STATE OF NEW YORK

331

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to provide for the establishment of a vendor policy commission in cities having a population of two million or more

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. There shall be established in each city having a population of two million or more a vendor policy commission. Each such commission shall be composed of 9 members, as follows:

(a) the commissioner of the city department of small business services, or his or her designee;

(b) the director of the city department of city planning, or his or her designee;

(c) the commissioner of the city department of transportation, or his or her designee;

(d) the commissioner of the city department of health and mental hygiene, or his or her designee;

(e) the commissioner of the city department of consumer affairs, or his or her designee; and

(f) four members appointed by the mayor, upon the nomination of the speaker of city council, of whom:

(1) one shall be a representative of an organization that advocates for or provides services to street vendors in the city,

(2) one shall be a representative of a business improvement district in the city,

(3) one shall be a representative of an established chamber of commerce in the city, and

(4) one shall be a representative of an immigrant advocacy or services organization in the city.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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§ 2. Each vendor policy commission shall, after review, study and receipt of public comment, and concurrence of a majority of its members, issue a report and promulgate recommendations relating to the local laws and regulations governing the operation of general vending businesses, as defined in section 20-452 of the administrative code of the city of New York, and food vending businesses, as defined in section 17-306 of the administrative code of the city of New York. Such report shall be submitted to the mayor and the city council, and made available to the public within 6 months of the effective date of this act. Such recommendations shall include, but not be limited to, the following issues:

(a) the lifting of the cap on street vendor permits;

(b) establishing and enforcing a process to rescind the licenses of licensees who illegally rent out credentials;

(c) the establishment of zoning regulations and incentive structures that reduce congestion and lead to a more efficient distribution of vendor locations;

(d) the creation of a letter grading system for mobile food vendors;

(e) the implementation of a system of fines that reduces penalties for minor violations and focuses on serious health, safety, traffic and sanitation violations;

(f) the establishment and promotion of designated community spaces where street vendors can congregate to sell food without exacerbating congestion; and

(g) the creation of a mediation process whereby street vendors and adjacent business owners can resolve conflicts.

§ 3. Each commission shall have the power to:

(a) appoint a chairperson by majority vote of its designated membership;

(b) recommend to the mayor and the city council such legislation and rules as it shall deem necessary to implement its recommendations; and

(c) in the same manner as provided in section 1043 of the New York city charter, promulgate and amend, on an ongoing basis, the rules governing street vendors, when such rules are within the purview and enumerated powers of one or more of the city agencies represented in the membership of the commission.

§ 4. This act shall take effect immediately.