

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2023**

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**No. 80**

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Introduced by Council Members Rivera, Ossé, Cabán, Louis, Hanif, Joseph, Hudson, Nurse, Gutiérrez, Won, Sanchez, Narcisse, Stevens, Restler, Velázquez, Kagan, Schulman, Krishnan, Avilés, Williams, Riley, Hanks, Menin, Richardson Jordan and Dinowitz.

**A LOCAL LAW**

**To amend the New York city charter, in relation to the open culture program for art and cultural institutions**

*Be it enacted by the Council as follows:*

Section 1. Chapter 67 of the New York city charter is amended by adding a new section 2509 to read as follows:

§ 2509. *Open culture program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Artistic or cultural event. The term “artistic or cultural event” means an event or programming sponsored by an eligible institution, including, but not limited to, cultural performances, rehearsals, and classes, that is open to the public and offers services or information to the community.*

*City artist corps. The term “city artist corps” means the initiative established by the department in May 2021 to provide funding to the arts community during the COVID-19 pandemic.*

*Cultural institutions group. The term “cultural institutions group” has the same meaning as set forth in section 2507.*

*Eligible institution. The term “eligible institution” means a person or entity that:*

*(i) is an art or cultural group, organization, or institution within the city that is a member of the cultural institutions group or that is eligible to apply for a grant through the cultural development fund administered by the department;*

*(ii) provides documentation of funding from a borough arts council or the city artist corps, or that would have been eligible to apply for funding from such sources within the 2 years prior to the date on which such person or entity submits an application to the office for participation in the program; or*

*(iii) has fiscal sponsorship from a person or entity that meets the definition set forth in (i) or (ii) of this definition.*

*Office. The term “office” means the mayor’s office of citywide event coordination and management established pursuant to executive order number 105, dated September 17, 2007, or another agency designated by the mayor to perform the functions set forth in this section.*

*Program. The term “program” means the open culture program established pursuant to subdivision b of this section.*

*Roadway. The term “roadway” means that portion of a street designed, improved or ordinarily used for vehicular travel, exclusive of the shoulder and slope.*

*b. Open culture program. By August 1, 2023, the office, in consultation with the department of transportation, the department of cultural affairs, and any other agency designated by the mayor, shall establish an open culture program for the purpose of authorizing an eligible institution to conduct an artistic or cultural event in a roadway. The office shall establish eligibility and use guidelines and policies for such program in consultation with such agencies, and promulgate any necessary rules. Such program shall include the following elements:*

*1. There shall be no fee for participation by an eligible institution in such program, except as provided for in subdivision c of this section; and*

*2. An eligible institution utilizing a roadway for an artistic or cultural event pursuant to such program shall conduct such event at no charge to an audience.*

*c. Allowable fees. 1. An application fee of \$25 may be imposed for the processing of each application to participate in the program. An applicant who requires a permit to use or operate a sound device or apparatus shall pay any applicable fee in accordance with subdivision h of section 10-108 of the administrative code.*

*2. Nothing in this section shall preclude the imposition of any civil penalty or fine authorized for violation of any applicable rule or law.*

*d. Reporting. By November 1, 2023, and annually thereafter, the office shall submit to the mayor and the speaker of the council and post on the office's website a report on the activities of the program in the prior fiscal year. Such annual report shall include, but not be limited to:*

*1. The number of artistic or cultural events hosted through the program in the prior fiscal year, disaggregated by borough and council district;*

*2. An overview of any outreach conducted by the office or other agencies related to the program; and*

*3. The total number of eligible institutions that applied to the program, disaggregated by the number of such applicants whose request to use a roadway was granted or not granted.*

*§ 2. This local law takes effect immediately.*

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on May 25, 2023 and returned unsigned by the Mayor on June 29, 2023.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 80 of 2023, Council Int. No. 590-A of 2022) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter

STEPHEN LOUIS, Acting Corporation Counsel.