

**Testimony of Deputy Commissioner Carlos Ortiz
New York City Department of Consumer and Worker Protection**

**Before the Committees on Consumer and Worker Protection and Transportation and
Infrastructure**

**Oversight Hearing on Update on Dining Out NYC Program and
Introductions 1142, 1320, 1368, 1421, 1423, 1426, 1444, 1446**

November 24, 2025

Introduction

Good morning, Chair Menin, Chair Brooks-Powers, and members of the Committees. My name is Carlos Ortiz, I am the Deputy Commissioner for External Affairs at the Department of Consumer and Worker Protection (DCWP). Thank you for the opportunity to testify on Introduction 1368, which requires employers to provide paid time off to their employees for bereavement following any firearm related death of a family member of the employee.

Protecting New York's Workers

DCWP enforces key worker and consumer protections and offers financial empowerment resources that improve critical aspects of New Yorkers' daily economic lives. We ensure that consumers who have been deceived or exploited have recourse, that workers have a passionate defender of their rights, and that all New Yorkers have the support they need to improve their financial health. Under Commissioner Mayuga's tenure, we have delivered almost \$2 billion back to New Yorkers.

DCWP serves as the City's central resource for workers in New York City. The laws that we enforce provide workers with greater stability in their schedules, income, and employment. We strive to ensure compliance with these essential workplace laws and secure restitution for workers who have faced violations in the workplace. Under Commissioner Vilda Vera Mayuga's tenure, DCWP has delivered close to \$51 million in restitution for more than 35,000 workers.

One of our cornerstone workplace laws is New York City's Paid Safe and Sick Leave law (PSSL), covering nearly 4 million workers across the City. PSSL ensures New Yorkers have the right to take paid time off work to care for themselves or loved ones when they're sick, need preventive care, or to access services or take safety measures related to domestic violence, sexual violence, stalking or human trafficking. DCWP has continuously worked to improve PSSL in recent years, providing more protected reasons for the use of PSSL, conducting informational campaigns on PSSL, implementing the paid prenatal leave law, and more. Since 2022, DCWP secured \$13 million in restitution for more than 29,500 workers for violations of PSSL. We are very proud of the success we have had in strengthening these protections and will continue to ensure that PSSL remains a crucial workplace right for working families and individuals.

Introduction 1368

DCWP supports the intent of Introduction 1368, which would amend PSSL to provide employees with paid bereavement time following any firearm related death of a family member of the employee. New Yorkers should never have to make a choice between caring for themselves or maintaining their livelihood. DCWP thanks Council Member Salamanca for this piece of legislation and looks forward to working with the Council and relevant stakeholders on these protections.

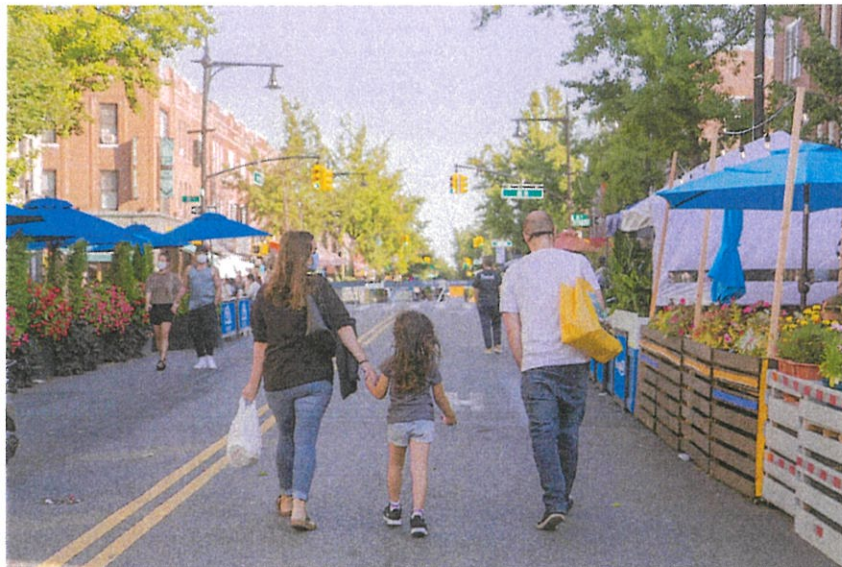
Conclusion

We would like to express our thanks to Council Member Salamanca for this important piece of legislation and for the opportunity to testify on today's bill. We look forward to working with the Council and relevant stakeholders to provide these protections for all New Yorkers.

**NYC Department of Transportation Testimony Before the
City Council Committee on Transportation and Infrastructure
November 24, 2025**

Good morning, Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure. I am Ydanis Rodriguez, Commissioner of the New York City Department of Transportation. With me today are Margaret Forgione, First Deputy Commissioner, Paul Ochoa, Executive Deputy Commissioner, and Michelle Craven, Associate Deputy Commissioner for Cityscape and Franchises. Thank you for the opportunity to testify on behalf of Mayor Adams on the Administration's work on New York City's outdoor dining program.

Roadway and sidewalk dining grew in popularity during the COVID-19 pandemic and continues to provide New Yorkers with new opportunities to enjoy and appreciate dining outdoors. Not only was outdoor dining a critical lifeline to revitalize our economy when indoor dining was prohibited, but it reaffirmed the vibrancy of our streets. Overseeing one of the most complex urban transportation networks in the world – including more than 6,300 miles of streets and highways and over 12,000 miles of sidewalk – we are proud of the creative work our outdoor dining team has done, which expands on our mission to create public spaces that strengthen our communities across the five boroughs.



Open Restaurants at Ditmars Blvd, Astoria, Queens

Our permanent program is built around insights from the pre-pandemic Department of Consumer and Worker Protection (DCWP) sidewalk cafe program, as well as the temporary Open Restaurants program. The pre-pandemic regulations were confusing, costly and restrictive, resulting in only 1,200 restaurants participating in the sidewalk cafe program managed by DCWP. Next, the temporary Open Restaurants program during the COVID-19

pandemic introduced an urgent necessity to balance public health guidelines with saving the city's beloved restaurant industry. By reimagining the use of public space, the temporary program had between 6,000 to 8,000 restaurants participating and saved 100,000 jobs. By learning from these two programs, we are making Dining Out NYC an equitable and inclusive program while simultaneously maintaining quality of life for local residents.

Today's permanent Dining Out NYC program, created in partnership with the City Council in Local Law 121 of 2023, is **the largest outdoor dining program in the country** and second only to Paris globally. As the first season of roadway dining comes to a close at the end of the month, we're pleased to share the tremendous work our team has done to reimagine our public space.



Owner of Sunday to Sunday Cafe in the Lower East Side speaking to city officials

First, we strive to make participation as accessible and streamlined as possible. Within our first season, which began on April 1, 2025, over 3,000 restaurants were allowed to operate. Essentially, all applicants were able to operate through conditional approvals. Working in partnership with the Council, we achieved this by reducing fees from the pre-pandemic sidewalk cafe program and having rates vary by location and setup size. Simultaneously, a Zoning Text Amendment also removed the pre-pandemic program's numerous geographic restrictions, allowing restaurants to participate in areas of the city where outdoor dining was previously not allowed. This level of retention from the temporary program exceeded the rate of retention from the program in Paris.

While Local Law 121 of 2023 provides for a robust application review process to incorporate public feedback from local communities, DOT also sought to balance the Council’s desire for ample community feedback with helping restaurants – most of which are small businesses – get up and running quickly. That is why **we cut red tape by granting conditional application approvals** to all roadway and sidewalk dining applicants after completion of the application’s mandatory public comment period. This expedited the process and ensured the vast majority of applicants were able to operate when the first outdoor dining season under the new rules began earlier this year.

DOT has also prioritized addressing the quality of life concerns that had been raised during the temporary program, and we have worked within the Dining Out NYC law to be incredibly responsive to the complaints we receive and enforce when necessary. Our Highway Inspection and Quality Assurance (HIQA) unit removed over 200 illegal enclosures, and with the new requirements of the program—higher quality material for set-ups, weekly cleaning requirements, and water-filled barriers instead of sand-filled barriers—we now receive far fewer 311 complaints. In 2025, our inspection unit issued nearly 3,500 summonses, 85% of which were for unlicensed activity. I am sure when you walk around your own neighborhoods or dine out at your favorite establishment, you can see the dramatic improvement to the outdoor dining experience.



Compliant outdoor dining setup in Queens.

Our team does not stop working once we approve an application or issue a license. Our outdoor dining team continues to engage with businesses after application approvals and offers ongoing

assistance throughout the implementation season. **We meet businesses where they are** by offering individual, on-site assistance in the language of their preference to measure and draw site plans without the need for a costly third-party architect, which alleviates the financial burden from small businesses. We have seen these measures become incredibly helpful with increasing outer borough participation. Our team continues communication with businesses by sharing important news related to the program, new information, and extreme weather updates. We also continuously update the Dining Out NYC website to share helpful resources for participants and include step-by-step guidance. This includes the Marketplace, which serves as a directory of companies that sell or rent outdoor dining set-ups and services.

We are proud that Dining Out NYC is now a permanent program serving millions of New Yorkers and increasing jobs across the five boroughs. We are thrilled to see the program grow significantly larger than the pre-pandemic program, and we continue to receive new applications daily. As our first-ever season comes to an end, we look forward to listening to the interests of restaurants and working with the Council and other stakeholders, to build upon the lessons learned and make outdoor dining more accessible, safe, and inviting for many years to come.

Legislation

Turning to the legislation before the Council today.

Introduction 1142

First, Intro. 1142, sponsored by Council Member Ariola. This bill would require DOT to install, at the request of a child's parent or legal guardian, warning signs with plaques to warn a motorist of the presence of a child with autism.

Being an attentive and safe driver, cyclist, or pedestrian is extremely important for everyone sharing the street in any neighborhood. Guided by the federal Manual on Uniform Traffic Control Devices (MUTCD), we use signage carefully, since too many signs can start to distract drivers from observance of other needed requirements. It's important to acknowledge some concerns we have with research showing that these types of signs don't make streets safer. Also, it's been demonstrated that when we have too many signs, it may become visual clutter and increase chances that drivers will ignore signs with critical information. We would also want to note that the system proposed would require substantial new staffing and funding. We are happy to have further discussions with the Council about this bill and our rigorous process for street safety design interventions.

Introduction 1320

Next, Intro. 1320, sponsored by Council Member Feliz. This bill would create a maximum civil

penalty of \$250 if a property owner fails to timely repair sidewalks abutting their property as directed by DOT. It also would subject the owner to that same maximum penalty if the owners knew or should have known that the defect was an immediate danger to the public.

For 1-3 family properties, if a sidewalk is damaged or in poor condition, DOT will issue a violation to the property owner if the defects are not due to City-owned trees. If the property owner does not make the repairs, then the City may make the repairs and bill the property owner, except for the City-owned tree root portion of repairs.

As written, this bill may become a burden to 1-3 family property owners, and add to the existing affordability issues facing New Yorkers. Where we do see this policy having some potential value is targeting those sidewalks abutting 4+ family buildings or commercial properties, as the City does not repair these properties. For context, the work to repair flags can be several tens of thousands of dollars for larger properties and a penalty should be large enough to incentivize timely repair of the sidewalks. We look forward to further discussions with the Council to craft a thoughtful policy and bill.

Introduction 1421

Next, Intro. 1421, sponsored by Council Member Restler. This bill would expand the City's outdoor dining program by allowing grocery stores to apply for a sidewalk cafe license, removing seasonal restrictions on roadway cafe operation, and providing the option to expand frontage for certain cafes upon consent. This bill would also streamline the review process for restaurants applying to operate a sidewalk or roadway cafe by restricting Community Boards from requiring applicants to supply additional materials.

We are particularly interested in identifying ways to increase program participation and remove barriers to access. Although we haven't heard this as an issue, any business that has a Food Service Establishment Permit from the Department of Health can already participate in our program, and we have several grocery stores, delis, and bodegas that fall into this category. Further, any establishment with a New York State Department of Agriculture license is eligible to apply for a Food Service Establishment Permit, and is then eligible to participate in our program. We have a few ideas already to help streamline the application process, and are eager to discuss improvements that can be made in the law to streamline and quicken the application process.

As we look towards the end of the first full permanent Dining Out season, DOT will continue to coordinate closely with FDNY in the review of applications and efforts to ensure our emergency responders have the clearance they need on our streets. With roadway setups set to go down for the winter this coming weekend, we will also use this break to look critically at setups that may need adjustments based on feedback from our partner agencies. We are happy to have more discussions with the Council and stakeholders about adapting our program processes.

Introduction 1423

Next, Intro. 1423, sponsored by Council Member Stevens, would require DOT to post an annual inventory of all City-owned retaining walls under DOT's jurisdiction, including the location of each retaining wall, as well as the date when maintenance or inspection was last performed.

In accordance with Department of Buildings (DOB) regulation, DOT already inspects its inventory of over 638 retaining walls every five years and if deficiencies are found then repair actions are taken. DOT looks forward to working with the Council on the legislation.

Introduction 1426

Next, Intro. 1426, sponsored by Council Member Bottcher. This bill would require newsrack owners to provide email addresses to DOT when registering and permit DOT to communicate with them electronically. It will also expand DOT ability to seize newsracks that are in violation of the regulations governing newsracks if owners fail to correct their violations.

While newsracks provide an important service for the distribution of newspapers or other printed material, unsightly newsracks can be a visual blight on neighborhoods. When newsracks are not taken care of, they have the potential to cause safety hazards, attract graffiti, or become receptacles for trash and home for vermin. This bill gives DOT better ability to regulate newsracks and improve quality of life in the public realm. We look forward to working with Council on a bill that balances these concerns with the important service newsracks provide.

Introduction 1444

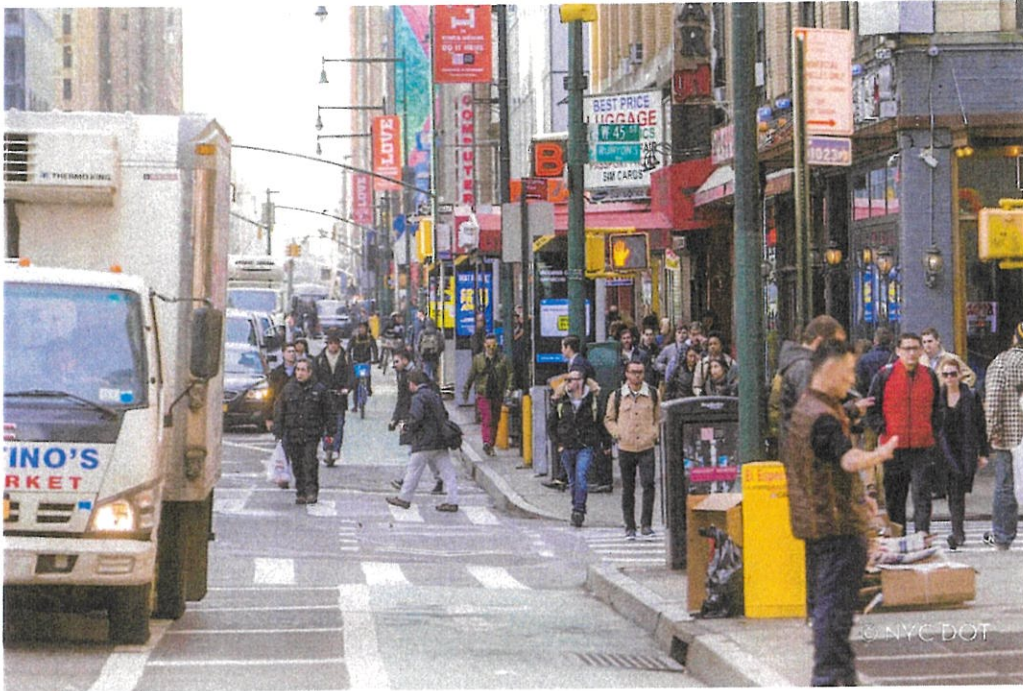
Next, Intro. 1444, sponsored by Council Member Powers. This bill would limit any clear path requirement for pedestrian paths in front of sidewalk cafes to no more than 8 feet in width. With sidewalk space becoming more competitive than ever, we need to make sure the sidewalk still remains a safe place for New Yorkers to walk, use a wheelchair, or push a stroller or shopping cart. Our planners must ensure sufficient clear path requirements for sidewalks to meet various needs. Along with our various programs installing bike racks, Citi Bike stations, bus shelters, and other street furniture, it is also imperative to maintain sufficient space for pedestrian access and people with disabilities.



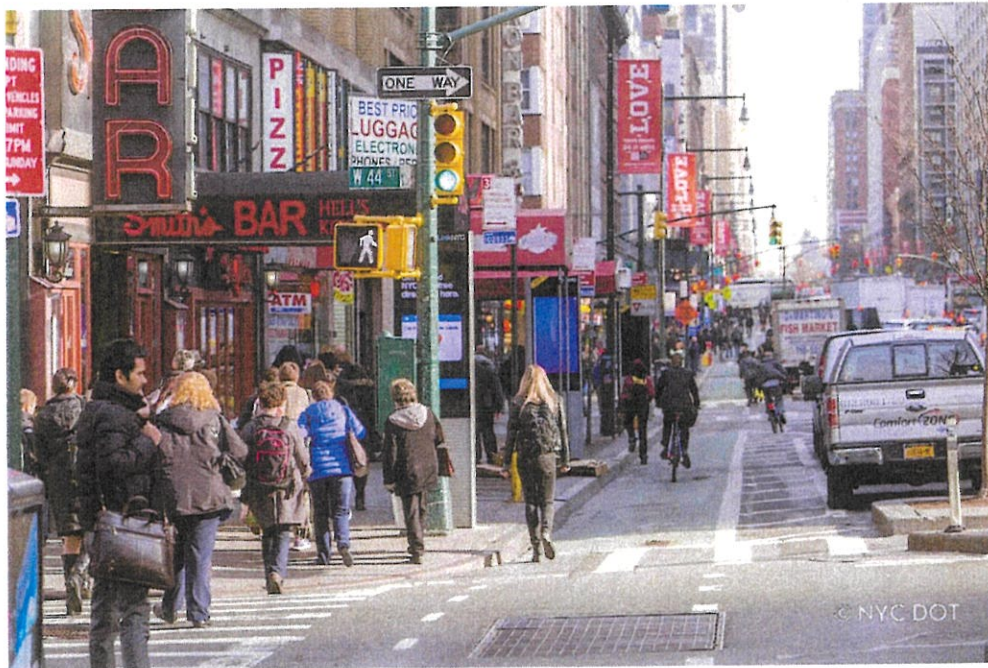
Outdoor Sidewalk Dining, Hamilton Heights, Manhattan

Currently, there are three tiers of clear path in the Dining Out NYC program based on DOT's innovative Pedestrian Mobility Plan: 12 feet on Global Corridors, 10 feet on Regional Corridors, and 8 feet on all other streets. The Global and Regional corridors exist largely in the Central Business District in Manhattan – the most heavily foot trafficked part of the city.

We are thrilled with the significant interest in expanding the program, but we are also wary of creating congestion and compromising the accessibility needs for New Yorkers in the busiest sections of the city. The outcome we must avoid is people resorting to walking into a traffic lane to get by. We are happy to discuss our current clear path requirements and see what adjustments can be made to support Dining Out NYC while still maintaining our commitment to making our pedestrian space safe and accessible for all.



Pedestrians at 8th Avenue, Midtown, Manhattan



Pedestrians at 8th Avenue, Midtown, Manhattan



Pedestrians on 5th Avenue pass a restaurant with sidewalk and roadway dining .



Pedestrians pass by a 5th Avenue restaurant with sidewalk and roadway dining.

Introduction 1446

Next, Intro. 1446, sponsored by Council Member Restler. This bill would require DOT to issue and receive applications to operate a sidewalk cafe and roadway cafe online and at a physical location accessible to the public. This bill would also allow applicants to save partially filled-out online applications in order to complete the application at a later date.

In partnership with our sister agencies, we already offer robust resources to support businesses throughout the application process. Applicants can receive free services from the Department of Small Businesses Services' (SBS) borough locations and may submit applications in-person at these locations. We also assist with application preparation both in-person and virtually based on applicant preference. We are continuously exploring how to improve our online application portal, including the function to save in-progress applications, and look forward to continuing the ongoing work of enhancing our application process. Applicants can currently apply online or in person. We look forward to working with the sponsor on the bill.

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today. We would now be happy to answer any questions.

From: [New York City Council](#)
To: [Testimony](#)
Subject: [EXTERNAL] Mon, Nov 24 2025 @ 10:00 AM - Committee on Consumer and Worker Protection (Jointly with the Committee on Transportation and Infrastructure.)
Date: Thursday, November 20, 2025 2:37:12 PM
Attachments: [CM-Ariola-Intro-948-Testimony.docx](#)

[REDACTED]

Attendee will be: Submitting written testimony

Attendee IP: [REDACTED]

Attendee name (Zoom name): Joann Ariola

Attendee email (Zoom account): Jariola@council.nyc.gov

Attendee phone number: [REDACTED]

Hearing: Mon, Nov 24 2025 @ 10:00 AM - Committee on Consumer and Worker Protection (Jointly with the Committee on Transportation and Infrastructure.)

