



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**COREY JOHNSON**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

November 7, 2012

Hon. Christine O. Quinn  
Speaker  
New York City Council  
250 Broadway  
New York, New York 10007

**Re: Street Vendor Legislation**

Dear Speaker Quinn:

Manhattan Community Board 4 (MCB4) supports City Council Intro 435, which changes the structure for administrative violations for Street Vendors from increasing fines for each violation to increasing fines for each violation issued for the same offense. We feel this change increases the fairness of the fine system while enabling disincentives for recidivists. We also support the efforts to simplify the currently very confusing administrative requirements for Street Vendors.

Intro 435 is part of the legislative agenda of the Street Vendor Project, which includes over 700 Street Vendors. Intro 435 already has 32 City Council sponsors. MCB4 has long been supportive of street vendors in our community, though balanced with our concern about street clutter and vendors located in illegal and inappropriate locations.

There are over 10,000 street vendor licenses and 3,000 permitted vending carts in New York City. Street Vendors have been a regulated part of the New York's street life since 1691. A 2006 survey of street vendors found that 83% were foreign born and the remainder were veterans (who receive a priority for licenses). The median income in 2006 was approximately \$7,500 and estimated at \$13,000 today. Most vendors worked 200 to 250 days a year and almost 9 hours a day. 88% were the primary wage earner for their families. In addition to being part of the street life of New York City, vendors are a part of the entrepreneurial spirit of New York City.

As has been the case generally for small businesses, the city has increased tickets for administrative violations for street vendors. Last year over 40,000 violations were issued, often for minor offenses such as being an inch off on placement, height limits, and/or not clearly displaying their license. The current law increases the fines for each violation a vendor receives – Intro 434 changes the increase schedule to be based on each fine for the same offense. We believe this is fairer than the current system and enables enforcement to focus on recidivists.

We also support current City Council efforts to simplify the administrative requirements – making distances from building entrances, for example, uniform and making restrictions similar for each type of vendor (currently it differs by type of vendor). Though not currently proposed, we also would support making the distance from bus stops (25') uniform with the distance to subway entrances (currently 10', we would propose 25'). We also would propose that the rules clarify, similar to other street furniture, that a minimum of 8' clearance for pedestrians be permitted.

We are, however, concerned that some of the current proposals may be too restrictive – and we would propose they be modified. Specifically, there is a proposal to not permit vendors within 20' of residential and commercial building service entrances (the current restriction just relates to building entrances) and in front of Hospital No Standing Zones.

However most service entrances are rarely used during typical vending hours and most Hospital No Standing zones are unrelated to any need for emergency or access-a-ride access. We would propose instead, that any owner could notify DCA that it wants such a restriction and put a plaque near the service entrance/hospital that states "No vending within 20.'" This would enable owners to easily have those restrictions if they desire while not overly restricting vending locations. We are also concerned that a proposal for no vending in taxi stands is too general and should be within approximately 40' (two car lengths) of the sign.

We also support proposals to increase the availability of information of Street vendor fines and rules and regulations, as well as proposals to gradually convert carts to electric, rather than gas, operations (as long as the city provides reduced rate loans or grants to enable conversion).

We appreciate that the City Council is seeking to tackle reforming and simplifying overly complicated administrative requirements for Street Vendors as it seeks to balance the important need to preserve this valuable entryway for New York City entrepreneurs and street life while addressing the increased street clutter.

Sincerely yours,



Corey Johnson  
Chair



Christine Berthet  
Co-Chair  
Transportation Planning Committee



Jay Marcus  
Co-Chair  
Transportation Planning Committee