach and education to all street vendors on entrepreneurship and compliance with all applicable local laws and regulations, as well as solicit feedback from the street vendor community;

[d] 4. [receive] Receive all complaints related to street vending on the streets and sidewalks of the city of New York from the 311 service center or from any other means; [and]

[e] 5. [engage] Engage in such other activities related to enforcement of laws related to vending on the streets and sidewalks and in parks of the city of New York, or related to improving compliance with such laws, as may be designated by the mayor[. For the purposes of this section, “excessively congested” areas include, but are not limited to, areas where pedestrian volume regularly approaches or exceeds the capacity of the sidewalk.]; and

6. Create an interagency portal to share enforcement history and data across agencies that enforce street vending laws. Such portal shall:

(a) Include a database of all agency street vending enforcement actions searchable by location and vendor license number;

(b) Allow any agency enforcing street vending laws to input notes about vending activity in a certain location or by a certain vendor;

(c) Where applicable, display the previous enforcement violations associated with a vendor license number, and the disposition of such violations; and

(d) Include a mechanism for any agency enforcing street vending laws to verify the authenticity of a vendor's license.

§ 2. This local law takes effect 90 days after it becomes law.

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