Subject of testimony: Intro 948

Organization: Self

Organization if "Other":

If a testimony was uploaded, it will be in the attachments.

As we all know, New York City is one of the tightest housing markets in the nation.

Each and every day, we hear about young people who are forced to move out of state because they can't afford to buy or rent in the neighborhoods they grew up in. We hear about elderly people who are left without family, because their loved ones couldn't afford a home nearby. We hear about the hardships and struggles that New Yorkers face when trying to put a roof over their heads on a daily basis, and Intro 948 will undoubtedly make all of this so much worse.

Under this proposal, one- or two-family homes could be rented out for short stays without the owner living on-site. This means that, across the city, we will see already scarce available homes gobbled up by developers and turned into de facto hotels right in the middle of residential neighborhoods. Every home that shifts into the short-term rental market is one fewer home available to a New Yorker looking for a place to live, and will be one more investment opportunity for commercial agents with little, if any, stake in the community to make a buck.

The stakes for our neighborhoods are too high, and the people we serve deserve better than policies that treat homes like hotel rooms. This is why I cannot support Intro 948.



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Environmental Conservation

COMMITTEES
Governmental Operations
Rules
Ways and Means

DEBORAH J. GLICK
Assemblymember 66TH District
New York County

**Testimony of Assemblymember Deborah J. Glick
Before the New York City Council Regarding
Int. No. 1421 in Relation to Expanding Access to
Roadway and Sidewalk Cafes**

November 21, 2025

Thank you for the opportunity to submit written testimony in response to Introduction No. 1421, the proposed legislation which would make roadway dining year-round and expand frontage for cafes. As the district I represent unduly bears the impact of the Dining Out NYC program with one of the highest concentrations of sidewalk cafes and roadway dining sheds in the city, I am concerned about the potential expansion of the outdoor dining program and its negative ramifications on residents in the community.

Expanding the frontage may work for some communities where there is more separation between food establishments and residential buildings, and more space in general, but the neighborhoods I represent in the West Village and Greenwich Village are highly residential and dense with some of the narrowest streets in the city. While patrons of restaurants may enjoy eating outside, the consequences of late-night noise, increased refuse, and thus rats, burden residents. Popular venues frequently result in patrons waiting outside. These lines block entrances to people's residences and creates undue tension over time.

Additionally, the outdoor dining structures have greatly increased the density of sidewalks and public streets, creating accessibility issues for New Yorkers and tourists with mobility challenges. Other difficulties, especially during the winter months, including challenges driving snowplows and emergency vehicles down the densely packed narrow streets of Lower Manhattan, have also been reported. There has been some oblique "letter of no objection" process, essentially a waiver granted by the Fire Department of the City of New York, that has provided approval for the installation of roadway dining structures on streets with limited width. Allowing structures to be installed that may pose obstacles to firetrucks making tight turns or to the ability of firefighters to raise ladders above these structures is a serious danger to our communities. It would be prudent to protect public safety by ensuring this is no longer permitted.

I remain concerned about the lack of equity in allowing public space to be privatized so that only those who can afford to dine out are permitted to benefit from this giveaway to restaurants and commercial landlords. Sharing the public space in a balanced fashion with reasonable parameters has been a hallmark of our historic downtown communities.

I urge this City Council to consider the many quality of life issues that those residing in heavily commercial districts are faced with as a result of expanding the outdoor dining program, and to engage in a broadened discussion of what creates the best use of public space without requiring New Yorkers to pay the price of admission to use that public space.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

City Council Committees on Consumer & Worker Protection and Transportation & Infrastructure Hearing on Intro 1421 and 1446 November 24, 2025

Good afternoon, Chairs Menin and Brooks-Powers, and thank you for holding this hearing today. I am here representing Brooklyn Borough President Antonio Reynoso. As a member of the City Council, he was the lead sponsor of two bills: one that created the emergency Open Restaurants program, and a precursor to the bill that the Council ultimately passed in 2023 to make that program permanent.

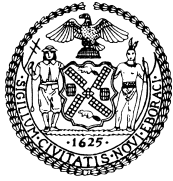
This program has been a lifeline for small restaurants. During the pandemic, it saved approximately 100,000 jobs, allowed for people to interact socially in a safe setting, and generated tax revenue for the city. It has also helped New Yorkers re-imagine what our streets can be, which is why so many New Yorkers share our desire to see the program succeed. Yet due to the seasonal rules that this Council adopted, we've seen the number of open restaurants drop from about 8,000 at the program's peak, to about 2,500 earlier this year, to zero in the winter months.

The seasonal program simply creates too many burdens on small businesses. The cost of purchasing an outdoor dining setup and paying to construct it, only to have to pay again to take it down, and then pay *again* to store it for the off season is too burdensome for many businesses and is the most-cited reason why they are choosing not to participate. Intro 1421 addresses this by allowing open restaurants to operate all year, as was originally intended. This will encourage more creative designs, create more year-round jobs, and encourage the vibrant street life that New Yorkers enjoy.

Intro 1421 also addresses other important issues with the program. It ensures expedited approvals by preventing community boards from requiring extra application materials. The agency-level approval requirements are sufficient to ensure safety, appropriateness, cleanliness, and accessibility. It also expands the number of businesses that can participate by opening the program to grocery and specialty food stores, and by creating an option for businesses that are too small to have their own setup to expand into adjacent business owners' space.

Removing these barriers is in line with the program's original intent to make it as easy as possible for small businesses, immigrant-run businesses, and businesses outside Manhattan to participate without a major cost burden or too much red tape. The proposals in Intro 1446 also support this by addressing the digital divide, expanding access to application information, and making applications easier to submit.

Thank you again for holding this hearing today. Borough President Reynoso looks forward to working with the Council to make this program successful, and to seeing New Yorkers enjoying open restaurants year-round.



The City of New York
Manhattan Community Board 1
Tammy Meltzer CHAIRPERSON | Zach Bommer DISTRICT MANAGER

November 28, 2025

New York City Council
City Hall
New York, NY 10007

Via: testimony@council.nyc.gov

RE: Testimony on Intro 1421, Intro 1444 and Intro 1446

Thank you for the opportunity to submit testimony. Manhattan Community Board 1 strongly opposes Intro 1421 and Intro 1444, and opposes Intro 1446 without changes to address outstanding concerns and current issues.

First, allowing roadway cafés to operate year-round reduces the required distance from cafés to crosswalks from 20 feet to just 8 feet. Yet the bill provides **no clear standards** for how pedestrian clear paths or service aisles must be measured. Already, inconsistent interpretations are eroding space meant for safe pedestrian circulation.

We know that most serious injuries and fatalities occur at intersections, particularly where drivers are turning. The existing 20-foot clearance is designed to protect visibility of pedestrians and cyclists. At the very moment when the City is considering **increasing** corner clearances for safety, and while DOT reviews updated plans for areas like Canal Street and FIDI this bill moves in the opposite direction. Furthermore, No environmental or traffic studies have been provided to show that 8 feet would be safe—for pedestrians, for deliveries, or for preventing double-parking.

We also oppose expanding roadway cafés beyond a business's lot line. Many small restaurants with fewer than 20 seats are not required to provide public bathrooms; allowing them to expand seating outdoors without meeting bathroom requirements is neither practical nor in the public interest. Similarly, giving property owners discretion to approve expansions risks harming neighboring storefront operators who may be renters and have no opportunity for input or notification.

The bill would also newly allow retail food stores and food warehouses—businesses that do not provide public access or bathrooms—to operate roadway cafés. This does not serve the public realm and should be removed entirely.

Our community has learned from experience. National Restaurant Association statistics say it is customary that 80% of restaurants fail within 5 years. Many roadway dining structures have been abandoned, attracting rats, garbage, drug use, homelessness, and general blight. The bill does not provide clear operational standards for winter months, nor workable enforcement mechanisms—especially since DOT currently lacks the staff needed for robust inspection and enforcement.

Intro 1444 would reduce clear pedestrian paths to just 8 feet—even on the city’s busiest regional and global corridors—despite heavy foot traffic in areas like the Financial District, Tribeca, the Civic Center, and major transit hubs. Again here, there is no data or environmental analysis supporting an 8-foot clear path on crowded sidewalks, especially given competing uses like scaffolding, vending, and charging stations that already constrain accessibility for people with strollers, wheelchairs, and delivery carts.

Furthermore, expanding private commercial use of public sidewalks without addressing enforcement, reporting, or public bathroom access, Intro 1444 creates inequitable and unsafe conditions for pedestrians and the broader community.

Finally, CB1 requests that petitioners be allowed to bring additional materials, in order to work on items like SLA stipulations, barring CBs from requesting additional information needed is onerous for both businesses and CB.

Manhattan Community Board 1 appreciates the intent of **Intro 1446** to make outdoor dining permitting more accessible for small businesses, but we are concerned that creating new physical assistance offices would duplicate services already offered by SBS and DOT, lack identified funding, and further burden agencies that are already under-resourced for enforcement, inspections, and timely permit processing. If new resources become available, they would be far better directed toward improving DOT’s application processing capacity and strengthening enforcement of outdoor dining rules. Areas such as clear-path, cleanliness, noise, and safety requirements have taken a back seat and are equally as important as establishing new stand-alone offices dedicated to a single permit type. Should the City pursue expanded in-person applicant support, it should be integrated into existing facilities, and comparable walk-in resources should also be offered to members of the public seeking information or wishing to file complaints about outdoor dining impacts.

In summary, Intro 1421 and 1444 fail to protect pedestrian safety, ignore environmental and operational impacts, burdens our community with quality-of-life problems, and lacks enforceable standards. Intro 1446 is misguided and duplicitous use of funds. For these reasons, **Manhattan Community Board 1 strongly opposes Intro 1421 and 1444 in their entirety and Intro 1446 only with changes.** Thank you.

Sincerely,



Tammy Meltzer
Chairperson



The City of New York
Manhattan Community Board 1

Tammy Meltzer CHAIRPERSON | Zach Bommer DISTRICT MANAGER

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 25, 2025

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: NYC Council Legislation [Intro 1421-2025](#)

WHEREAS: Intro 1421, proposes to allow roadway cafes to operate 12 months of the year (rather than the current 9 months), reduces the required distance between a roadway cafe and the nearest crosswalk from 20 to 8 feet, allows some restaurants to expand their roadway cafe into the roadway in front of an abutting property (with permission from property owners), adds retail food warehouses and food stores to the entities that are allowed to offer roadway dining; and

WHEREAS: Missing from the bill is clarification about the clear path that is required for pedestrians as well as the required service aisle and how to measure it. This information should not be left to interpretations that would reduce the space that is needed for pedestrian circulation; and

WHEREAS: The current 20 foot requirement only applies to intersections where the café would obstruct the visibility of pedestrians and cyclists for vehicles turning from or to an arterial cross street. Since a majority of traffic injuries and fatalities take place at intersections with turning vehicles, DOT Street Design Manual has created tools to improve safety, and there is pending (daylighting) legislation to increase corner clearances in NYC to 20 feet for safety reasons. This dining out bill should not contradict popular goals to enhance public safety; and

WHEREAS: There is no available data or environmental impact study that indicates the reduction of the distance of siting a roadway cafe to the nearest cross walk to 8' is sufficient for safe and unobstructive pedestrian circulations; and

- WHEREAS: There is no available data or environmental impact study that indicates the reduction of the distance of siting a roadway cafe to the nearest cross walk to 8' is sufficient to allow for deliveries for the restaurants or other businesses and ensure unobstructive roadway circulation versus double parked vehicles; and
- WHEREAS: We oppose any extension beyond the building lot lines, this is especially important for restaurants with less than 20 seats, since they are not required to have public bath rooms. Allowing increased seating (so exceeds 20 seats for smaller or beyond the required DOB ratio) without requiring bathrooms would not comply with the requirements for bathrooms nor serve the public good; and
- WHEREAS: We oppose any extension beyond the lot lines of the building, even with the approval of property owners. The neighboring retail spaces may be rented and allowing the property owner to decide on a roadbed dining extensions does not protect the store operators next store, who might not agree; and
- WHEREAS: The addition of retail food stores and food warehouses to the bill adds entities that are not currently required to have public access or public bathrooms would not serve the public or enhance the public realm and should be removed entirely from the bill; and
- WHEREAS: The National Restaurant Association of US recognizes a 30% failure rate as the norm in the restaurant industry with rates higher in NYC¹. Roadway dining installations have been abandoned, leading to garbage, rat infestation, drug use, homeless use, and blight on the neighborhood. The law does not establish strict operational criteria during the winter months nor ways to enforce removals and it is not feasible to assess any types of fines to closed businesses to prevent the recurrence of such quality-of-life issues; and
- WHEREAS: Community Board 1 experiences high levels of Quality of Life issues related to restaurants including rat infestations, garbage and sanitation concerns, as well as difficulties clearing snow from our historic streets in winter. There is concern that year around roadway dining will exacerbate these problems; and
- WHEREAS: The DOT does not have sufficient staffing or time for a robust enforcement program that includes inspections and reports of illegal use. These responsibilities should be implemented before there is an expansion of their duties; and
- WHEREAS: Community Board 1 asks roadbed dining applicants to bring additional materials so that we can reduce the number of times that they need to come to the board for approvals, such as SLA stipulations. Prohibiting additional materials other than the petition would put additional burdens on both the Community Board and the petitioners; and

WHEREAS: During COVID and since that time, many roadway dining installations were abandoned, leading to garbage, rat infestation, drug use, homeless use, and blight on the neighborhood. While the current setups allowed are more movable, this proposed legislation does not establish strict operational criteria during the winter months nor any types of fines that will prevent the recurrence of quality-of-life issues; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 strongly opposes Intro 1421, with all of its provisions and changes.



The City of New York
Manhattan Community Board 1

Tammy Meltzer CHAIRPERSON | Zach Bommer DISTRICT MANAGER

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 25, 2025

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Position on NYC Council Legislation [Intro 1444-2025](#)

WHEREAS: Intro 1444, would further limit the pedestrian clear path to 8 ft and allocate that space to cafes on all sidewalks without any distinction for pedestrian crowding

WHEREAS: The current regulation calls for an 8 ft clear path on 97% of New York City sidewalks. The other 3% are regional and global corridors where the volume of pedestrians is very significant and more space is needed for safe and unobstructed pedestrian circulation; and

WHEREAS: Community Board 1 has a very significant number of regional and global corridors in our district including most of the streets in the Financial District, Tribeca and the Civic Center neighborhoods. Transportation hubs like the Fulton Center and Whitehall terminal and locations including City Hall, the Brooklyn Bridge, and the World Trade Center draw thousands of commuters and tourists. It would be a major step backward for pedestrian safety to further limit clear paths on these 3% of sidewalks; and

WHEREAS: There have been a diversity of competing uses allowed on our sidewalks, further restricting accessibility and clearpath including scaffolding, battery charging stations, and vending. Increased Street vending permits and year round outdoor sidewalk dining will further limit space when more space is needed for safe and unobstructed pedestrian circulations; and

WHEREAS: There is no available data or environmental impact study that indicates the minimal amount of space needed per pedestrian - including with their wheelchairs, strollers, delivery carts, etc. - so reducing the clear path on regional and global corridors to a maximum of 8' is unsupported and likely to be unsafe due to the obstruction of pedestrian circulation; and

WHEREAS: There is not a clear defined method to report clear path violations through 311, the NYC DOT enforcement team will not be able to inspect every complaint within the system, and there is no reporting being required about if eight feet is adequate; and

WHEREAS: Adding more seating to restaurants, the objective of this legislation, needs to be accompanied with requirements or rules regarding a requirement for bathroom access for all patrons, whether dining inside and outdoors, as well as for the public. This is a troubling oversight given the already limited public access in NYC; and

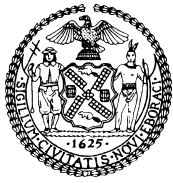
WHEREAS: The expansion of the private usage of public sidewalk space is not equitable if it is for only one industry and excludes opportunities for other types of retail industries and uses, such as gathering areas, while also reducing pedestrian circulation and site lines for other businesses; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 strongly opposes Intro 1444, which would further limit the pedestrian clear path to a maximum of 8 ft.



The City of New York
Manhattan Community Board 1
 Tammy Meltzer CHAIRPERSON | Zach Bommer DISTRICT MANAGER

COMMUNITY BOARD 1 – MANHATTAN
 RESOLUTION

DATE: NOVEMBER 25, 2025

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Position on Intro 1446-2023 Establishing a Physical Application Assistance Office for Outdoor Dining

WHEREAS: Intro 1446 would require the creation of at least one physical location where petitioners for sidewalk and roadway cafés can obtain in-person assistance with completing outdoor dining applications, and would require the Department of Transportation (DOT) and/or the Department of Small Business Services (SBS) to accept and process applications at that site; and

WHEREAS: The intent of simplifying the permitting process for small businesses is laudable, and CB1 recognizes that many small restaurants lack in-house expertise or resources to hire consultants or attorneys. However, it is not clear how this bill would add value since the SBS and DOT already provide assistance and guidance to businesses through existing offices, websites, hotlines, online portals, and multi-permit support centers; and

WHEREAS: Another limitation of the bill is that it does not clearly identify new funding sources for the additional dedicated space, staffing, and translation services that would be mandated; and

WHEREAS: Agencies already report being under-resourced for enforcement, inspections, and timely processing of permits so adding another obligation, and not a clearly needed one seems fiscally unwise; and

WHEREAS: If more resources are available, then rather than focusing on providing additional free support to applicants (restaurants and other eligible businesses), a corresponding walk-in resource should be created for members of the public who want to obtain information, file complaints, or seek redress regarding outdoor dining impacts; and

WHEREAS: CB1 believes that if additional resources are available, they would be better directed to DOT’s processing capacity and field enforcement for the existing outdoor dining program rather than to creating a new layer of physical offices that are dedicated to one specific permit type; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 **does not support Intro 1446-2023** in its current form; and

BE IT

FURTHER

RESOLVED

THAT: CB1 recommends that any funds contemplated for additional physical locations and dedicated staffing instead be allocated to:

- Improving DOT's processing times; and
- Strengthening enforcement of outdoor dining rules, including clear-path, cleanliness, noise, and structural safety requirements; and

BE IT

FURTHER

RESOLVED

THAT: If the City chooses to expand in-person support for business applicants, CB1 urges that:

- Such support be integrated into existing SBS/DOT facilities rather than requiring new stand-alone offices;
- Comparable resources are made available to the public to obtain information on outdoor dining applications and to file complaints.

Valerie De La Rosa, Chair
Eugene Yoo, First Vice Chair
Donna Raftery, Second Vice Chair



Antony Wong, Treasurer
Emma Smith, Secretary
Brian Pape, Assistant Secretary
Mark Diller, District Manager

COMMUNITY BOARD NO. 2, MANHATTAN

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Testimony for
T2025-4511- Oversight - Update Dining Out NYC program
Committee on Consumer and Worker Protection
Jointly with the Committee on Transportation and Infrastructure
New York City Council
November 24, 2025

Good afternoon, Chairs Brooks-Powell and Menin, and members of the Committee on Transportation and Infrastructure and the Committee on Consumer and Worker Protection. I am Valerie De La Rosa, Chair of Manhattan Community Board 2 (CB2), and I am speaking on behalf of the board.

Success of Dining Out NYC in CB2

CB2 has held public hearings for 542 roadway and sidewalk cafes – that is 30% of all outdoor dining cafes in Manhattan and nearly 20% of outdoor dining cafes across all five boroughs. Outdoor dining has been a *resounding* success in CB2. Revocable consent fees are 55% cheaper than before COVID for most of CB2. CB2 has the most sidewalk and roadway cafes across all five boroughs. CB2 had the most sidewalk cafes before COVID, during COVID, and now in Dining Out NYC (DONYC).

What works in the Dining Out NYC Program

Intro No. 1421-2025

Seasonal roadway dining works in CB2

- Year-round roadway dining ends up being used as seasonal storage for the establishment. Seasonal roadway dining is what we want in our neighborhoods, not seasonal storage.
 - Research shows asphalt and pavement surfaces are under intense thermal and structural stress during warmer months: absorbing heat, expanding and contracting, and accelerating fatigue and cracking. In our district, with narrow

streets and heavy outdoor dining use, the removal of roadway cafe structures during the winter months allows for deep cleaning, repairs, emergency-access clearing, and avoids the compounded structural wear from extended use. Simply put: the seasonal pause is a critical infrastructure and safety safeguard.

- Year-round dining rapidly turns into either a building with doors, windows, electricity, heating elements, and generators, or is used for winter storage.

