

STATE OF NEW YORK

7598

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. SIMONE -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to year-round outdoor dining

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

1 Section 1. The general municipal law is amended by adding a new
2 section 96-c to read as follows:

3 § 96-c. Year-round operation of sidewalk and roadway cafes. 1. The
4 governing board of any city, town or village which, by local law, ordi-
5 nance or resolution, permits and/or regulates the establishment and
6 operation of sidewalk cafes and/or roadway cafes within such munici-
7 pality shall permit such facilities to operate year-round.

8 2. For the purposes of this section:

9 (a) "roadway cafe" shall mean an open-air portion of a ground floor
10 restaurant containing readily removable tables, chairs and other remova-
11 ble decorative items, which is located in the curb lane or parking lane
12 of a roadway fronting the restaurant; and

13 (b) "sidewalk cafe" shall mean a portion of a ground floor restaurant
14 located on a public sidewalk or sidewalk widening fronting the restau-
15 rant.

16 3. Nothing in this section shall prohibit a municipality from enacting
17 laws, ordinances or regulations which provide for public health and
18 safety relating to the operation of sidewalk and roadway cafes includ-
19 ing, but not limited to, street cleaning, abandonment of a roadway cafe,
20 structural design, snow removal, or ensuring a clear path for pedestrian
21 access.

22 § 2. This act shall take effect immediately.

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

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