Intro No. 1444-2025 Clear path requirements in the DONYC rules work in CB2

- The clear path requirements in the Dining Out NYC rules **work** in CB2. With narrow streets and sidewalks, off-grid configurations, and the most sidewalk and roadway cafes across all five boroughs, the clear path requirements of 8 feet, 10 feet, and 12 feet are based on good urban planning laid out in the NYC DOT Pedestrian Mobility Plan and work well in our community, which varies from small to busy streets. The model used to calculate the corridor categories for 32,000 streets incorporates eight data sets, including: retail area density, office area density, residential density, restaurant density, parks, school frontages, subway stations, and hospitals.
 - The clear path requirements in the Dining Out NYC rules protect pedestrians, residents, and other businesses and institutions outside of the industry so that we can all get around the city.

Intro No. 1444-2025 Preserve the clear path by removing perimeter demarcation requirement for two-tops

- To preserve the integrity of the current clear path requirements, our board voted to eliminate the requirement of a perimeter demarcation for sidewalk cafes with a single row of two-tops (one table with two chairs) that are directly against and parallel to the building facade. See attached resolution.

Conclusion

In 1.4 square miles, CB2 has 542 outdoor dining cafes – that is twice as many in the entire borough of Queens – and CB2 has 100 less than the in entire borough of Brooklyn which is over 70 square miles in land mass. In closing, CB2 asks that the Council adopt legislation that:

- Preserves the seasonality of roadway cafes;
- Maintains the current Pedestrian Clear Path requirements in the Dining Out NYC rules to ensure that pedestrians can co-exist with sidewalk cafes and be able to safely and comfortably use the sidewalks;
- Removes the requirements of a perimeter demarcation for sidewalk cafes with a single row of two-tops directly against and parallel to the building facade that maintains clear path and ADA requirements;

We stand ready to work with the Council, NYC DOT, operators, and neighborhood stakeholders to ensure the Dining Out NYC program remains a vibrant, safe, and equitable program that is respectful of our community character while promoting a thriving local economy. Thank you for the opportunity to testify.

Respectfully submitted,



Valerie De La Rosa
Chair, Community Board 2, Manhattan

Manhattan Community Board 2
Testimony for the T2025-4511 Oversight - Update Dining Out NYC program
Committee on Consumer and Worker Protection jointly with Committee on Transportation and Infrastructure
November 24, 2025

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Valerie De La Rosa, Chair
Eugene Yoo, First Vice Chair
Donna Raftery, Second Vice Chair



Antony Wong, Treasurer
Emma Smith, Secretary
Brian Pape, Assistant Secretary
Mark Diller, District Manager

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November 21, 2025

Resolution: Exemption of Perimeter Demarcation for Sidewalk Cafes with a Single Row of Two-Tops

Whereas, Manhattan Community Board 2 (CB2) has consistently supported the evolution of the city's outdoor dining program with sidewalk cafes and roadway cafes setups that are appropriately scaled to enhance the streetscape and promote the local economy without compromising pedestrian safety or accessibility;

Whereas, the Dining Out NYC program includes requirements for a perimeter demarcation of sidewalk cafes, regardless of the cafe size, cafe configuration of tables and chairs, or sidewalk width;

Whereas, sidewalk cafes consisting solely of a single row of two-top tables (one table with two chairs) placed directly against and parallel to the building facade, compliant with Americans with Disabilities Act (ADA) and meeting existing clear path requirements, pose minimal obstruction to pedestrian flow and are configurations typical of long-standing, neighborhood-scale dining establishments in Manhattan Community District 2;

Whereas, Manhattan Community District 2 had the highest number of sidewalk cafes in the city during the pre-pandemic sidewalk cafe program, the highest number of sidewalk and roadway cafes in the city during the temporary Open Restaurant Program, and continues to have the highest number of sidewalk and roadway cafes in the Dining Out NYC program;

Resolution: Exemption of Perimeter Demarcation for Sidewalk Cafes with a Single Row of Two-Tops

Testimony for the T2025-4511 Oversight - Update Dining Out NYC program

Committee on Consumer and Worker Protection jointly with Committee on Transportation and Infrastructure

November 24, 2025

Whereas, requiring perimeter demarcations for a minimal configuration of a single row of two-top tables (one table with two chairs) placed directly against and parallel to the building, which meet both ADA and existing clear path requirements, introduces unnecessary clutter and narrows the usable pedestrian clear path, contrary to the program's goals of providing an accessible use of the sidewalk;

Therefore be it resolved, that Manhattan Community Board 2 recommends that the Dining Out NYC program exempt sidewalk cafes consisting solely of a single row of two-top tables (one table with two chairs) placed directly against and parallel to the building facade which meet both ADA and clear path requirements from the perimeter demarcation requirement, provided that all other accessibility and clear path standards outlined in the Dining Out NYC rules are met.

Vote:

Board Members: 30 in favor (W. Benesh, K. Berger, C. Booth, K. Bordonaro, R. Caccappolo, N. Chen, V. De La Rosa, C. Dignes, A. Fernandez, M. Fitzgerald, D. Gruber, J. Kaye, S. Kent, R. Kessler, J. Kiely, J. Liff, B. Listman, P. McDaid, M. Pereira, D. Raftery, L. Rakoff, B. Riccobono, R. Sanz, S. Secunda, E. Siegel, F. Sigel, E. Smith, S. Smith, S. Wittenberg, A. Wong), 8 opposed



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

424 West 33 Street, Suite #580
New York, NY 10001
tel: 212-736-4536
www.nyc.gov/mcb4

JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

November 7, 2025

Hon. Eric Bottcher
New York City Council
224 West 30th St, Suite 1206
New York, NY 10001

Re: Intro 1421 and 1444 on Open Dining

Dear Councilmember Bottcher,

Manhattan Community Board 4 (MCB4) ¹urges you to oppose Intro 1444 and seek and enact crucial modifications to Intro 1421 in order to maintain a sufficiently clear path for pedestrians along sidewalk cafes and safety features when crossing the street.

We oppose Intro 1444, which would further limit the pedestrian clear path to 8 ft and allocate that space to cafes on all sidewalks without any distinction for pedestrian crowding. The current regulation calls for an 8 ft clear path on 97% of New York City sidewalks. The other 3% are regional and global corridors where the volume of pedestrians is very significant and more space is needed for safe and unobstructed pedestrian circulation. Examples in our district include 8th and 9th Avenues, which are used by thousands of commuters to reach the bus terminal and Penn Station. It would be a major step backward for pedestrian safety to further limit clear paths on these 3% of sidewalks. We oppose this Intro.

Intro 1421 proposes to allow roadway cafes to operate 12 months of the year instead of being limited to the current nine months. The present restrictions are very costly and favor larger, well-financed establishments that can store the furniture off-site. In addition, roadway cafes, unlike sidewalk cafes, have no negative impacts on the pedestrian path. The new design guidelines ensure that the furniture is movable and well maintained.

We support this request, provided that critical issues with the program are resolved. They are:

Missing from the bill is a necessary clarification of the clear path for pedestrians and how to measure it. Unwritten interpretations are undermining the space that was intended to be reserved for pedestrians circulation. In particular, the allowances for recesses and their measurements, which were not in the rules, and the conflicts between clear path and clearances ought to be ironed out in favor of pedestrians. We propose that the following language be added:

¹ Manhattan Community Board 4's (MCB4) recommendation is based on a vote at its November 5, 2025 Full Board Meeting with 31 members in favor of the recommendation, 12 members opposing, 2 members abstaining and 0 present but not eligible.

“Clear Path. The term “clear path” means an unobstructed straight-line path on a sidewalk or sidewalk widening for pedestrian circulation

No license or revocable consent or consent shall be granted for a sidewalk cafe that obstructs the pedestrian circulation (clear path) measured as a radius from any point of the cafe boundary to any obstruction surrounding the cafe.”

Another concern emanates from the proposal to reduce clearance from the roadway cafes to the nearest crosswalk to 8 ft from the current 20 ft. The current 20 ft requirement applies selectively to intersections where the café would obstruct the visibility of pedestrians and cyclists for vehicles turning onto the cross arterial. 60% of all injuries and fatalities take place at intersections where a vehicle is turning. 24 council members already support Intro 1138, which would increase all corner clearances in the city to 20 feet for safety reasons. Yet, the dining out bill goes in exactly the opposite direction. We oppose this change.

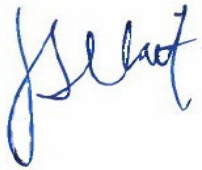
During COVID, many roadway dining installations were abandoned, leading to garbage, rat infestation, drug use, homeless use, and blight on the neighborhood. It is critical that the law includes strict operational criteria during the winter months and fines that will prevent the recurrence of such quality-of-life issues. In addition, a robust enforcement program for all illegal use should be put in place.

Finally, we suggest that every restaurant that includes a sidewalk café or roadway café be compelled to give free access to its bathrooms to the general public as a benefit to the community.

These modifications fly in the face of the city’s efforts to make our streets safer. Now is not the time to make sidewalks narrower or intersections more dangerous.

We ask your help to ensure our suggestions are enacted.

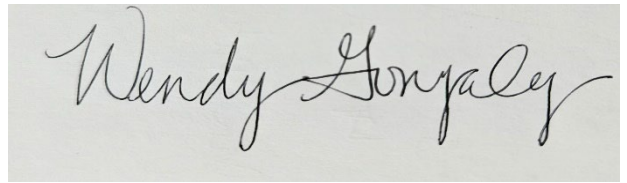
Sincerely,



Jessica Chait
Chair



Frank Holozubiec
Co-Chair
Business License & Permits
Committee



Wendy Gonzalez
Co-Chair
Business License & Permits
Committee

CC: Hon. Lincoln Restler
Hon. Keith Powers



**Testimony of Transportation Alternatives on Outdoor Dining
Joint Hearing of the Committee on Consumer and Worker Protection and
Committee on Transportation and Infrastructure
Monday, November 24, 2025**

Good morning and thank you to Chair Brooks-Powers, Chair Menin, and members of the Committee on Transportation and Infrastructure and the Committee on Consumer and Worker Protection for holding today's joint hearing.

My name is Nina Guidice and I am the Policy Manager at Transportation Alternatives. We're here today to testify in enthusiastic support of year round outdoor dining and Intros 1421 and 1446, both sponsored by Council Member Lincoln Restler. New York deserves a year-round outdoor dining program that works for restaurant owners and patrons — these two bills are a massive step in the right direction, and we hope to see them move forward. Intro 1421 removes seasonal restrictions for roadway cafes, and both 1421 and 1446 make it easier and simpler for businesses to access the outdoor dining program.

Restaurants don't close for the winter, and neither should our outdoor dining. The current program is impossible for small restaurants, who don't have the resources to build new structures each year or store materials during the off-months, and the current application process is too bureaucratic and long to be successful. These two bills can fix that.

We have seen the impact of making the outdoor dining program seasonal and it is brutal. New York City's outdoor dining program [has shrunk by 95% since the pandemic era](#), removing 11,118 restaurants/cafes. After the post-pandemic revamp of the program, banning winter roadway use and raising fees, outdoor dining has concentrated in wealthier areas. [78% of outdoor dining setups are in neighborhoods with median incomes above \\$100,000](#), 8.5% of restaurants with roadway dining are in neighborhoods with median incomes under \$80k, and only 2% of roadway dining is in neighborhoods with incomes under \$60,000. It doesn't have to be this way. With a more streamlined, accessible, and year-round system, New Yorkers in every neighborhood can dine outside — and restaurants in every neighborhood can double their seating space and raise revenues. Higher revenues means it's easier for restaurants to survive a slow January or particularly chilly March — and it also means more money for the City.

We believe in a city and future that puts our shared public curbs to better use than private parking — and reimagining the entire streetscape to be vibrant, accessible and usable for New Yorkers.

New York City is famous worldwide for its restaurants — but without a consistent and stable program, we're limiting them. It's time to pass these bills, and maybe even make it easier to get some of the city's hardest reservations. New York City deserves a permanent, year-round outdoor dining program that works for everyone and the Council has a chance to make it happen.

Downstate New York



Downstate New York
ADAPT
Website: dnyadapt.com

November 26, 2025

Council Member Julie Menin
Chair
New York City Council Committee On Consumer and
Worker Protection

Council Member Selvena N. Brooks-Powers
Chair
New York City Council Committee On Transportation
And Infrastructure

Sent Online at <https://council.nyc.gov/testify/>
Emailed to: testimony@council.nyc.gov

Copy emailed to: Julian Martin, Policy Director at
jmartin@council.nyc.gov

Re: New York City Council Committee On Consumer and
Worker Protection Jointly With The New York City Council
Committee On Transportation And Infrastructure –
T2025-4510 & T2025-4511 - Oversight – Update On
Dining Out NYC Program Hearing Held On Monday,
November 24, 2025

Dear Chair Menin and Chair Brooks-Powers;

Downstate New York ADAPT (DNY ADAPT") is a grassroots non-hierarchical community of people with all types of disabilities advocating for the civil rights of people with disabilities, including, but not limited to, the right to live and fully participate in the larger community. Downstate New York ADAPT covers the five counties in New York City, the two counties on Long Island, Nassau and Suffolk counties, as well as Westchester, Dutchess, Orange, Rockland, Putnam, Ulster and Sullivan counties in New York State.

We submit this testimony to the New York City Council Committee On Consumer and Worker Protection jointly with the New York City Council Committee On Transportation and Infrastructure.

We agree with the testimony provided by Jean Ryan, President of Disabled In Action of Metropolitan New York, Inc. ("DIA") at the public hearing on Monday, November 24, 2025.

A. Outdoor Dining

Int. No. 1421-2025, Int. No. 1444-2025, and Int. No. 1446-2025

With respect to Int. No. 1421-2025, Int. No. 1444-2025, and Int. No. 1446-2025 which deal with outdoor dining, people with disabilities, like so many other New Yorkers, enjoy outdoor dining since it not only gives us the opportunity to enjoy the outdoors while dining but also provides access to some restaurants that either do

not provide access to people with disabilities¹, or provide better access to people with disabilities to restaurants where the interior is not easily accessible. We, like many other disability organizations, support outdoor dining and the streamlining of the review process for licensing provided that the New York City Department of Transportation receives more funding so that it can increase staffing and other resources to ensure that the application and application process for requesting a license to operate these roadway cafes and sidewalk cafes is accessible to people with disabilities; the sidewalk cafes and roadway cafes themselves are accessible to people with disabilities; and such cafes do not block the sidewalk and the pedestrian ramps, also known as curb ramps or curb cuts.

Significantly, Int. No. 1444-2025 only addresses the maximum width but does not address what the minimum width of the clear path needs to be for a sidewalk café. In other words, the proposed legislation does not have a minimum requirement of how wide the clear path next to the sidewalk cafe must be. Thus, there is no guarantee that there will be a sufficiently wide clear path for people who use wheelchairs and other mobility devices to safely travel on the sidewalk adjacent to the sidewalk cafe. The minimum width should be at least sufficiently wide to allow two wheelchairs to safely pass each other on the sidewalk.

¹ Clearly a violation of federal, state, and local laws which require public accommodations, such as restaurants and bars to be accessible to people to disabilities.

We understand that the New York City Department of Transportation's outdoor dining regulation does state minimum clear path distances for sidewalk cafes. The New York City Department of Transportation's outdoor dining regulation has a minimum clear path requirement of at least eight feet, and in certain instances greater than eight feet for sidewalk cafes. The New York City Department of Transportation regulation also takes into consideration various conditions, such as various categories of corridors, which the proposed legislation does not consider.

With respect to Int. No. 1444-2025 concerning proposed legislation that would limit the requirement for sidewalk cafes to leave a clear path on the sidewalk in front of the cafe to no greater than (a maximum requirement) eight feet wide we respectfully submit that this proposed legislation seems to contradict the present minimum clear path requirements set forth in the outdoor dining regulation promulgated by the New York City Department of Transportation which require at a minimum a clear path of eight feet.

Further, unlike the New York City Department of Transportation's outdoor dining regulation, this proposed legislation does not provide any direction as to how these measurements should be taken to ensure a clear, safe pedestrian path next to sidewalk cafes.

Specifically, Int. No. 1446-2025 should require that any website used to apply for a sidewalk or roadway café permit be accessible to people with disabilities. Also, the physical location available to the public for submitting applications needs to be one that is accessible to New Yorkers with disabilities. Additionally, these applications need to be in plain language, and available in several formats such as large print, Braille, as well as available to persons who speak American Sign Language. People with disabilities need to be able to understand and complete these applications to operate a sidewalk cafe and roadway cafe.

In sum, the New York City Department of Transportation's outdoor dining regulation needs to be properly administered and enforced to ensure such dining is accessible, safe, and does not interfere with residents and the general public's quality of life.

B. Sidewalk Maintenance

Int. No. 1320-2025

With respect to Int. No. 1320-2025, cracked, broken and uneven sidewalks are significant, unsafe conditions that can obstruct people with disabilities ability to travel and force us to travel into dangerous roadways. Thus, it is important that sidewalks be maintained and when a sidewalk is cracked, broken, or uneven that the sidewalk be repaired promptly. Thus, we need the Department of Transportation to have more inspectors and better

enforcement of sidewalk maintenance and repairs. We worry that a fine of \$250 may be ineffective in deterring property owners and may be treated as a cost of owning property in New York City, especially since the cost of making a repair probably is a lot more than \$250.

C. Signage

Int. No. 1142-2024

With respect to Int. No. 1142-2024, we understand that parents are concerned about their children safety and that this bill was most likely proposed with the best of intentions-keeping children with autism safe. However, after speaking to others in our community who are parents with children who have autism and adults who have autism, we oppose such proposed legislation since it stigmatizes children with autism and may make them subject to bullying and ostracization. Further, such legislation perpetuates the belief that children with autism and disabilities in general are somehow different from other children. Instead, we would support legislation that reduces vehicular/pedestrian accidents.

Finally, we strongly recommend that the New York City Department of Transportation collaborate with the disability community when it comes up with a plan for streamlining applications, inspecting sidewalk cafes and roadway cafes, and the enforcement of the regulations covering outdoor dining, and sidewalk maintenance.

Thank you for the opportunity to comment on outdoor dining and other issues affecting New Yorkers with disabilities in New York City. If you would like additional information or have any questions, please do not hesitate to contact Downstate New York ADAPT at dnyadapt@gmail.com.

Sincerely,
Co-Coordinator,
Downstate New York ADAPT
Email address: dnyadapt@gmail.com
Telephone number: 631-855-9707



306 Atlantic Ave | Brooklyn NY 11201
www.atlanticavebid.org

November 24, 2025

NYC Council, Committee on Transportation & Infrastructure
Statement on Intro. 1421 - expanding access to roadway and sidewalk cafes

Dear Committee members,

The Atlantic Avenue Business Improvement District (BID) provides direct services and advocacy for businesses and residents in the Atlantic Avenue corridor in the vibrant Brooklyn neighborhoods of Brooklyn Heights, Cobble Hill, Boerum Hill, and Downtown Brooklyn. We thank this bill's sponsor, Councilmember Lincoln Restler, who is our city council representative for our district.

We applaud his proposed reforms, which overhaul a failing framework to restore year-round open dining, allow expanded footprints for small restaurants, and allow businesses like grocery stores and retail food establishments to be eligible to participate. Our district is home to some of NYC's oldest and most beloved legacy food stores, such as Sahadi's and Damascus Bakery, both of which sell substantial prepared foods in addition to groceries. It would be wonderful to enjoy grab-and-go food items from these shops and enjoy them outside.

This summer, members of the City Council heard from one of our board members and small business owner Megan Rickerson of Someday Bar. She laid bare the issues she personally faced in order to be compliant and re-launch her outdoor dining roadway structure. As you know now, she was among the minority of business owners citywide who pursued outdoor dining. The current system is so expensive and convoluted to launch that most businesses did not bother to participate. If the city wants to support small businesses, we must streamline the ability for businesses to grow with outdoor dining.

The consequences of the current program are evident citywide and on Atlantic Avenue. We currently have a mere three outdoor dining spaces, down from 19 before the new requirements—and we are just one small district, in one borough. This bill will keep our independent restaurants here, so we can continue to be the Atlantic Avenue of Fast & Fresh Burrito and El Zason, not Chilis—and keep our Lillo's Cucina and Sottocasa, instead of Olive Garden and Domino's. Thank you for your consideration.

A handwritten signature in cursive script that reads "Kelly Carroll".

Kelly Carroll
Executive Director
Atlantic Avenue BID



Officers

President

Jeremy Lechtzin

Treasurer

Susan Restler

Board of Governors

Raoul Bhavnani

Josh Brant

Jona Briske

Jake Brooks

Spencer Compton

Cathy Garrard

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Jennifer Larusso-Leung

Christopher Lawrence

Jeremy Lechtzin

John MacIntosh

Betsy Mallow

Cynthia McLaughlin

Jane Platt

Susan Restler

David Solomito

Jordan Tamagni

Laura Trevelyan

Koren Volk

Executive Director

Lara Birnback

Deputy Director

Kim Glickman

Membership Director

Katherine Davis

November 20, 2025

To the Members of the New York City Council Committee on Transportation and Infrastructure:

On behalf of the Brooklyn Heights Association, I am writing to offer our strong support of Intro 1421 & Intro 1446 which will expand access to roadway and sidewalk cafes, remove seasonal limitations and improve the application process.

In the years following COVID, outdoor dining was a lifeline for restaurants in Brooklyn Heights and throughout New York City. Roadway and sidewalk cafes helped our local businesses stabilize operations, serve more guests, and generate much-needed revenue at a time when rents, labor, and supply costs continued to rise. The program's permanency was welcomed by our community, but certain regulations adopted since then have unintentionally limited its success. These two bills offer thoughtful course corrections to ensure that restaurants can once again benefit from a system that proved vital to their survival.

In Brooklyn Heights, outdoor dining has been extremely popular, and in many cases is utilized all year around – even in the colder months. Eliminating seasonal restrictions will meaningfully reduce the financial and logistical burden associated with repeatedly assembling and dismantling outdoor structures. It will also enable restaurants to maintain vibrant, welcoming spaces year-round, benefiting both businesses and the public realm. In addition, permitting cafes to request expanded frontage—particularly in areas not actively used during dining hours—will allow operators to maximize space efficiently while contributing to a more inviting and active streetscape.

Finally, modernizing the application process is essential. Requiring the Department of Transportation to support both online and in-person applications, along with the ability to save and return to an application, will streamline the process and make compliance more accessible, especially for small business owners who often lack administrative resources.

I urge you to support these reasonable and much-needed bills. Strengthening the outdoor dining framework will help our hospitality industry remain resilient and competitive in an environment of rising operating costs. Thank you for your consideration.

**TO: Committee on Transportation and Infrastructure
Selvena N. Brooks-Powers, Chair**
RE: Intro 1444, Hearing November 24, 2025, Written Testimony
FROM: Lo van der Valk, President, Carnegie Hill Neighbors

I am testifying regarding Intro 1444 and on behalf of Carnegie Hill Neighbors, a preservation and quality of life organization founded in 1970 covering a catchment area in Manhattan from 86th to 98th Streets and from Fifth Avenue to, but not including, Third Avenue.

We are supportive of what the bill provides, but with special provisions added for corner restaurants (as per below): We are sympathetic to the goal of the proposed bill that would provide a uniform 8-foot unobstructed pedestrian passageway measured from the curb (or authorized street furniture positioned near the curb) to the table area. This would provide an obstruction free zone to permit safe pedestrian traffic. And further that regardless of other provisions that might apply, this 8-foot rule will take precedence.

However, we are most concerned about enforcement, especially at the corners: We want this 8-foot rule for a free passageway to be truly observed by the restaurant and its clients. So often we see that 8-foot passageway being encroached upon. This is particularly, though not exclusively, the case of outdoor dining spaces at corners where streets intersect with the avenues and street furniture exists.

We suggest that the bill provide for special treatment for corner spaces: Corners are especially troublesome because they contain traffics signs and light poles that are clear obstructions (especially for people requiring walkers and for people with baby carriages). On the other hand, the situation is also confusing for the restaurant operators who are not always clear on how the permitted distances are measured and defined.

Our suggestion is that for corner outdoor dining the 8-foot demarcation be clearly shown by painted lines, drawn up by the appropriate city agency. These lines should be clearly visible, maybe about 3 inches wide and in using clearly visible colors such as white, orange or yellow.

Requiring only corner establishments to follow this protocol has several advantages. First, it will be easier to implement. For example, for Madison Avenue between 86th and 98th Streets, we believe only four such corner outdoor dining facilities currently exist. Second, focusing on the corners is efficient, because that is where the greatest congestion occurs.

A second suggestion involves allowing exceptions to the 8-foot rule: For cases where the 8-foot rule pose insurmountable problems for restaurant operators, consideration should be given to accommodate. However, consideration should be given to make such accommodation acceptable to the community. Three points come to mind: (1) approving such exceptions should best involve community board approval; (2) there should be a limit to the degree of exception given, say no more than 6 feet, so in effect we get a 6-foot rule; and (3) the new lines drawn in the case of exceptions should be distinguishable; for example, instead of a solid demarcation line, we would require a dashed line.

Conclusion: If these protocols are followed it will eliminate a lot of confusion and increase compliance. We feel that people (pedestrians and restaurant operators alike) want to do the right thing, and we feel providing these literal guidelines will be of great assistance in assuring compliance.

Thank you for your consideration.

CITY COUNCIL HEARING - November 24, 2025 - 10 a.m.
INTRO 1421 and 1444 COMMITTEE ON CONSUMER AND WORKER PROTECTION
JOINTLY WITH TRANSPORTATION AND INFRASTRUCTURE

My name is Kathy Arntzen and I am the Chair of the Central Village Block Association, which covers the area from 6th to 7th Avenues between Bleecker and West 4th Streets. These are narrow streets with safety and quality of life concerns that need to be addressed. We are troubled by Intro 1421 and 1444. They leave out the important issues of the people who live here and the problems that they face.

The Village always had outdoor dining before the pandemic and we supported our local restaurants but this ONE SIZE FITS ALL program does not reasonably work for our neighborhoods.

Prior to the pandemic, Community District 2 had 186 sidewalk cafes - the greatest number for any district in the city. During the pandemic, sheds and sidewalk cafes rose to 954 - again more than any other district in the city.

The present legislation seemed like an ok compromise was reached. Are we going backwards, giving total control to private use of public space once again?

Intro 1421...Year round outdoor dining would once again increase trash, prevent cleaning of streets and bring back many other issues which are somewhat under control now. Many sheds are unoccupied in the cold weather and become shelters for homeless persons.

Allowing restaurants to occupy more than their frontage and allowing grocery stores to occupy sidewalk space in front of their business is just being greedy. This space is necessary for pedestrians, deliveries and other needs. Especially on our narrow streets. As it is pedestrians are sometimes forced to walk in the street, which is extremely dangerous due to bikes, ubers, delivery trucks and other vehicles.

When did pedestrians get put to the bottom of the list?

Intro 1444...Reducing the pedestrian clear path to just 8 feet would create impossible quality of life issues on our narrow streets. Pedestrians, residents, people with disabilities using wheelchairs, walkers and canes, parents and babysitters with strollers, dog walkers and tourists should be respected and considered.

Patrons of restaurants on our narrow streets block the sidewalk and the clear path before and after their meal and create added noise for anyone living above or next to the restaurant. And if there is a shed as well then sidewalk is virtually blocked - forcing pedestrians onto the street.

CVBA opposes these proposals. This one size fits all program and these bills will not work for our neighborhoods in Greenwich Village.

Thank you.

Committee on Transportation and Infrastructure Hearing on November 24, 2025, at 10AM

Committee on Transportation and Infrastructure,

My name is Anna Humphrey, and I am the Transportation and Voting Community Organizer for the Center for Independence of the Disabled, New York (CIDNY). Thank you for the opportunity to submit testimony on this proposed legislation.

Int. 1142: Installing child with autism warning plaques on streets.

This legislation is simple and aligned with NYC families' safety and privacy. However, the key word is request. No outside entity or third party decides whether a sign goes up. The decision must rest solely with the parent or legal guardian. That matters because families know their environment, their child's needs, and the risks better than anyone else.

Children on the autism spectrum may have different responses to danger, sudden movements, elopement behavior, or sensory overwhelm. A child stepping into the street unexpectedly can turn tragic if drivers are unaware or unprepared. These plaques give drivers a cue to slow down, to look up, and to understand they are moving through a space where a child may not be able to respond in the ways drivers expect.

This bill respects privacy by requiring proof of diagnosis only at the time of request, and it ensures signs are removed promptly and appropriately when no longer needed. It creates a clear process and timeline within DOT to make sure families aren't ignored or stuck in procedural waiting mode.

For children who already face significant barriers navigating the world safely, this small action from the City can make a large difference. CIDNY urges the Council to move Int. 1142 forward. Thank you.

Int. 1320: Imposition of civil penalties on property owners who fail to repair sidewalk defects.

We also want to voice support for this legislation which strengthens enforcement against property owners who fail to repair dangerous sidewalks.

Unsafe sidewalks are not just inconvenient; they are barriers to public sidewalk access. They prevent older adults, wheelchair users, parents pushing strollers, delivery workers, and pedestrians with low vision or mobility disabilities from moving through their own communities safely. This bill helps ensure that sidewalks are maintained in a timely

manner so that New Yorkers are not forced into the street, injured, or denied access because of broken infrastructure.

However, as we move this forward, there should be attention to equity and hardship. If a homeowner is low-income, elderly, disabled, or simply unable to afford immediate repairs, penalties alone may not solve the problem.

To strengthen this bill, I urge the Council to consider:

- A hardship-based grace period for low-income homeowners who can demonstrate financial need, and/or
- Coordination with the Accessible Streets Program to prioritize repairs in areas with high pedestrian use and high accessibility needs.

The goal should be compliance and safe sidewalks, not punitive fees for people who truly cannot afford repairs. With an equity and prioritization amendment, this bill can protect pedestrians while also protecting vulnerable homeowners from unintended harm.

Thank you again for the opportunity to testify.



November 23, 2025

[Via testimony upload portal](#)

New York City Council
Committee on Transportation and Infrastructure
250 Broadway
New York, NY 10007

Re: Intro 1421

Chairperson and Members of the Committee,

My name is Susan Palmer Marshall, and I am the President of the Council of Chelsea Block Associations (CCBA), representing 18 block and tenant associations across Chelsea. I appreciate the opportunity to submit testimony regarding **Intro 1421**, a bill that proposes major changes to the outdoor dining program — changes that will have serious consequences for quality of life, public space management, and community trust.

1. Lack of Transparency and Public Engagement

Before addressing the substance of the bill, I must highlight a procedural concern. When Manhattan Community Board 4 discussed Intro 1421 at its October Business License & Permits Committee meeting, the item was introduced under “new business,” without appearing on the published agenda. Residents received **no notice**, despite the presence of the Hospitality Alliance’s attorney presenting in favor of the legislation.

This is deeply problematic. Outdoor dining was shaped through years of intense community participation. These new changes — far broader in scope — were advanced without basic transparency. Our communities deserve better than to be sidelined on an issue that so directly affects their daily lives.

2. Intro 1421 Represents a Major Expansion Not Yet Proven to Work

The permanent outdoor dining rules have been in effect for **less than a year**, and already we are being asked to expand eligibility to:

- Grocery stores
- Butchers
- Bakeries
- Delis
- Any “retail food establishment”

This is a **fundamental shift** away from the original intent of the program, which was designed to help restaurants recover during and after the pandemic.

We do not yet have a full evaluation of how the current system is functioning. Expanding it now — and to an entirely new category of businesses — is premature.

3. Enforcement Failures Remain Unresolved

This bill assumes that expanding uses will succeed if paired with “more and better enforcement.” But this is not the reality on the ground.

Residents have documented:

- Persistent **late-night noise** from roadway cafés
- **Sidewalk blockages** forcing seniors, people with disabilities, and families with strollers into the street
- **Roadway sheds that exceed their legal footprint**
- Lack of coordination between enforcement agencies

As Viren Brahmhatt’s analysis points out in *The Medium* (<https://tinyurl.com/s9ze6bj9>), we already have a significant mismatch between the number of installations and the City’s enforcement capacity. During COVID, applications surged from **1,200 to 14,000** and have now settled around **1,400** under the new program. Scaling up again — without addressing basic compliance problems — is simply not responsible governance.

4. A Troubling Shift in the Use of Public Space

Public space is a shared resource. Intro 1421 increases the privatization of sidewalks and streets without demonstrating:

- a commensurate public benefit,
- adequate mitigation of negative impacts, or
- meaningful community consultation.

Retail food establishments — unlike restaurants — frequently have high traffic, self-service models that generate noise, lines, and waste. The bill does not address how these impacts will be managed.

If the Council expands eligibility this broadly, the program risks becoming a **free-for-all**, untethered from its original purpose.

5. CCBA's Position

CCBA does *not* take a position on whether outdoor dining should operate for **9 months or 12 months**. We understand that reasonable people differ on that question.

Our objection is that **Intro 1421 goes far beyond the length of the season**. It recasts the entire program, without evaluation, without consultation, and without addressing the substantial quality-of-life issues residents are already experiencing.

6. What We Are Asking

We respectfully request that the Committee:

1. **Pause advancement of Intro 1421** until meaningful community engagement has occurred in all affected districts.
2. **Require an impact assessment** of the permanent outdoor dining program as currently structured — including enforcement metrics, noise complaints, disability access impacts, and public space usage.
3. **Maintain the original intent** of the outdoor dining program by keeping eligibility limited to businesses whose primary activity is seated dining.

Thank you for your consideration and for including resident voices in this process.

Respectfully submitted,



Susan Palmer Marshall
President, Council of Chelsea Block Associations (CCBA)

cc: State Senator Brad Hoylman-Sigal
Adrienne Adams, Speaker, New York City Council
Council Member Erik Bottcher
Jessica Chait, Chair, MCB4
Jesse Bodine, District Manager, MCB4
Christine Berthet, Co-Chair, Transportation Planning, MCB4
Jesse Greenwald, Co-Chair, Transportation Planning, MCB4
Frank M. Holozubiec, Co-Chair, Business, Licenses & Permits, MCB4
Wendy Gonzalez, Co-Chair, Business, Licenses & Permits, MCB4

Downstate New York



Downstate New York
ADAPT
Website: dnyadapt.com

November 26, 2025

Council Member Julie Menin
Chair
New York City Council Committee On Consumer and
Worker Protection

Council Member Selvena N. Brooks-Powers
Chair
New York City Council Committee On Transportation
And Infrastructure

Sent Online at <https://council.nyc.gov/testify/>
Emailed to: testimony@council.nyc.gov

Copy emailed to: Julian Martin, Policy Director at
jmartin@council.nyc.gov

Re: New York City Council Committee On Consumer and
Worker Protection Jointly With The New York City Council
Committee On Transportation And Infrastructure –
T2025-4510 & T2025-4511 - Oversight – Update On
Dining Out NYC Program Hearing Held On Monday,
November 24, 2025

Dear Chair Menin and Chair Brooks-Powers;

Downstate New York ADAPT (DNY ADAPT") is a grassroots non-hierarchical community of people with all types of disabilities advocating for the civil rights of people with disabilities, including, but not limited to, the right to live and fully participate in the larger community. Downstate New York ADAPT covers the five counties in New York City, the two counties on Long Island, Nassau and Suffolk counties, as well as Westchester, Dutchess, Orange, Rockland, Putnam, Ulster and Sullivan counties in New York State.

We submit this testimony to the New York City Council Committee On Consumer and Worker Protection jointly with the New York City Council Committee On Transportation and Infrastructure.

We agree with the testimony provided by Jean Ryan, President of Disabled In Action of Metropolitan New York, Inc. ("DIA") at the public hearing on Monday, November 24, 2025.

A. Outdoor Dining

Int. No. 1421-2025, Int. No. 1444-2025, and Int. No. 1446-2025

With respect to Int. No. 1421-2025, Int. No. 1444-2025, and Int. No. 1446-2025 which deal with outdoor dining, people with disabilities, like so many other New Yorkers, enjoy outdoor dining since it not only gives us the opportunity to enjoy the outdoors while dining but also provides access to some restaurants that either do

not provide access to people with disabilities¹, or provide better access to people with disabilities to restaurants where the interior is not easily accessible. We, like many other disability organizations, support outdoor dining and the streamlining of the review process for licensing provided that the New York City Department of Transportation receives more funding so that it can increase staffing and other resources to ensure that the application and application process for requesting a license to operate these roadway cafes and sidewalk cafes is accessible to people with disabilities; the sidewalk cafes and roadway cafes themselves are accessible to people with disabilities; and such cafes do not block the sidewalk and the pedestrian ramps, also known as curb ramps or curb cuts.

Significantly, Int. No. 1444-2025 only addresses the maximum width but does not address what the minimum width of the clear path needs to be for a sidewalk café. In other words, the proposed legislation does not have a minimum requirement of how wide the clear path next to the sidewalk cafe must be. Thus, there is no guarantee that there will be a sufficiently wide clear path for people who use wheelchairs and other mobility devices to safely travel on the sidewalk adjacent to the sidewalk cafe. The minimum width should be at least sufficiently wide to allow two wheelchairs to safely pass each other on the sidewalk.

¹ Clearly a violation of federal, state, and local laws which require public accommodations, such as restaurants and bars to be accessible to people to disabilities.

We understand that the New York City Department of Transportation's outdoor dining regulation does state minimum clear path distances for sidewalk cafes. The New York City Department of Transportation's outdoor dining regulation has a minimum clear path requirement of at least eight feet, and in certain instances greater than eight feet for sidewalk cafes. The New York City Department of Transportation regulation also takes into consideration various conditions, such as various categories of corridors, which the proposed legislation does not consider.

With respect to Int. No. 1444-2025 concerning proposed legislation that would limit the requirement for sidewalk cafes to leave a clear path on the sidewalk in front of the cafe to no greater than (a maximum requirement) eight feet wide we respectfully submit that this proposed legislation seems to contradict the present minimum clear path requirements set forth in the outdoor dining regulation promulgated by the New York City Department of Transportation which require at a minimum a clear path of eight feet.

Further, unlike the New York City Department of Transportation's outdoor dining regulation, this proposed legislation does not provide any direction as to how these measurements should be taken to ensure a clear, safe pedestrian path next to sidewalk cafes.

Specifically, Int. No. 1446-2025 should require that any website used to apply for a sidewalk or roadway café permit be accessible to people with disabilities. Also, the physical location available to the public for submitting applications needs to be one that is accessible to New Yorkers with disabilities. Additionally, these applications need to be in plain language, and available in several formats such as large print, Braille, as well as available to persons who speak American Sign Language. People with disabilities need to be able to understand and complete these applications to operate a sidewalk cafe and roadway cafe.

In sum, the New York City Department of Transportation's outdoor dining regulation needs to be properly administered and enforced to ensure such dining is accessible, safe, and does not interfere with residents and the general public's quality of life.

B. Sidewalk Maintenance

Int. No. 1320-2025

With respect to Int. No. 1320-2025, cracked, broken and uneven sidewalks are significant, unsafe conditions that can obstruct people with disabilities ability to travel and force us to travel into dangerous roadways. Thus, it is important that sidewalks be maintained and when a sidewalk is cracked, broken, or uneven that the sidewalk be repaired promptly. Thus, we need the Department of Transportation to have more inspectors and better

enforcement of sidewalk maintenance and repairs. We worry that a fine of \$250 may be ineffective in deterring property owners and may be treated as a cost of owning property in New York City, especially since the cost of making a repair probably is a lot more than \$250.

C. Signage

Int. No. 1142-2024

With respect to Int. No. 1142-2024, we understand that parents are concerned about their children safety and that this bill was most likely proposed with the best of intentions-keeping children with autism safe. However, after speaking to others in our community who are parents with children who have autism and adults who have autism, we oppose such proposed legislation since it stigmatizes children with autism and may make them subject to bullying and ostracization. Further, such legislation perpetuates the belief that children with autism and disabilities in general are somehow different from other children. Instead, we would support legislation that reduces vehicular/pedestrian accidents.

Finally, we strongly recommend that the New York City Department of Transportation collaborate with the disability community when it comes up with a plan for streamlining applications, inspecting sidewalk cafes and roadway cafes, and the enforcement of the regulations covering outdoor dining, and sidewalk maintenance.

Thank you for the opportunity to comment on outdoor dining and other issues affecting New Yorkers with disabilities in New York City. If you would like additional information or have any questions, please do not hesitate to contact Downstate New York ADAPT at dnyadapt@gmail.com.

Sincerely,
Co-Coordinator,
Downstate New York ADAPT
Email address: dnyadapt@gmail.com
Telephone number: 631-855-9707

On Behalf of the London Terrace Tenants Association: We Are Against the Intro 1421 Legislation

My name is Michelle Spinner. I am a 41-year resident of Chelsea and Vice President of the London Terrace Tenants Association (the “LTTA”). I speak on behalf of the LTTA when I say we are against Intro 1421.

Outdoor dining is a highly visible use of public space with daily impacts on accessibility, noise, safety, street cleanliness, and neighborhood character. Decisions regarding our public spaces must be grounded in robust community engagement, not rushed through without adequate public participation, as has been the case here.

The proposed legislation expands on the new outdoor dining rules (which have been in effect for less than a year) and thus would potentially worsen already thorny problems. For instance,

- Noise complaints remain frequent in areas where late-night operations disrupt residents’ ability to rest and sleep.
- Sidewalk congestion—particularly affecting seniors, people with disabilities, and parents with strollers—continues to push pedestrians into the street.
- While more and better enforcement has been repeatedly promised, oversight remains limited, and it is unclear how an expanded program would be effectively monitored.

Intro 1421 promotes commercial expansion at the direct expense of pedestrians, safe intersections, accessible sidewalks, and the integrity of public space, not to mention a good night’s sleep!

New York is a city of walkers! We deserve a pedestrian-first public realm.

I repeat: the LTTA is against Intro 1421.

Thank you for the opportunity to speak.

To Whom it may concern,

We lost the battle for the outdoor sheds on our narrow residential block of Bedford Street in the West Village. The fire department issued waivers and put our lives in jeopardy. The residents who live here deal with many quality-of-life issues. We deal with noise permeating our homes. We deal with garbage in our streets, we deal with rats, yes rats that are even worse because of outdoor dining. The only relief we get is from December 1st to April when the sheds come down. During this time our streets can get properly cleaned, which means less rats. We can enjoy some peace and quiet in our homes.

The fact that you are considering year round sheds again is preposterous. Can someone PLEASE think of the residents for a change. WE LIVE HERE.

Please do not put this bill into place for year-round dining.

Sincerely,

Mary Ann Pizza
Bedford Street
maryann.pizza@gmail.com



November 24, 2025

**Comments of Nelson Eusebio
Director of Government Affairs
National Supermarket Association (NSA)**

Regarding

Outdoor Dining, Int 1421

The National Supermarket Association (NSA) is a trade association that represents the interest of independent supermarket owners in New York and other urban cities throughout the East coast, Mid-Atlantic region, and Florida. In the five boroughs alone, we represent over 400 stores that employ over 15,000 New Yorkers. Our members work hard every day to run their businesses, support their families and provide jobs, healthy food, and full service supermarkets to their communities. Most of our members are of Hispanic descent and operate locations in underserved neighborhoods that have been abandoned by large chain stores.

The NSA supports the outdoor dining program and Int 1421, which would expand the City's outdoor dining program by allowing grocery stores to apply for sidewalk cafe licenses, removing seasonal restrictions on roadway cafes, and streamlining the application process. Some of our member stores already operate sidewalk cafes successfully, and we support allowing others to do the same.

This legislation represents an important opportunity for grocery stores to better serve their communities. Many of our members offer prepared foods, hot meals, and grab-and-go options. By allowing sidewalk and outdoor cafe operations, this bill allows grocery stores to provide a convenient and enjoyable space for customers to dine and engage with their neighborhoods.

Outdoor dining areas in front of grocery stores can create a sense of neighborhood vibrancy, encouraging foot traffic that benefits both cafe operations. Streamlined licensing and seasonal flexibility reduce bureaucratic hurdles, making it easier for smaller operators to participate and provide new services to their communities. Additionally, outdoor dining aligns with initiatives to provide convenient access to fresh, healthy foods.

For these reasons, the NSA urges the Council to pass Int 1421. By expanding outdoor dining opportunities to include grocery stores, this legislation helps local businesses meet customer needs, support economic growth, and strengthen the vibrancy of New York City neighborhoods.

Thank you for the consideration of this testimony.

Neighbors on Canal

坚尼街邻居

We are Neighbors on Canal - a neighborhood group that was formed in 2024 in direct response to the chaos caused by the disastrous expansion of the outdoor dining program in our area of the LES / Chinatown in Manhattan. Our area saw total disorder and havoc due to the complete lack of oversight and guidance from the city and the failure of DOT to enforce their own outdoor dining rules. This program needs careful consideration and strategic rulemaking, not irresponsible expansion.

Ms Menin's bills are one-sided, heavily prioritizing business needs over residents. **We need our city council to create balance and harmony between business and residents needs - not exacerbate them.**

We urge the city council to vote NO on Items 4, 7, and 8.

NO on Intro 1421-2025 – we do not need year round dining. The dining sheds are an eyesore, attract vermin, and attract public urination. Our neighborhood in the LES/Chinatown only has the respite of winter for our residents to enjoy the right of quiet enjoyment in their own homes.

NO on Intro 1444-2025 - our neighborhood is home to many elderly and wheelchair users. They are already denied accessible sidewalks due to the excessive amount seating put out (often illegally) by bars & restaurants. Seating guidelines and rules are rarely, if ever, enforced.

NO on Intro 1446-2025 - Please only approve this item if the same office will offer residents ways to report violations and complaints backed by enforcement. In the warm weather, our neighborhood sees near daily violations, zero enforcement, and no way of getting the businesses to comply - residents need help just as much as businesses - do not allow these bills to be passed with their one sided intentions!

www.neighborsoncanal.com
neighborsoncanal@gmail.com



November 24, 2025

**Testimony of Sandra Jaquez
New York State Latino Restaurant Bar & Lounge Association (NYSLRBLA)**

Before the

New York City Council Committees on Consumer & Worker Protection and Transportation & Infrastructure

Regarding

Ints 1421, 1444, 1446

Good morning Chair Menin, Chair Brooks-Powers, and other Committee members. Thank you for setting up this hearing and giving me the opportunity to speak today. My name is Sandra Jaquez and I am President of the New York State Latino Restaurant Bar and Lounge Association.

Our members have poured their lives, savings, and energy into the neighborhoods they serve. Outdoor dining has played a critical role in our post pandemic recovery and it continues to be essential for meeting our customer demand. This is especially true now, as many establishments are battling rising rents and utility costs making it harder for restaurants to survive.

Today's package of bills takes meaningful steps to ensure that outdoor dining remains accessible, affordable, and workable for the small businesses that depend on it.

For starters, Int 1421 modernizes and expands the outdoor dining program. This bill will allow more retailers, especially small restaurants with limited frontage, to participate. Int 1421 also gives these businesses the flexibility they need to obtain public space, attract customers, and create vibrant, welcoming spaces that keep our neighborhoods lively year-round. Removing the seasonal roadway restriction is especially critical. For many small family-owned and operated restaurants, tearing down and storing outdoor setups every winter is costly and overly

burdensome. Year-round flexibility lets us meet strong customer preference for outdoor seating while stabilizing our revenue for outdoor dining.

Next, Int 1444 delivers a practical and long-overdue fix to the current sidewalk-clearance rules. An 8-foot clear path requirement will keep sidewalks safe and accessible for pedestrians. Simultaneously, the 8-foot requirement provides restaurants with enough functional space they need to operate outdoor dining areas (especially on narrower streets of Brooklyn and the Bronx where many minority-owned restaurants are concentrated).

Finally, Int 1446 removes one of the most significant barriers our members face: an overly complicated and burdensome application process. Providing both in-person and online options, and enabling restaurants to save and return to partially completed applications, offers much-needed flexibility and will significantly ease compliance.

Outdoor dining is not just a convenience, it is an economic lifeline for Latino and minority-owned restaurants across New York City. Together, these bills expand access, reduce red tape, and create a program that works for the restaurants that need it most. We urge the Council to pass these bills and continue working with small businesses to build a permanent, affordable, and inclusive outdoor dining program that keeps our neighborhoods vibrant.

Thank you for your time and consideration.

November 24, 2025

Comments of the NYC Hospitality Alliance to the NYC Council’s Committee on Transportation and Infrastructure and the Committee on Consumer and Worker Protection on Int. Nos. 1421, 1444, and 1446

The NYC Hospitality Alliance, representing thousands of restaurants, bars, and nightclubs across the five boroughs, submits this testimony in support of Int. Nos. 1421, 1444, and 1446 to improve the Dining Out NYC program.

We have long advocated for outdoor dining reform. The 1970s-era sidewalk café law was outdated, restrictive, and expensive. During the pandemic, we worked with the City Council and two mayoral administrations to create the temporary outdoor dining program that saved thousands of small businesses and over 100,000 jobs. It was also beloved by countless New Yorkers and visitors during such a difficult time.

The new Dining Out NYC system was meant to build on that success—expanding access and simplifying participation for restaurants—but in many ways, the program has fallen short of many people’s hopes and expectations. Before the pandemic, about **1,400 restaurants** were licensed under the old restrictive sidewalk café program, mostly located south of 96th Street in Manhattan. Then during the pandemic under the Open Restaurants program, nearly **13,000 businesses** registered citywide in neighborhoods across the Bronx, Queens, Brooklyn, Staten Island, and upper Manhattan. Finally, because the city cut red tape and fees, outdoor dining was made accessible and equitably distributed to small businesses and workers across countless neighborhoods. New Yorkers could dine alfresco in their own communities and attract visitors seeking a great meal.

Under the new **Dining Out NYC** program, it is difficult to obtain precise data on restaurant participation. We estimate that **fewer than 3,000 restaurants** currently offer outdoor dining, with most concentrated again in lower Manhattan. The majority are still operating under **conditional approval from the Department of Transportation (DOT)**, meaning this number is likely to decline further as more applications are denied or withdrawn due to high costs and other barriers. Based on current trends, we may end up with **fewer than 2,500 restaurants** participating—representing an **approximately 80% reduction** in outdoor dining establishments.

This dramatic decline underscores how the **diverse small businesses** that powered the pandemic-era outdoor dining expansion are once again being **left behind by the City of New York**. The City has failed to deliver the **small-business-friendly** outdoor dining program it promised.

This is why the NYC Hospitality Alliance supports the following bills to create a better outdoor dining program so it can live up to its hope and expectations!

Int. 1421 would make roadway dining **year-round**—a crucial fix. Seasonal roadway dining simply doesn't work for too many restaurants: setup, breakdown, and storage costs make it unviable for many small operators.

Int. 1444 restores the **8-foot clear-path standard** for sidewalk cafés, which worked for decades pre-pandemic and was endorsed by DOT during the temporary program. The current, more complicated standard has cut seating and revenue, customer capacity, and jobs and worker pay. The proposed 8-foot standard is clear, fair, and consistent with best practices—San Francisco, for example, recently adopted a 6-foot clearance standard, at a minimum New York City must restore 8 feet.

Int. 1446 improves **accessibility and equity** by allowing businesses to submit paper applications in person and by requiring a “save your work” feature on the online portal—vital for many small businesses and for those owners who are not be technically savvy.

Additional proposed tweaks like streamlining community board review and allowing use of adjacent roadway cafe frontage will further help small businesses generate revenue and create jobs.

In addition to the bills before the Council today, **further outdoor dining reforms are urgently needed**. The City should allow **sidewalk café enclosures especially during cooler months** to help restaurants sustain sales, preserve worker hours and income, and provide comfortable seating for New Yorkers and visitors year-round. Restaurants pay for **annual sidewalk café licenses**, so they should be able to operate year-round.

Moreover, the requirement that restaurants obtain a **revocable consent** for outdoor dining should be **eliminated**. This mandate adds significant costs and delays—often months—to the application process. Since the City Council originally added this requirement to the law, it has the authority to remove it now and make the system more efficient, affordable, and accessible for small businesses.

The outdoor dining fees paid to the City should also be permitted to be paid in installments. The DOT's requirement that all fees be paid in a single lump sum imposes a financial burden on many and may be cost-prohibitive for others, creating additional barriers for restaurants seeking to participate.

Outdoor dining remains overwhelmingly popular with New Yorkers. It supports thousands of jobs, strengthens neighborhoods, and enhances our city's vibrancy. We thank Chairs Julie Menin and Brooks-Powers for holding this hearing, and Council Members Powers and Restler for their leadership and urge swift passage of these practical, small business-friendly reforms.

Thank you for your consideration. If you have comments or questions please contact our executive director, Andrew Rigie, at arigie@thenycalliance.org or 212-582-2506.

Testimony on 11/24/25 Committee on Transportation and Infrastructure & Consumer and Worker Protection Joint Hearing

Open Plans writes today in regard to the joint hearing of the Committees on Transportation and Infrastructure & Consumer and Worker Protection on 11/24/25. At Open Plans, we have long advocated for an outdoor dining program that makes our streets as vibrant as possible. Ints. 1421 and 1446 make great progress towards that goal.

Over the past five years, **outdoor dining has proven to be a boon to local restaurants across New York City**. During the temporary program, an estimated 12,500 restaurants participated, which [resulted in](#) almost 12,000 new jobs and over \$370 million in total annual wages; the program helped keep many businesses afloat during unprecedented times. In addition to the economic benefits they provide, they also serve as a crucial point of connection and liveliness on our streets.

However, now that the program has been codified and made permanent, the glaring omission of a year-round option for restaurants has stunted participation in the program. In our report, [Digging in to Dining Out](#), our discussions with restaurant owners showed that **the costs associated with seasonal outdoor dining — the costs of break down, set up, and storage — have dissuaded many from participating in the program**.

Further, while a significant amount of the temporary program operated in the outer boroughs and in low-income neighborhoods, [our research](#) found that is not the case with Dining Out NYC. We found that, as of June 30th, 2.2% of curbside seating was located in neighborhoods with a median household income of \$60,000 or less. And only 8.9% of curbside seating was located in the Bronx, Queens, and Staten Island combined. In other words, **the current program is significantly more geographically limited and inequitable than the temporary program**.

Int. 1421 and Int. 1446 simply make the program better. Int. 1421 adds a year-round option for restaurants, removing a massive cost and barrier for restaurants; allows them to use adjacent frontage, unlocking more outdoor dining for smaller restaurants; and ensures that restaurants aren't required to jump through hoops that are not explicit in the law itself. Int. 1446 makes it easier for restaurants to apply.

We support these bills, and look forward to working with the Council to make the Dining Out NYC program as successful as possible.

Respectfully,
Open Plans

Sara Lind
Co-Executive Director
sara@openplans.org

Jackson Chabot
Director of Advocacy and Organizing
jacksonchabot@openplans.org

Michael Sutherland
Senior Policy & Legislative Analyst
michael@openplans.org

Comments of Small Business Majority's NYC Council's Committee on Transportation and Infrastructure and the Committee on Consumer and Worker Protection on Int. Nos. 1421, 1444, and 1446

Chairs Menin and Brooks-Powers,

Thank you for giving us the opportunity today to share our thoughts on the importance of outdoor dining to our city's small business community and to express our support for Int. Nos. 1421, 1444, and 1446 to improve the Dining Out NYC program. My name is Lindsey Vigoda and I am the New York Director at Small Business Majority. We are a national organization with a mission to empower small business owners to build a thriving and equitable economy.

During the COVID-19 pandemic, we revolutionized outdoor dining in this city. It allowed businesses to serve their customers safely, it increased the capacity of restaurants to make up for lost profits from the early stages of the pandemic, and it brought life back to the streets of New York. Between the high costs of commercial leasing, housing, and healthcare, the current and impending threats of tariffs, and continual recovery from outstanding pandemic debts, running a business in this city has become unbearably expensive for small business owners. And continued, new regulations have made outdoor dining licenses inaccessible to thousands of small businesses.

To support our city's entrepreneurs, we are seeking implementation of these key measures. The first, and potentially most important, is through the reduction of fees. The licensing is currently too slow, and fees remain too high for many restaurants to pay upfront or at all. These fees should be reduced and available to pay in installments. This will not only increase revenue for the city but also increase accessibility for our small business restaurant owners who already run on thin margins. Additionally, we must speed up the processing time for these licenses. Outdoor dining is a lifeline for restaurant owners who need to grow their business without an option to move locations. The slower the process takes, the more likely we will see our struggling small business restaurants closing.

Additionally, many small businesses invested thousands into their outdoor dining enclosures during the pandemic. These structures are expensive to construct and difficult to store. New York City must allow roadway cafes that meet specific standards to remain open year-round. For those who do not meet these standards, the city should provide winter storage as part of the fees businesses are already paying to participate in the outdoor dining program.

As the cost of doing business in New York City skyrockets, we must do everything we can for our city's entrepreneurs to support them as they change and grow. New Yorkers are begging for third spaces, and small businesses are ready to provide them. Our small restaurant and storefront owners have always been and always will be the soul of our neighborhoods. To ensure we don't lose this heart, we must streamline applications, make outdoor dining more accessible and keep costs low for restaurant owners who are looking at this avenue to grow their business and revenue.

Thank you for supporting these bills. I look forward to continuing this conversation and collaborating to continue to remove barriers to entrepreneurship in our great city.

Dear Councilmembers-

When will this industry and those in the pockets of the Hospitality Industry stop inflicting regular New Yorkers who are unable to sequester and insulate themselves from the din of restaurant, bar or GROCERY STORE outside their window? We are all familiar with the hum of a busy restaurant. It can be as loud as a factory floor. The notion that we as a city are ceding more of the rights of those deeply affected by a pulsing restaurant outside or below their window is outrageous. Why is it that no matter where this young program is, there is always a faction pushing its expansion before it ever really establishes a "normal"? It is typical of this industry, which seems to never be satisfied, and it has somehow aligned itself with the notion of public space and public streets. A for-profit, privately run enterprise is not a public place.

The East Fifth Street Block Association prides itself in supporting local businesses and has numerous agreements with many of the restaurant and bar operators in our vicinity, but we are fed up with several of the outdoor setups in the area that constantly push the limits of the law. There are many places and times along 2nd Avenue that the sidewalk seating and patrons waiting for a table along with the large piles of the restaurant's garbage make it impossible to walk on the sidewalk! Pedestrians must step off the curb and into a busy bike lane trapped on one side by garbage and people and on the other by the restaurant's shed. As a representative of The East Fifth Street Block Association and a longtime East Village resident, I say why don't we take a breath and try to iron out some of the kinks of this new program as opposed to continually changing thus adding to the chaos.

Best-

STUART ZAMSKY

THE EAST FIFTH STREET BLOCK ASSOCIATION

The Queensboro restaurant in Jackson Heights is participating in the program this year, but we are facing several issues, most notably the cost.

Our industry is not profitable in the best of times, and these are really tough times, so any extra fees and costs are extremely painful for us. We love outdoor dining but it needs to change to become much more business -friendly.

The City Council must reform the current legislation to make it year-round. **I urge the Council to pass CM Restler's bill, Int. 1421.**

Best,

Dudley Stewart

To Whom It May Concern,

My name is Zach Litif and I am a consulting professional and hospitality expert who resides in Astoria.

Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

I have been fortunate to see a handful of local restaurants participate in the program this year, but they are facing several issues, including onerous rules and excessive costs associated with off-season storage.

Restaurants are critical businesses that sustain and feed our local economies in all corners of Western Queens. They delivered food through the pandemic and continue to allow people to gather safely and joyfully with their neighbors and friends in our outdoor dining structures. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

I urge the Council to pass CM Restler's bill, Int. 1421.

To Whom It May Concern,

My name is Zach Smith and I am the Vice President of Hospitality at Threes Brewing in Greenpoint and Gowanus.

Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

Threes Brewing is participating in the program this year, but we are facing several issues including onerous rules and excessive costs associated with off-season storage for two locations on opposite sides of Brooklyn. We're lucky enough to have access to additional storage space and a forklift, but I can't imagine what almost any other bar might have to do to have to take down and put up structures every year.


Restaurants are critical businesses that sustain and feed our local economies in all corners of Brooklyn. We delivered beer throughout the pandemic and continue to allow people to gather safely and joyfully with their neighbors and friends in our outdoor dining structures. We want a program that will support our needs.

Sincerely,

A handwritten signature in black ink, appearing to be 'ZS', with a stylized flourish.

Zach Smith
VP, Hospitality

From: acoamey@aol.com
To: [Testimony](#)
Subject: [EXTERNAL] Intro 1421-25
Date: Saturday, November 22, 2025 8:20:38 PM



I am writing to express my strong opposition to Intro 1421-25. This new legislation would dismantle the existing roadway dining program which has been operating for only one season. Residents, elected officials, and the hospitality industry reached a compromise that allowed for a permanent program that served the needs of businesses, while ensuring the quality of life and safety of residents was not compromised. The streets and sidewalks of NYC serve all of us and should not be privatized for the benefit of businesses, and ultimately landlords who will be able to increase commercial rents commensurate with the increased dining and drinking capacity of these establishments. The new rule that would allow these establishments to use the entire sidewalk with the exception of 8' for pedestrians is particularly troubling as some NYC sidewalks are 25' wide, thus the resulting seating area in such a case would allow for an oversized dining area which would overwhelm any apartment above it with the inevitable cacophony of noise from voices, rattling plates and silverware and inevitably music. While amplified music outside establishments is prohibited, we all know that due to a lack of enforcement and the lure of more revenue businesses will crank up the volume to draw in customers. If you have the misfortune of living above a dining "shack" or sidewalk cafe, your right to use and occupy your apartment without disturbances that interfere with your comfort or ability to live there (Covenant of Quiet Enjoyment), is routinely violated. Why are the interests of one type of business put above the rights of residents and other businesses.

The fact that a few Council members have decided to upend an existing program after one season by attempting to pass legislation with only one hearing the week of Thanksgiving and before a new slate of council members and a new Mayoral administration is sworn in is reprehensible and leads one to wonder how hard they have been lobbied by the nightlife and real estate industry. If they want to modify the existing program, then engage in an inclusive process with public hearings and presentations to our community boards, not try and sneak something thru at a time when many of us are traveling for the holidays, struggling to put food on the table for the holidays and spend time with our families.

It's shameful. Vote no on Intro 1421-25

I'm writing in support of CM Restler's bill, Int. 1421. Outdoor dining year round changed the landscape of the city for the better, opening my eyes to how a city should be. I lived on St. Mark's Place in the East Village at the time and it brought a sense of community and connection that I've never seen before. I urge the council to pass this bill and make it easier for restaurants to offer outdoor dining year round, so it's practical and feasible to operate. Streets are for people and this is a far better use to the community than private vehicle storage.

-Alan Mooiman

From: [Alex Neuhausen](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 2:40:14 PM

[REDACTED]

Dear Testimony Council,

I own SILO nightclub in East Williamsburg. We built a beloved outdoor street seating area post-pandemic. When the city updated the program to require that structures be removed each year and that they not be used after midnight, even in an industrial area like the one where my club is located, the program became untenable. Now, guests who want to get some air huddle unsheltered on the sidewalk instead of in a protected, clean, lighted area with ample trash receptacles. We also don't allow patrons to take drinks outside like they could with the licensed street seating, so they have to leave their drinks inside, potentially vulnerable to being spiked or spilled.

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
- Int. 1444: Restores the 8-foot clear-path standard for sidewalk cafés, which worked for decades. The new restrictive standard cuts seating, customer capacity, revenue, and jobs for many restaurants. (San Francisco just implanted a 6-foot standard)
- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler

months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.

- **Cut Red Tape:** Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- **Offer Fee Installments:** Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Alex Neuhausen



Brooklyn, NY 11237



Dear Chair and Members of the Committee,

Thank you for the opportunity to submit written testimony in strong support of Council Member Restler's legislation to restore year-round open dining, expand allowable footprints for small restaurants, and extend eligibility to additional food-related businesses such as grocery stores and retail food establishments.

Open dining was one of the most successful policy innovations to emerge during the pandemic. It enabled tens of thousands of small businesses to survive an unprecedented crisis, kept countless New Yorkers employed, and transformed our streets into more vibrant, welcoming public spaces. For many residents—including myself—outdoor dining has become an essential part of the city's cultural and economic life.

Restoring year-round open dining is not only a matter of preserving this progress; it is an opportunity to strengthen it. Expanding footprints for smaller restaurants will help level the playing field for independently owned establishments that often operate with tighter margins and fewer resources. Allowing grocery stores and other retail food businesses to participate will further support local commerce, encourage street vitality, and offer more options for communities across the city.

This legislation advances a vision of New York that is more accessible, more resilient, and more supportive of the small businesses that form the backbone of our neighborhoods. I urge the Council to adopt these proposals and ensure that outdoor dining remains a permanent, inclusive, and thoughtfully regulated feature of our city.

Thank you for your consideration, and for your continued work to support New York's small business community.

Sincerely,

Alvin Wang

From: [Andrew Flynn](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 2:50:13 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
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- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.
- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Andrew Flynn



New York, NY 10028



From: [Andy McDowell](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 12:00:19 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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More Reforms Are Still Needed:

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- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Andy McDowell

[REDACTED]

Brooklyn, NY 11211

[REDACTED]

From: [Anna Pakman](#)
To: [Testimony](#)
Subject: [EXTERNAL] Testimony In Support of Intro 1441-2025 and Related Outdoor Dining Legislation
Date: Tuesday, November 25, 2025 6:27:49 PM

Dear Councilmembers,

Thank you for the opportunity to submit testimony in support of Intro 1441-2025 and the accompanying legislative package that would allow outdoor roadway dining to operate year-round and make it easier for restaurants to participate in the program.

My name is Anna Pakman, and I am a disabled New Yorker living with Cerebral Palsy and additional health conditions that place me at high risk for severe illness from COVID-19 and other airborne viruses. I also am a full-time wheelchair user. For me—and for many disabled, immunocompromised, and high-risk individuals—safe access to public life depends on the availability of un-enclosed outdoor spaces where we can dine, socialize, and participate in our communities without unnecessary exposure risk.

Even today, COVID-19 continues to circulate widely, and many disabled people remain excluded from indoor public life because indoor environments often lack the protections we need. Year-round outdoor dining allows us to participate more fully in everyday activities others take for granted and our social lives shouldn't be forced to hibernate for four months of the year.

In addition to reducing infection risk, I find that outdoor dining is often far more wheelchair accessible than many indoor spaces. Too many restaurants—especially in older buildings—have steps at the entrance, narrow aisles, tightly packed tables, and other barriers. Outdoor roadway seating frequently provides a more accessible, navigable layout and allows wheelchair users to dine with dignity rather than being turned away or seated “out of the way.” In listening to some of the testimony yesterday, the comments of Jean Ryan from a small fringe group called “Disabled in Action” do not represent New Yorkers with disabilities writ large. Yes, some restaurants continue to violate the ADA but that is a separate issue that must be dealt with and should not prevent from restaurateurs who do operate in good faith and provide access to everyone from being able to operate roadway cafes year-round. Additionally, I would be in support of adding penalties for anyone who uses their roadway dining setup as storage space and in other manners that are not in line with the spirit and goals of the Dine Out NYC program. A few bad apples should not result

in collective punishment for good operators and New Yorkers who wish or need to dine outdoors year-round.

The program must maintain accessibility and safety principles

As you move to make outdoor roadway dining permanent and available all year, I strongly encourage the Council to include the following provisions, which are essential for disabled and high-risk residents:

1.

Keep roadway structures truly unenclosed.

Enclosures—plastic walls, tarps, or fixed barriers—undermine the very purpose of outdoor dining by limiting airflow. Disabled and immunocompromised New Yorkers depend on *real* outdoor ventilation. The law must continue to prohibit fully or semi-enclosed structures.

2.

Allow the use of safe outdoor heating.

Year-round outdoor dining will only be feasible if roadway cafés can legally and safely use **outdoor heating lamps**. This is especially critical for disabled high-risk diners who cannot move indoors as temperatures drop. Outdoor heat should be allowed as long as it complies with FDNY safety standards.

3.

Ensure accessibility standards are upheld.

Outdoor dining areas must maintain adequate wheelchair clearance, accessible routes, and level surfaces. These areas should not replicate the same access barriers found indoors. The ADA, NYS and NYC Human Rights Laws are not optional and the DOT must be more proactive about enforcement, especially as all roadway structures and outdoor dining cafes are new construction.

A more inclusive, vibrant, and economically resilient city

Outdoor dining has proven to be popular with residents, a lifeline for restaurants, and a major driver of neighborhood vibrancy. For disabled and immunocompromised New Yorkers like me, however, this is not merely a convenience—it is an equity issue. Without year-round, unenclosed, and accessible outdoor dining, many of us will continue to be excluded from one of the most basic parts of city life: sharing a meal with others.

Intro 1441-2025 and its companion bills represent a crucial step toward making New York a more accessible, resilient, and inclusive city for all. I urge the Council to pass this legislation and to ensure implementation that preserves the accessibility, safety, and openness that

disabled New Yorkers rely on.

Thank you for your time and consideration.

Sincerely,

Anna Pakman

New York City Resident and Disability Advocate

Testimony for Year-Round Open Dining

From: Antonia Lant

Date: November 16th, 2025

To Whom It May Concern:

The arrival of Open Dining was one of the only silver linings resulting from the pandemic. It brought New York the kind of beautiful street culture that we envy in foreign cities. The flocks of people on our streets made the city more vibrant—and safer.

For smaller restaurants, Open Dining transformed their capacity and upped their ability to pay wages. The current hurdles to maintaining Open Dining (seasonal restrictions, need for space and funds to store sheds) have hit restaurants in the outer boroughs particularly hard. These restaurants are a vital part of New York. Now they are suffering yet more from the current economic downturn. We must eliminate the recent hurdles put in place by the Adams administration to make it possible for more small businesses to operate Open Dining. These are the businesses that really need this program!!!

Thank you for listening to me. I've been a New Yorker for 40 years. It was magical to witness the transformation of the city while there was abundant Open Dining.

Antonia Lant

TRANSCRIPT OF MY TESTIMONY AT INT
1421/1444/1446 CITY COUNCIL HEARING HELD
ON 11/24/2025

Good morning, my name is Augustine Hope. I am President of the West Village Residents Association, which represents many long-term renters, home owners and business owners in our community.

We have a particular interest in this Dining Out New York program, largely because of the disproportionate impact it has on us.

As you're probably aware, there are almost 25,000 liquor licenses in New York City. So, for every license there are on average 350 residents. In our community, the West Village, however, there are just 70 residents for every license.

Which means that any problems that crop up will have FIVE TIMES the impact on us. You can see us as an early warning system. What we are experiencing now is what you will experience elsewhere in the future.

Let me give you an example of such a problem.

25 years ago, of the 1,356 retail spaces in our neighborhood, 10% had liquor licenses. Today that figure is ONE THIRD. And that number is accelerating, largely because you are subsidizing a single private industry to such an unprecedented extent, giving restaurants exclusive, and ALMOST FREE, use of public space.

The small business owners that don't have this perk — the independent pharmacies, the barbers, bodegas, butchers, toy stores, hardware stores, clothing stores, gift stores, florists, all the places that make a neighborhood liveable — they find they can no longer compete on rent. It is, if you like, an AFFORDABILITY CRISIS for non-hospitality businesses.

In your rush to turn NYC into a version of Club Med, you are in fact turning it into Club Dead — the same issue that bedevils the center cities of Barcelona, Rome, Amsterdam and Venice, among others where residents are in open revolt.

So, here are some proposals for correcting this imbalance:

1: RAISE THE FEE TO FAIR MARKET. Instead of charging just \$8-10 per square foot for use of public space in our neighborhood, charge a fair market rent

based on location, which in our area starts at \$100 per sq ft and can go as high as \$600. You could assess it at, say 80%, of the cost per sq ft on their lease to allow for reduced usage during inclement weather. The restaurants and bars will have the same margins they have indoors and will still want the extra space to do business. You can use the extra revenue to subsidize the small businesses that have historically been the engine of the economy and the path to wealth for immigrants and for the young — something that sub-minimum wage restaurant jobs most definitely are NOT.

Alternatively, CAP THE SPRAWL. Place a cap on the number of outdoor dining licenses at, say, 20% of retail frontages available, both across districts and on individual blocks.

2: MAKE RESTROOMS AVAILABLE TO PUBLIC. If you are determined to expand the outdoor footprint beyond the retail frontage (something we OPPOSE), then give the public something back in return. Give them the right to use the restrooms of any restaurant and bar with outdoor dining, and to do so free of charge. Maybe the crowds drawn to our community will no longer have the embarrassment of having to urinate under our stoops and between our cars.

3: BAN OUTDOOR HEATERS. If you are so hell bent on saving the planet and getting rid of cars, then stop restaurants from using outdoor heaters. We have literally not had any snow in this city since this program began.

4: KEEP CURRENT CLEAR PATH REQUIREMENTS, OR REVERT TO PREEXISTING RULES. And the reduction of the minimum clear path to 8'!? Imagine yourself on Fifth Ave in the middle of the day! If you have to make a change, make it 8' OR 50% of the sidewalk, whichever is greater. As it always used to be.

5: STRONGER, CHEAPER PENALTIES. If a restaurant/bar doesn't correct a Dining Out NYC / DOT violation within 30 days, their outdoor license should be suspended for 30 days; if still not corrected, then it should be suspended for 12 months. This is far more meaningful than modest fines which are dismissed by the hospitality industry as simply the "cost of doing business," and allows operators to correct the situation at no expense.

6: CLOSE OUTDOOR DINING AT 10 PM IN RESIDENTIAL NEIGHBORHOODS. This one change will solve more than half the quality of life problems we face. There is a reason that Paris has made 10 PM closing mandatory.

7: INSTITUTE NIGHTTIME INSPECTIONS.

Substantially all the infractions and violations of the nightlife industry occur between 6 PM and 2 AM. This is when the inspections should take place once an operator has been granted permission to use outdoor space.

We hope you will follow the example of municipal authorities in Paris and balance the interests of businesses and the comfort of local residents.

Thank you.

Augustine Hope

[REDACTED]

New York, NY 10014

President, West Village Residents Association

augustine@westvillageresidents.org

[REDACTED]

Written Testimony Submitted to the New York City Council Committee on Consumer and Worker Protection Regarding Intro 1421-2025 and Related Legislation

Date: November 24, 2025 **Subject:** In Strong Support of Intro 1421-2025, Intro 1444-2025, Intro 1446-2025, Intro 1440-2025, and Intro 1468-2025.

To the Honorable Members of the Committee on Consumer and Worker Protection,

This testimony is submitted in writing by Ben Lebovitz, a 20 plus year resident of the East Village, to express strong, unequivocal support for Intro 1421-2025, which proposes a permanent, year-round roadway dining program, and the entire legislative package introduced by Council Members Menin and Restler designed to create a flexible, efficient, and economically vital outdoor dining framework for New York City.

The Open Restaurants program was a lifeline during a devastating period for our local economy. Its success demonstrated that public space can be utilized in dynamic ways that enhance, rather than detract from, neighborhood vibrancy. My family—including my wife and 7-year-old daughter—are among the many New Yorkers who have seen their quality of life fundamentally improved by these vibrant communal spaces. This legislation is a crucial step in formalizing this success and moving the City forward.

The core opposition to this life-enhancing program is rooted in a desire to prioritize free, on-street car storage over economic vitality and public enjoyment. In a transit-rich city like New York, public policy must always favor the maximization of pedestrian space and commercial vibrancy over the preservation of temporary parking spots. The assertion that retaining space for car storage is the highest and best use of this public land is a car-centric anachronism that must be rejected.

On Intro 1421-2025: Establishing a Permanent, Flexible Program

Intro 1421-2025 represents an essential investment in the economic health of our city. By making roadway dining year-round, we provide stability and predictability to small businesses that desperately need it. The proposal to allow restaurants to occupy slightly more than their direct frontage, both on the sidewalk and in the roadway, is a pragmatic solution that maximizes utilization and allows businesses to thrive, especially on parcels with challenging dimensions. Furthermore, allowing grocery stores to utilize minimal sidewalk space for display purposes is a reasonable accommodation for essential local businesses, enhancing neighborhood convenience and accessibility. The argument that public space must remain static is an outdated one; this bill embraces a more dynamic, flexible future for our streets.

On Intro 1444-2025: Rationalizing Pedestrian Clear Path Requirements

Intro 1444-2025, which sets the pedestrian clear path minimum at no greater than 8 feet, is a necessary measure to ensure design flexibility and fairness. Attempts to mandate excessively wide clear paths on already wide sidewalks merely function as a restrictive tool to prevent businesses from creating viable outdoor spaces. An 8-foot minimum is a substantial, safe, and easily navigable width that fully

accommodates wheelchairs, strollers, and high pedestrian traffic volumes. Allowing larger cafes where the geometry permits encourages beautiful, functional spaces and rejects the punitive over-regulation of public-facing businesses.

On Intro 1446-2025 and Intro 1440-2025: Streamlining Administration and Oversight

Support for Intro 1446-2025 and Intro 1440-2025 is based on the common-sense need for efficiency. Creating a dedicated, walk-in DOT office (Intro 1446) acknowledges that small business owners are not bureaucracy experts and deserve accessible, direct assistance in navigating application processes. Moving permanent oversight and regulation to the Department of Consumer and Worker Protection (DCWP) (Intro 1440) is logical. The DCWP is already proficient in business licensing and compliance, ensuring that enforcement is specialized, uniform, and fair, rather than fragmented across multiple agencies. This consolidation guarantees a more efficient regulatory environment.

On Intro 1468-2025: Eliminating Unnecessary Red Tape

Intro 1468-2025 is the most critical component for fostering a truly small-business-friendly environment. Replacing the archaic "revocable consent" process with a simple license removes massive administrative and financial burdens, including the expensive, drawn-out Community Board review process. This review process, which is often weaponized by a small number of opposition groups, creates unnecessary delays and costs for local businesses. A simplified license ensures that all eligible businesses can participate equally and that necessary safety and liability standards are met efficiently, without redundant bureaucratic steps. The assertion that a simple license eliminates liability insurance is factually incorrect and misleading; businesses are already required to maintain adequate insurance for their operations, and a licensing framework can easily enforce this standard directly.

Conclusion

We urge the Council to pass Intro 1421-2025 and the accompanying legislative package. This is not just about dining; it is about supporting small businesses, enhancing the vitality of our streetscapes, and modernizing New York City's regulatory approach to public space. This legislation reflects a city that is dynamic, welcoming, and open for business.

Respectfully submitted,

Ben Lebovitz

[REDACTED], NYC, NY 10003

From: [Carlos Suarez](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 12:00:14 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
- Int. 1444: Restores the 8-foot clear-path standard for sidewalk cafés, which worked for decades. The new restrictive standard cuts seating, customer capacity, revenue, and jobs for many restaurants. (San Francisco just implanted a 6-foot standard)
- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.
- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Carlos Suarez



New York, NY 10014



**Carol Puttre-Czyz
306 East 5th Street
New York, NY 10003**

Representative of the East 5th Street Block Association

Intro 1421-2025 Item 4

Outdoor dining was a gift during Covid. It helped restaurants stay alive and gave residents a respite from their isolation. COVID IS OVER! There is no reason to give establishments year-round free use of pedestrian sidewalks for their businesses. I am sure the council member who proposed this bill does not live upstairs from a restaurant with outdoor dining. If they did they would never want to extend throughout the year the noise of loud voices getting louder as fueled by alcohol as the evening progresses, clinking plates, music (yes outdoor music is not allowed but it happens all the time). It is impossible to listen to TV, read a book and forget about sleeping in any of the frontal rooms above a restaurant. Add to that the increased trash, rats and traffic congestion from taxis and service cars. At least please give us a break during the winter months.

Intro 1444 Item 7

And as to allowing only 8 ft for a pedestrian passageway – what about people with walkers, wheelchairs, baby carriages and people who would prefer not to have to wade their way through the crowds waiting for tables. I have often had to take the risk of walking in the bike lane which resembles I95 what with speeding delivery guys and CitiBikes.

Please – think about what's best for the residents on the city not what lobbyists ask for. DO NOT VOTE FOR THESE PROPOSALS.

November 19, 2025

Caroline Schneider

[REDACTED]

New York NY 10003

To Whom It May Concern:

As a 66-year-old East Village resident who recently underwent hip replacement surgery, I am writing to oppose the proposed campaign Intro 1468-2025 aimed at expanding outdoor dining. The potential for restaurants to have over 17 inches for their sidewalk cafes, effectively reducing the pedestrian clear path to 8 inches, is a hazard for older New Yorkers who must carry laundry and groceries on our already congested and uneven sidewalks. Such permitting, combined with the loud, pot- and cigarette-smoking drinkers who congregate around these establishments, will make our neighborhood increasingly untraversable, unlivable, and unsafe. And the additionally proposed ease of such permitting spells exponential danger.

I am counting on you to prohibit passage of Intro 1468-2025.

Sincerely,

Caroline Schneider

Happy National Sardines Day for all my Italians and pescadores. My name is Cecil Brooks, a proud Uptown resident and professional foodie who wants to see my city thrive. As part of the Open Plans team, we have LONG advocated for an outdoor dining program that makes our streets as vibrant and delicious as possible. Ints. 1421 and 1446 make great progress towards that goal.

During the temporary program, an estimated 12,500 restaurants participated, which resulted in almost 12,000 new jobs and over \$370 million in total annual wages;

The last time you saw us, our report (Digging in to Dining Out) highlighted dozens of discussions with restaurant owners that revealed the exorbitant financial burdens associated with seasonal outdoor dining. Tens of thousands of dollars for break down, set up, AND storage prevents many shops in communities like mine from participating in the program.

Shockingly, only 8.9% of curbside seating was located in the Bronx, Queens, and Staten Island COMBINED! In other words, the current program is significantly geographically limited and inequitable.

Int. 1421 and Int. 1446 both make the program better by protecting the right of the restaurant industry to operate year-round AND making the application process more accessible.

We at Open Plans and world-class establishments (like La Morada in the South Bronx and Bar Goyana of East Harlem and The Mansion in the Upper East Side) look forward to working with the Council to make our Dining Out NYC program as successful as possible. Thank you.

From: [cee m](#)
To: [NYC Council Hearings; Office of Correspondence Services](#)
Subject: [EXTERNAL] Fw: 2025-11-24 10am mtg CITY COUNCIL MEETINGS: 2025-11-24 10am COMM OF TRANSPORTATION & INFRASTRUCTURE: DINING OUT CITY COUNCIL MTG-- RE PROPOSED AMENDMENTS
Date: Thursday, November 20, 2025 10:38:24 AM

[REDACTED]

My comments regarding the 11-24-2025 10am City Council Meeting of Transportation & Infrastructure: [Int 1421-2025](#), [Int 1444-2025](#), [Int 1446-2025](#) Please forward to appropriate committee. No link given to send written testimony other than on website page.

From: cee m <cme2477@hotmail.com>

Sent: Wednesday, November 19, 2025 11:14 PM

To: Christopher Marte <district1@council.nyc.gov>; Adrienne Adams <SpeakerAdams@council.nyc.gov>; Shaun Abreu <District7@council.nyc.gov>; Joann Ariola <District32@council.nyc.gov>; Alexa Aviles <District38@council.nyc.gov>; Joseph Borelli <District51@council.nyc.gov>; Justin Brannan <District47@council.nyc.gov>; Selvena Brooks-Powers <District31@council.nyc.gov>; Tiffany Caban <District22@council.nyc.gov>; David Carr <District50@council.nyc.gov>; Carmen De La Rosa <District10@council.nyc.gov>; Eric Dinowitz <District11@council.nyc.gov>; James Gennaro <District24@council.nyc.gov>; Jennifer Gutierrez <District34@council.nyc.gov>; Shahana Hanif <District39@council.nyc.gov>; Kamillah Hanks <District49@council.nyc.gov>; Rita Joseph <District40@council.nyc.gov>; Shekar Krishnan <District25@council.nyc.gov>; Linda Lee <District23@council.nyc.gov>; Farah Louis <District45@council.nyc.gov>; Kristy Marmorato <District13@council.nyc.gov>; Francisco Moya <District21@council.nyc.gov>; Sandy Nurse <District37@council.nyc.gov>; Che Osse <District36@council.nyc.gov>; Vickie Paladino <District19@council.nyc.gov>; Keith Powers <KPowers@council.nyc.gov>; Lincoln Ressler <District33@council.nyc.gov>; Carlina Rivera <District2@council.nyc.gov>; Yusef Salaam <District9@council.nyc.gov>; Pierina Ana Sanchez <District14@council.nyc.gov>; Lynn Schulman <District29@council.nyc.gov>; Althea Stevens <District16@council.nyc.gov>; Sandra Ung <District20@council.nyc.gov>; Nantasha Williams <District27@council.nyc.gov>; Julie Won <District26@council.nyc.gov>; Kalman Yeger <District44@council.nyc.gov>; Susan Zhuang <District43@council.nyc.gov>; Chris Banks <District42@council.nyc.gov>; Erik Bottcher <District3@council.nyc.gov>; Diana Ayala <District8@council.nyc.gov>; Amanda Farías <District18@council.nyc.gov>; Oswald Feliz <District15@council.nyc.gov>; Crystal Hudson <District35@council.nyc.gov>; Gale Brewer <district6@council.nyc.gov>; Julie Menin <District5@council.nyc.gov>; Kevin Riley <District12@council.nyc.gov>; Robert Holden <District30@council.nyc.gov>; Darlene Mealy <District41@council.nyc.gov>; Inna Vernikov <District48@council.nyc.gov>; Mercedes Narcisse <District46@council.nyc.gov>; Jessica Ramos <ramos@nysenate.gov>; District17@council.nyc.gov <salamanca@council.nyc.gov>

Cc: CUEUP-NYC <cueup.ny@gmail.com>; Soho Alliance <info@sohoalliance.org>; South Village Neighbors <south.village.neighbors@gmail.com>; Deborah J. Glick <glickd@nyassembly.gov>; Brad

Hoylman-Sigal <hoylman@nysenate.gov>; Manhattan Borough President Mark Levine <info@manhattanbp.nyc.gov>; press@zohranfornyc.com <press@zohranfornyc.com>; Jumaane Williams <Gethelp@advocate.nyc.gov>

Subject: 2025-11-24 CITY COUNCIL MEETINGS: COMM OF TRANSPORTATION & INFRASTRUCTURE: DINING OUT CITY COUNCIL MTG-- RE PROPOSED AMENDMENTS

It is with great sadness and disgust that I have come to view this issue - dining out in NYC - as just one way that City Council [CC] has lost it's way. Even more to the point, the members on the CC members who support an expansion/adjustment of the dining out rules already in place [with HUGE problems so far and NO REAL ENFORCEMENT] seem to have been bought out by the "hospitality industry."

Nor do these CC members have the best interests of the residents who have to live with the consequences of City Council actions.

More disturbing than the recommendations regarding expanding sidewalk cafes and roadway sheds, is the ignorance and apparent unwillingness for you to put yourselves in similar circumstances.

These issues apply to ALL OF THE PROPOSALS THAT WILL BE BEFORE THE COMMITTEE MONDAY, 11-24-2025: [Int 1421-2025](#), [Int 1444-2025](#), [Int 1446-2025](#) and for consideration in any future meetings:

- 1] Having to cross streets [if possible] in order to walk down the block. With dining now often on both sides of a street, it may be necessary to walk in streets to get where we want to go. You must understand that many of the sidewalks and streets in Lower Manhattan are narrow. Add the lines of patrons waiting and blocking more of the space--this is a disaster in the making. I have stopped saying "excuse me," [a waste of breath because often ignored] and just plow into people. Many of our streets downtown are not these wide avenues where many of the restaurants uptown are established, and seem to be more accommodating to dining outside.
- 2] Noise would increase as more and more of these cafes/roadways increase. Simultaneous actions.
- 3] Trash piling up late at night and, despite all Mayor Adams touting of reduction of rats-- no way, particularly since there still seem to be rows of plastic garbage bags piled up. Rats may not be as abundant now in colder weather, but think of hot smelly summers. Rats will be back and trash collections won't be able to contain them.
- 4) No to roadway sheds extended to all year round. Maybe our winters are getting warmer. But the possibility of big snow storms is there. It is unfair that my tax dollar will cause a hardship for sanitation trucks to be unable to plow through our narrow streets, because someone wants to dine out in a shed.
- 5) Similarly, the issue of fire engines and emergency vehicles has never been adequately addressed. Restaurants and the DOT have just glided through that issue by giving and getting conditional licenses. Heaters in the winter time in roadway sheds and on city sidewalks offer a greater risk of fire.

6) A maximum 8' pedestrian space is nothing when you think of the disabled or baby-strollers going in 2 directions. We can barely pass through at a 6' pathway. Wait staff tends to block the walkway as they go in and out of the restaurants and cross over to roadway dining. Or while they serve sidewalk diners. And many of the elderly people have to walk over train grates in order to use the space left for us to walk passed dining out cafes. Very dangerous. Can we sue the restaurant or would we sue the city if we trip and fall breaking a leg, just so we can use the sidewalk????

Tourists stop, people wait around for their car rides, blocking space, and there is suddenly an overabundance of sandwich boards, often side by side., sometimes down the block. Too many huge planters overhanging and blocking additional space or umbrellas sticking far into the walkway. Who is checking all this out? ALL OF THIS IS TAKING UP PUBLIC SPACE. AND I FOR ONE PLAN TO GET RECOMPENSE FOR IT!!

[So to that point— TAKING OVER PUBLIC SPACE FOR PRIVATE PROFIT — I am seriously considering reducing my city taxes [maybe state, too], because I am doing a lot of the enforcement work the city and the businesses should be doing re violations going on. Haven't yet determined what way to assess... but am hoping that others do the same.]

7) There is no reason that any other food stores or any other store, for that matter, other than perhaps grocery stores, be included in these new sidewalk cafe rules. Most of the stores and restaurants created after COVID cannot complain about their hardships. When one starts a business, he/she must understand the unforeseen risks and expenses they must face. I know it sounds harsh, but it is reality. Unfortunately when their rents go up, it is the landlord of the building who should be brought to fault. Perhaps, you should include a larger fee structure for the landlord in which the business is housed. See how far that gets!

MY GREATEST COMPLAINT IS THAT THERE ARE SO MANY OF THESE RESTAURANTS WHO WILL NOT ABIDE BY THE RULES YOU ALREADY HAVE IN PLACE. Dept Of Transportation DOES A SHITTY JOB and should not be in charge. AND THE RESTAURANT OWNERS OFTEN DON'T ENFORCE. WHAT IS YOUR SOLUTION TO THIS PROBLEM? IT IS A MUST THAT YOU GET AN AGENCY TO MANAGE AND ENFORCE any laws you pass.

A pure power play by you guys!!!!!! And we will remember that when you are term- limited or need to advance your political ambitions!!!

And to you, Julie Menin.... if you still lived in the area below 14th St, you would probably hop on board at discouraging this appropriation of public space. And for all you others who live on quiet neighborhood streets or who live in boroughs other than Manhattan [particularly in the area below 14th Street], I believe you have absolutely no right to consider expanding this program by these proposals until you give them much much much more thought. Perhaps the answer is to create a different, year-round, pedestrian-blocking, dining out agenda for The Bronx, Brooklyn, Queens and Staten Island and leave us out of it!

And I am hoping that you, Mayor-Elect Mamdani, help us here in lower Manhattan to stop destroying our neighborhoods any more than they are already been hurt pushing through inconsiderate amendments to dining out rules.

[By the way, many of these food stores are erecting other structures outside their stores and taking up even more space. In addition to the dining out seats they have on Prince Street at the corner of Thompson, in Manhattan, perhaps you saw the tv news clip on ABC about the permanent faux flower shed set up on the Thomspson frontage of the store. WHO PAYS FOR THIS APPROPRIATION OF PEDESTRIAN SIDEWALK SPACE? Certainly I'm for helping artists, but we are overrun these days. Walked by NYU and there are so many food trucks and people blocking sidewalks to buy food. My question is: When does this stop?]

Suggestion: you gather all of these food places to rent out a lot and set up chairs and tables for people to sit at and eat. Or, like I remember Portland Oregon used to have varying food trucks - maybe 10 of them at one time - in a cleared block where people went to buy food.

Just a few of the issues we are shown in the attached pictures. And these don't begin to even touch on the extent of the problems with outdoor dining.

Angry,

Cee m



Caffe
Reggio

CAFFE
REGGIO



NO SMOKING
PLEASE

NEW TASTE
FOR SUMMER
**Cold
Foam**
Joe
Coffee





2025/11/11



08/26/2025 20:28



09/20/2025 15:30



PopUp
Bagels

LIMITED EDITION ICECREAM

SAUJ NOT ONLY!
MARINARA
CREAM CHEESE

09/28/2025 11:54

10% OFF
Liber Eats

Topo Chico

LOTEA

SCHOOL ←
• Pancakes \$6.99+
• Bagel cream cheese \$3.49
• Grilled Cheese \$4.99
• Bacon egg cheese \$5.99+
• Egg & cheese \$4.49
Free OJ → or water

• Beef Lasagna
• Roasted Chicken
• Ultra Wings
• 2oz Shew
• Sweet Potatoes \$10.99+
• e can soda
• water



Fantuan
 台灣風味
 台式美食
 咖啡
 奶茶
 甜品
 飲料

台灣風味
 Fantuan
 咖啡 奶茶 甜品 飲料

With Toasted Chicken

Small	Medium	Large
12.99	14.99	16.99

Includes: Fried Chicken, French Fries, Onion Rings, Soft Drink

Other items listed on the board include: Chicken Sandwich, Burger, etc.

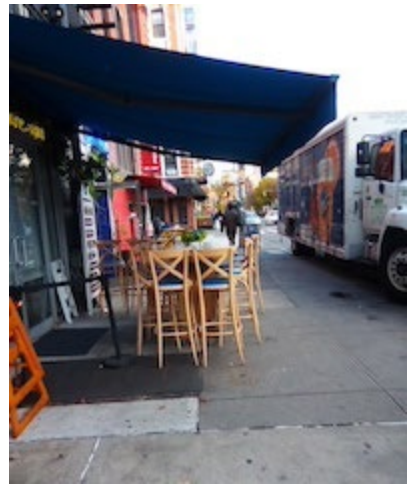


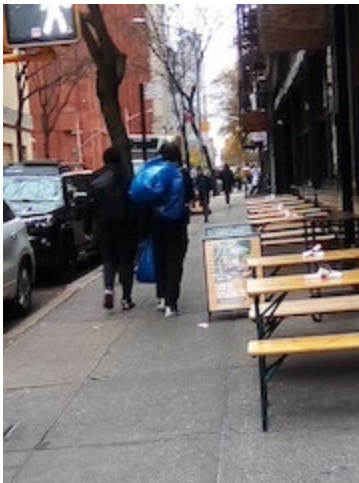
From: [cee m](#)
To: [District8](#); [NYC Council Hearings](#); [Speaker Adams](#); [District38](#); [District16](#); [District18](#); [District2](#); [District10](#); [District36](#); [District42](#); [District1](#); [District35](#); [District41](#); [District50](#); [Salamanca](#); [Dinowitz](#); [District3](#); [District45](#); [District21](#); [District6](#); [District48](#); [District24](#); [District34](#); [Jessica Ramos](#); [District32](#); [Morano Public](#); [District5](#); [District26](#); [District47](#); [askSimcha](#); [District49](#); [Office of Council Member Powers](#); [District12](#); [District13](#); [District33](#); [District23](#); [District29](#); [District46](#); [District27](#); [District15](#); [District14](#); [District40](#); [District30](#); [District20](#); [District37](#); [District31](#); [District39](#); [District7](#); [District25](#); [District43](#); [District22](#); [District19](#); [District9](#)
Cc: [CUEUP-NYC](#); [Soho Alliance](#); [South Village Neighbors](#); [CB2 Manhattan](#); [Deborah J. Glick](#); [Brad Hoylman-Sigal](#); [Manhattan Borough President Mark Levine](#); [press@zohranformnyc.com](#); [Jumaane Williams](#)
Subject: [EXTERNAL] 11-24-2025 City Council Transportation and Infrastructure mtg re proposals for dining out amendments
Date: Wednesday, November 26, 2025 1:32:35 PM



Pictures of just a few of the MANY MANY issues we deal with outdoor dining....







And having seen and listened to the hearing you rushed to schedule on a holiday week on Monday, November 24, 2025, and the rudeness many on the committee displayed, by leaving, not even to hear public testimony, I question whether you really have any interest other than financial.

The testimony of the transportation and restaurant representatives is in question re why so few businesses have applied for outdoor dining. Why apply when they have so far gotten public space for free. You will probably see an upturn in applications next year, but it will be from the many, many investor chains of restaurants who claim poverty. These are often the worst offenders of the program.

And, again, DOT has been extremely poor in enforcing rules relating to violations.

Question: With the abundance of a-frame/sandwich/claptrap board signs now throughout neighborhoods blocking pedestrian sidewalk space, why is this being handled by the Dept of Sanitation [who too often say no violation seen]? This is a transportation issue-- pedestrian transportation... legwork and wheelchairs need to be able to move.

Once again, I must ask that you create rules for the boroughs outside of Manhattan. And, for areas in Manhattan above 60th Street [non-congestion pricing areas], if you want to expand outdoor dining.

Leave those of us [particularly below 14th Street in Manhattan] out of your proposals. And

enforce the ones you already made.

Cee m

Attn: NYC Council, Committee on Transportation and Infrastructure

Re: NYC Council Public Hearing on November 24, 2025

Topic: Outdoor Dining

November 24, 2025

To my esteemed NYC Council Members,

I am strongly opposed to expanding the City's outdoor dining program. This is particularly true for mixed use neighborhoods like Chelsea - where I've lived and worked for the last 11 years; any added narrowing or congestion of our sidewalks will significantly impinge on our ease of getting around the neighborhood, our limited pleasurable opportunities to walk or get fresh air (particularly for neurodivergent or disabled residents with sensory sensitivities), and overall quality of life.

Additionally, *Intro 1421's* plan to transfer the liability of outdoor dining from private businesses to the City would bear significant risk to the public with little-to-no reward, and seems to be wholly unnecessary.

Sincerely,

Chaya Cooper

[REDACTED]

New York, NY 10011

[REDACTED]

[REDACTED]

Hello, my name is Christopher. Yeah, Leon Johnson and I am here to support outdoor dining. The dock for the transportation hearing at the city Council on 24 November 2025 I spoke in person in favor for intro 1368 to show to Melody Jimenez of no voice unheard. I believe that intro 1368 needs to go through thank you to the department of consume worker protection and the commissioner for supporting the bill with the letter. I appreciate it. I believe that everybody should be compensated when someone gets shot and killed by an unfortunate death of a gun. No body should be put on GoFundMe to pay their bills, especially come to funerals so I support the bill intro 1368 and I hope it gets on the floor and pass this year.

The reason I am here making this real testimony is because of the fact that I my name is Christopher Leon Johnson support the bills when it comes to outdoor dining controls no intro 1421 and the reason I support intro 1421 is because of the fact that we need sometimes you know people don't like being inside to I mean to eat and dine. Intro 1421 is a common bill and it should be passed. I support intro 1142 I support intros 1326 1320 I mean by Osmo Feliz and I support intro 1426 1423 1444, 1446 thank you and enjoy your day.

Christopher Leon Johnson
11/27/25

To Whom It May Concern,

My name is Chykee Ward and I am a workforce development professional as well as a resident of the Mott Haven neighborhood.

Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

I didn't see any restaurants close to me participating in the program this year and believe it is because they are facing several issues, including onerous rules and excessive costs associated with off-season storage.

Restaurants are critical businesses that sustain and feed our local economies in all corners of The Bronx. They delivered food through the pandemic and continue to allow people to gather safely and joyfully with their communities in our outdoor dining structures. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

I urge the Council to pass CM Restler's bill, Int. 1421.

Thank you,
Chykee - Jahbre Ward

To Whom It May Concern,

My name is Courtland Hankins, I live in the Port Morris section of the Bronx, and work as the Assistant District Manager at Bronx Community Board 3 covering Crotona Park East, Claremont, Concourse Village, Melrose, and Morrisania.

Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

Many of our Bronx districts have not seen any of our local restaurants participating in the program this year because of onerous rules and excessive costs associated with off-season storage.

Restaurants are critical businesses that sustain and feed our local economies in all corners of The Bronx. Having outdoor dining structures allows people to gather safely and joyfully with their neighbors and friends. Without a program that supports the business's needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

I urge the Council to pass CM Restler's bill, Int. 1421.

Courtland W. Hankins


Dan Miller



Astoria, NY 11103

November 14, 2025

I'm writing to support the year-round expansion of outdoor dining. Outdoor dining is one of the great pleasures of the city—turning ugly, dangerous parking spaces into a venue for enjoying the company of friends and the ballet of the sidewalk, one of the best things about living in a vibrant city like New York.

But this experience is only economically viable if it's available year-round. If restaurants are required to do the laborious and expensive work of setting up and breaking down outdoor dining every 8 months, they simply won't offer it. Instead, we need to make it easier for these vital neighborhood amenities to keep serving their communities, by allowing them to offer outdoor dining year-round.

We've already seen that the current program doesn't lead to the amount of outdoor dining that we want to see. I, for one, want more people eating outdoors, and fewer pollution-belching cars threatening pedestrians and taking up precious space. Let's make sure this program works, and is viable citywide. My neighborhood, Astoria, could particularly benefit from expanded outdoor dining—we don't have the residential density of Manhattan, but we do have an incredible restaurant scene. Parking space is wasted space that could be better served as an outdoor dining area.

From: [Danny Grace](#)
To: [Testimony](#)
Subject: [EXTERNAL] People love Outdoor Dining. Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 5:20:13 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
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More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.
- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Danny Grace

[REDACTED]

New York, NY 10011

[REDACTED]

To the City Council Committee on Consumer & Worker Protection:

I am writing to express my strong opposition and deep disappointment regarding proposed bills 1421-2025, 1444-2025, and 1446-2025. As a long-time resident of Greenwich Village, I am frankly appalled that these measures are being advanced by Council Members Julie Menin, Lincoln Restler, and Keith Powers. These bills suggest a prioritization of industry interests—particularly those of the Hospitality Alliance—over the quality of life and well-being of New York City residents. It is difficult to understand how these proposals align with the mission of a committee that claims to protect consumers.

Residents spent years working with the Department of Transportation to develop the 2024 outdoor dining regulations—rules that many of us considered a compromise. Yet those regulations have already been undermined by inadequate DOT enforcement and extensive FDNY waivers. Now, instead of strengthening oversight, these council members are proposing amendments that would further erode the balance we fought to achieve.

Intro 1421-2025, which would make roadway dining year-round, directly contradicts the intent of the 2024 DOT rules. Residents pushed back against year-round roadway dining because of the noise, trash, heating equipment, and sidewalk disruptions they bring. We successfully fought this battle once—why is it being revived? Reinstitution year-round roadway and sidewalk structures disregards the clearly articulated concerns of communities across the city. I oppose this bill in the strongest possible terms. Our streets and sidewalks exist for the public, not as a permanent extension of private commercial space.

Intro 1444-2025, which would reduce the required clear pedestrian path, is another step backward. The existing clearance requirements were a compromise designed to protect safety and accessibility. One of my own neighbors suffered a serious injury after tripping over an outdoor dining obstruction before these standards were implemented. Weakening these protections now would be irresponsible and dangerous. I strongly oppose this bill.

Intro 1446-2025, which would create a walk-in DOT office specifically to assist restaurants with outdoor dining applications, raises equally troubling concerns. If new support offices are to be established, they should be equally accessible to residents—particularly those seeking help reporting violations or addressing problems caused by noncompliant outdoor dining structures. The idea of expanding services for restaurants without offering parallel support for residents is fundamentally unbalanced. I oppose this bill as well.

Lastly, I am hopeful about the direction New York City may take under incoming leadership. Zoran Mamdani has demonstrated a genuine interest in the needs of residents, including issues of livability and affordability. I look forward to sharing my concerns with his administration and with anyone in city government willing to address the growing imbalance between industry demands and residents' rights. The failures of the current enforcement system, combined with the relentless push for expanded outdoor dining concessions, have created a situation that is neither sustainable nor fair.

I urge the Committee to reject these bills and to reaffirm its commitment to protecting the people who live in this city.

David Rosenberg

Greenwich Village

From: [David Steingard](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:10:55 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

David Steingard

[REDACTED]

New York, NY 10013

[REDACTED]

I am writing to express my objection to Intro **1421-2025**

A return to year-round outdoor dining and expanding it to include grocery stores now will only worsen the negative impacts on residents' quality of life. Policymakers should be prioritizing solutions that enhance indoor safety and community well-being rather than expanding the unsustainable practice of outdoor dining. The future of dining should balance enjoyment with responsibility—and outdoor dining too often fails to do so.

A significant drawback to outdoor dining is the disruption it causes to nearby residents and businesses. Sidewalk and street seating amplify noise from conversations, clattering dishes, and live music. What might feel lively to diners can quickly become a nuisance for people living or working nearby, especially in densely populated neighborhoods. Constant noise pollution strains community relations and diminishes the sense of peace that public spaces are meant to provide.

The DOT does not have the manpower to enforce current regulations, expanding the program will make compliance/ enforcement issues impossible to correct.

Deborah Farley



Sunnyside, NY 11104

From: [Deborah Pastor](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support for Intro 1441-2025
Date: Tuesday, November 25, 2025 10:43:46 PM

Dear Councilmembers,

Thank you for the opportunity to submit testimony in support of Intro 1441-2025 that would allow outdoor roadway dining to operate year-round.

My name is Deborah Pastor, mother and caretaker of my daughter Aviva Pastor who is immunocompromised and has been advised by her doctors to avoid Covid at all costs. She is a full-time wheelchair user. For me—and for many disabled, immunocompromised, and high-risk individuals—safe access to public life depends on the availability of un-enclosed outdoor spaces where we can dine, socialize, and participate in our communities without unnecessary exposure risk.

Outdoor dining has become our **only** way to be with friends and family without masking – especially in the colder months. It is the only way we can eat outside our home. So, outdoor dining is vital for the mental health of every person who adheres to strict Covid protocols.

The program must maintain accessibility and safety principles.


Allow the use of safe outdoor heating.

Year-round outdoor dining will only be feasible if roadway cafés can legally and safely use outdoor heating lamps. This is especially critical for disabled high-risk diners who cannot move indoors as temperatures drop. Outdoor heat should be allowed as long as it complies with FDNY safety standards.

Intro 1441-2025 and its companion bills represent a crucial step toward making New York a more accessible, resilient, and inclusive city for all. I urge the Council to pass this legislation and to ensure implementation that preserves the accessibility, safety, and openness that disabled New Yorkers rely on.

Thank you for your time and consideration.

Deborah Pastor



From: [Dennis Riccio](#)
To: [Testimony](#)
Cc: [D28Helps](#); [District5](#); [District33](#); epsteinh@nyassembly.gov
Subject: [EXTERNAL] I am opposed to proposals Int 1421-2025, 1444-2025 and 1446-2025.
Date: Thursday, November 20, 2025 11:10:14 AM

[REDACTED]

There is absolutely no public benefit to this privatization of public streets and sidewalks. These bills only sell out our publicly owned and paid for, and already over crowded, streets and sidewalks. They will only increase the difficulty we already have in navigating them, especially in downtown neighborhoods where many sidewalks are already too narrow for the amounts of people walking on them. These bills will also hinder regular street cleaning, and snow removal during the winter.

NYC is not Paris, which has wide boulevards and avenues to absorb the noise diners and drinkers make. We live in a densely packed city - at least in Manhattan - with canyon-like avenues and streets where noise bounces off buildings and creates issues for many residents in their living and sleeping rooms.

The DoT already can't handle the number of applications it gets, nor, more importantly, the inspections each location is mandated to have.

We, the residents and tax-payers of NYC, implore you to not pass these bills.

Sincerely,

Dennis Riccio

[REDACTED]
NYC NY 10009

Re: Committee on Consumer and Worker Protection 11.24.25 Hearing

All of our neighbors in the East Village are overwhelmingly opposed to extending roadway dining in any way. The sidewalks are already packed with pedestrians, delivery bikes waiting for orders, street vendors, and restaurant patrons/staff, and Amazon workers who take up large swaths of our public space to perform their jobs. It has become increasingly challenging to walk on the sidewalk, especially for the elderly and disabled.

When our public streets are privatized, it's impossible to repair or resurface the them. We have noticed a significant decrease in the amount of trash, rats, and drug use within these structures since the new law went into effect. It hasn't even been one year, and now the lobbyists are squeezing this bill in before Thanksgiving, hoping no one will notice—this is truly shameful, and anyone who votes in favor of this bill is not concerned about city residents.

Restaurants have always had the option of a sidewalk cafe, and they still do. Privatizing public space for cafes in the streets is unnecessary and expensive, and a threat to the health and safety of all New Yorkers.

Sincerely,
Donna Wingate

November 24, 2025

Douglas Murray and Nathalie Galyen



Brooklyn, New York 11221

City Council,

We are writing in support of Councilman Lincoln Restler's bills that would expand outdoor dining in NYC to be year-round. There isn't much we can say that hasn't already been said, so we'll just leave it with a few points:

- 1) One of our friends has a compromised immune system, and outdoor dining is where we share most of our meals. She feels most comfortable in a properly ventilated area, and outdoor dining and public parks are among the few places we can do that.
- 2) We just had a baby, and we're not bringing her indoors around strangers for a couple more months. Having access to outdoor dining gives us a public space to be with our daughter and keeps our social lives active during these first few months of her life.
- 3) Expanding tables for NYC restaurants reduces wait times and allows for more people to access the city's great restaurants. In a space-poor city like New York, outdoor dining is the only way to serve a growing consumer base who wants to experience New York's dining scene.

Thank you very much for considering our experience and we hope that Councilman Restler's bills will be passed.

Sincerely,

Douglas Murray and Nathalie Galyen

East Village Community Coalition

143 Avenue B – Simplex

New York, NY 10009

(212) 979-2344

www.evccnyc.org



November 24, 2025

Testimony on City Council Committee on Consumer and Worker Protections, jointly with the Committee Transportation and Infrastructure re Intros 1421, 1444 and 1446 10:00 AM

The East Village Community Coalition has long supported independent small businesses and the well-being of neighboring residents; work which we redoubled during the Covid-19 crisis. The emergency outdoor dining program helped to keep local independent businesses afloat, and their staffs employed, in a well-known as a food and beverage destination.

We recall that there was quite a learning curve when the emergency program was introduced, as there is bound to be with the introduction of **the permanent seasonal outdoor dining program**, but it **has proven to be a fair compromise for dense residential areas like ours**.

There have been significant improvements to the negative conditions that the emergency outdoor dining program produced: prolonged noise, including amplified music; sidewalks and streets that did not permit pedestrian and emergency vehicle access; piles of garbage spilling into driving lanes; and a documented increase in the rodent population.

We believe the seasonal outdoor program should continue as is, with some accommodations made for the timing of fee payments and support from NYC Small Business Services and community-based organizations. Most of the local independent businesses we keep in contact with are **not** clamoring for a year-round program. We have heard a few concerns about delayed approvals this year, but most businesses were able to navigate their way. Seeing the program through another annual cycle would make evaluation far more straight-forward.

A reduction in roadway dining applications was to be expected in a post-crisis environment. It is impossible to compare peak participation in a free crisis-driven program (created when there was no other way to do business) with the first year of participation in an optional fee-based program – and then fault the optional program for having fewer participants. Yet the repetition of these figures was the script of the testimony we heard, with hardly any testimony from business owners in support of these bills.

We are not opposed to considering a pathway to year-round dining for certain locations or types of businesses, but cannot support the broad changes proposed in the bills presented.

Thank you very much for the opportunity to provide testimony.

Best regards,

A handwritten signature in cursive script that reads "Laura Sewell". The signature is written in black ink on a light-colored background.

Laura Sewell | Executive Director
East Village Community Coalition
director@evccnyc.org

My name is Elizabeth Denys, and I am a resident of Flatbush in Brooklyn. Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program. I really love outdoor dining – it's an opportunity to enjoy the fresh air and also allow me, someone who's at very high risk for severe outcomes from viral illnesses like influenza and COVID-19, a chance to enjoy local restaurants with significantly less risk that I'd end up in the hospital again.

Participation in the current program has decreased dramatically compared to the participation rates during the previous temporary program, especially for roadway cafes, and it's likely due to the significant new burden of build-out and take-down costs along with storage needed to operate only part of the year. When I've asked restaurants in my neighborhood that used to participate why they aren't able to anymore, they cite these issues. I'd also add that I've loved dining outside in all weather and have easily gotten many people to bundle up with me – and most of the year, you don't even need to think that hard about how to stay warm.

I strongly urge the City Council to reform the current legislation to make it year-round to allow our community to continue supporting our local restaurants. I urge the Council to pass CM Restler's bill, Int. 1421.

Best,
Elizabeth Denys

From: [G. Rivera](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 10:50:11 AM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

G. Rivera

[REDACTED]

Brooklyn, NY 11249

[REDACTED]

To Whom It May Concern,

My name is Gabrielle Lerner and I am a Member of the Staten Island Young Democrats.

Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

We have not seen many of our local restaurants participate in the program this year because we are facing several issues including onerous rules and excessive costs associated with off-season storage.

Restaurants are critical businesses that sustain and feed our local economies in all corners of Staten Island. We delivered food through the pandemic and continue to allow people to gather safely and joyfully with their neighbors and friends in our outdoor dining structures. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

I urge the Council to pass CM Restler's bill, Int. 1421.

*Sincerely,
Gabrielle Lerner*

From: [Genevieve Cannistraci](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Saturday, November 29, 2025 6:50:12 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Sincerely,

Genevieve Cannistraci

[REDACTED]

New York, NY 10014

[REDACTED]

From: [Gian Giovanetti](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 4:00:22 PM

[REDACTED]

Dear Testimony Council,

I am writing to formally express my concern regarding the sidewalk permit process for my business.

I waited more than a year for approval of a sidewalk permit for four tables of two (a total of eight seats). I paid the filing fees in full at the time of application. However, the approval notice — along with the request for immediate payment of the security deposit and the revocable consent fees — arrived just as the cold season began, when outdoor tables must be removed. It was therefore impossible to make use of the permit during this period.

Additionally, the required payment is substantial, and I do not currently have the physical funds available to cover it on such short notice. I would also like to point out that the fee structure does not take into consideration the actual size of the sidewalk setup or the number of seats requested. Having only one tier of fees, regardless of scale, feels unfair and discouraging — especially given the already high and, in my opinion, unjustified cost.

I respectfully request a review of this situation, including a reconsideration of the timing, fee structure, and payment requirements for small businesses like mine. Any flexibility or adjustment would be greatly appreciated.

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Gian Giovanetti

[REDACTED]

New York, NY 10009

[REDACTED]

From: [Greg May](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:00:14 PM

[REDACTED]

Dear Testimony Council,

I operate several restaurants in the city, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Sincerely,

Greg May

[REDACTED]

New York, NY 10025

[REDACTED]

From: [Gregory Giannone](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:00:12 PM

[REDACTED]

Dear Testimony Council,

I operate a multiple restaurants, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Sincerely,

Gregory Giannone



New York, NY 10022

Greg.Giannone@sahospitalitygroup.com

Testimony in Support of Intro 1441-2025

Year-Round Outdoor Dining Expansion

Good morning, Chair Brooks-Powers and members of the Committee.

Thank you for the opportunity to testify in strong support of Intro 1441-2025, a bill that will modernize, expand, and strengthen New York City's outdoor dining program.

My name is Gyda Arber, and I am a New Yorker, a parent, and the loved one of immunocompromised family members. My household, like tens of thousands of others in this city, continues to navigate life with medical vulnerabilities that make indoor dining unsafe. For us—and for many disabled and immunocompromised New Yorkers—outdoor dining is not a preference. It is our only access point to one of the most fundamental parts of civic life: sharing meals, celebrating milestones, and participating in our communities without risking our health.

Outdoor Dining Is a Public Health and Accessibility Issue

The temporary COVID-era Open Restaurants program proved what many disability and public-health advocates had been saying for years: expanding public space to include more outdoor options dramatically increases who can participate in NYC life. During the temporary program, between 6,000 and 8,000 restaurants participated, and countless New Yorkers finally had a way to socialize safely.

When roadway setups shut down for months under the current seasonal model, disabled and immunocompromised residents lose access to their only route to social connection. Winter is already the hardest season for isolation and depression; eliminating outdoor dining during those months deeply harms the very communities most vulnerable to severe illness.

Intro 1441-2025 Fills the Gaps

This bill does more than extend the season. By allowing restaurants to expand dining beyond their original frontage and by permitting grocery stores and similar businesses to offer outdoor seating, the bill recognizes the real-life layout constraints of a dense city.

In short, it makes the program more flexible, fair, and reflective of how New Yorkers actually use public space.

Economic Stability Without Exclusion

Outdoor dining saved approximately 100,000 jobs during the pandemic. Making the program year-round will help stabilize small businesses, particularly in the outer boroughs where foot traffic fluctuates more dramatically.

But we cannot talk about economic benefits without also acknowledging that when outdoor dining disappears for half the year, disabled and immunocompromised New Yorkers are effectively excluded from that economic and social life. Our participation shouldn't be treated as seasonal.

A Chance for NYC to Lead With Equity

As home to the largest outdoor dining program in the country—and one of the most medically vulnerable populations—New York should lead by designing a system that keeps people safe and connected. Year-round outdoor dining allows families like mine to attend birthday dinners, celebrate milestones, and enjoy our city without having to choose between community and health.

Intro 1441-2025 is a thoughtful, necessary step toward a more accessible, equitable, and economically resilient New York. It acknowledges the needs of disabled and immunocompromised residents, supports small businesses, and strengthens the fabric of our neighborhoods.

I urge the Council to pass this bill.

Thank you for your time and your commitment to making New York City's public spaces truly accessible to all.

Gyda Arber

Brooklyn, NY

From: [Jamie Erickson](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 11:40:11 AM

[REDACTED]

Dear Testimony Council,

To whom it may concern-- the cost of the new outdoor structures from the cost of new material to the set up, break down and replace the storage is unrealistic-- esp for our daytime business where we use that seating casually and not for reserved tables. Not to mention DOT made us take ours down one month earlier than required for paving the streets with no credit or refund for that last months use. The clumsy application and list of requirements for payments took up valuable time of my staff and ownership. This was meant to help small businesses and this last year it hurt us.

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
- Int. 1444: Restores the 8-foot clear-path standard for sidewalk cafés, which worked for decades. The new restrictive standard cuts seating, customer capacity, revenue, and jobs for many restaurants. (San Francisco just implanted a 6-foot standard)
- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler

months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.

- **Cut Red Tape:** Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- **Offer Fee Installments:** Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Jamie Erickson

[REDACTED]

Brooklyn, NY 11231

[REDACTED]

I'm writing to strongly oppose the suggested changes to the outdoor dining regulations proposed in Intro 1441 (Is this the same as 1421) and 1444.

Residents of the neighborhoods most affected by outdoor dining made it clear last year that we did not want year-round outdoor dining. All of you were in office and signed off on those regulations. This new program has been in effect for less than a year and you are attempting to make major changes without even notifying residents. I contacted my community board and was told that the CB did not even get a heads-up about the 11/24 meeting and so were unable to testify.

The same issues that were so frequently brought up last year have not changed – noise, garbage, disruption, and obstructed sidewalks. Some of the sheds in my neighborhood have standing water, debris and leaves around them just from yesterday's rain. And that will remain until the shed is taken down because the streets cannot be cleaned with sheds in them. With year-round outdoor dining, we'd be back where we were before – with some streets unable to be cleaned for years.

We do not want longer sheds. Downtown neighborhoods used to be such great walkable neighborhoods. When sheds proliferated, that walkability disappeared. Allowing grocery stores to set up sidewalk sheds seems to violate common sense. The sidewalks around grocery stores are usually quite congested. What would they sell? Canned goods? Sanitation and safety guidelines would prohibit them from selling pretty much anything else.

The amount of space allocated to pedestrian pathways should be increased, not decreased. This space is rarely honored by the restaurants anyway. As recently as last weekend, I had to walk out into the street to walk around a shed because the sidewalk was blocked with waitstaff, lines of waiting diners, and setups. While this is an unwelcome inconvenience for me, it is unacceptable for anyone with a walker or stroller or wheelchair.

This program has substantial impacts on residents in the communities where outdoor dining is most common. It makes no sense to ignore these residents when proposing changes.

Janet Heath

From: [Janko Puls](#)
To: [Testimony](#); [D28Helps](#); [District5](#); [District33](#); epsteinh@nyassembly.gov
Subject: [EXTERNAL] record of my opposition to proposals Int 1421-2025, 1444-2025 and 1446-2025
Date: Thursday, November 20, 2025 12:24:42 PM

Venerated members of the New York City Council, dear Adrienne Adams, CMs Menin, Rester and assembly member Harvey Epstein,

I am strongly opposed to proposals Int 1421-2025, 1444-2025 and 1446-2025 and ask you to consider this opposition seriously.

These bills in combination would help facilitate the private use of public sidewalks and streets solely for the profit of business owners, and at the same time to the detriment of the citizens living here. I voice my string opposition to this and implore you you shut this process down for good until you come up with something smarter, more just for the residents of New York. It is not all about the \$\$\$, but also about protecting the quality of life - a task you responsible for as much as for the economy of our great city.

I invite you to reach out to me and spend a few hours on a Friday or Saturday night on the stretch of St. Marks Place in Manhattan, between 1st Ave and Ave A. Then you will see what this legislation will summon and how it all went horribly wrong. During Covid there were exceptions of long standing rules that should ensure the economic survival of bars and restaurants, and the employees working there. This emergency is long over. The few rules set inoto place were never seriously enforced. Real estate values tanked on this bl,ock,m to live there is an absolute nightmare unless you enjoy drinking and screaming each night. There is no public benefit in opening up sidewalks and streets for even more bar and restaurant space. It will bring in some more money, but just look around, how dirty, uncared for and messy our neighborhoods with all these bars look. It' is a absolute horror and detriment for the quality of life of residents. It is not all about the \$\$\$, we also live here.

More so, there was never notable enforcement of the remaining rules, and if I look at the measly enforcement today, I have my doubts that the city will get it right this time. Thus is a privatye business bluster like the failed implementation of rideshar services like Uber, Lyft, Gybe etc. - we got 40.000 more cars onto the streets that are now permanently milling around, contributing to traffic jams, lack of street parking for residents, more unhealthy air etc. pp. What did we get for this? "Competition"? No, we got all bad things but for the few people who can afford these services instead of using public transportation, which is suffering record breakdowns in ridershiup and willingness to pay for it. But public tyransbport vs. rideshares is not the issue here, it

is the use of public space of bars and restaurants for privten profit.

Sellout: \$1000 per year for the use of sidewalk or street for the loss of our rightful quality of life. At least charge them a percentage. No, better, don't allow it al all. What do we get for this? Not much.

Loss of public space: Once its gone its gone - it's like the parks. I;'m getting tired of having to defend OUR space from greedy business owners, and to fight the very people who are tasked by US to make OUR lives liveable in the city. It's kind of funny that even our city government is not wiling to fight for her residents.

The noise: Have you aver lived over or even near a bar with outside places? Welcome to our workld. We are fighting this quality of life issue for decades, and you think you can just make it worse by burying a proposals just before Thanksgiving? Hell no!

The health: We will have even more folks flooding our over-saturated neighborhood, contributing to even more yelling and screaming al night, illegal parties, drinking and drugging out on the streets. We will have even more trash in the street, more rats feasting all night, and more traffic all through the night between deliveries, trash trucks, permanent construction. You can rely on the fact that out neighborhood gets worse and the city won't be able to enforce more than they already can't.

Another point is the dirty, rat infestined mess around the dining sheds and even the new construction ois not adressing that. Street ccleaning and snow removal will be seriously hindered. It is a jok that I can plant a shed in the stret or on the sidewalk but a car driver partking here has to pay a fine if the vehicle is there on cleaning day. But a shed is fine, right? This is totally unfair!

Loss of walking space: 8 feet for a sidewalk in Manhattan? You got to be kidding me. Come to our neighborhood in the East Village and try to navigate the horrendous BS on our sidewalks, between sandwich boards everywhere (in front of every goddamn boutique, bar, barber or baker, list to be continued at will), garbage bags, abandoned bicycles and trash, scaffolding, and now private mailboxes!!! (see south side of E 9th st bet 1st & 2nd Ave). You really got be out of your mind to take even more space from our sideWALKS. These are public areas, NOT strip malls. Try navigation our sidewalk in the East Village with a stroller, or god beware, a wheelchair! I'm furious about your damn greed! We do live here, and we don't need one more fricken bar here, let alone in the little space we have left here.!

Loss of public parking spots. I can see that it makes sense to put Citi bikes in places to encourage people to use bicycles to get around. This indeed benefits us all, not only the ones using the bikes. If I see the hapless reaction of the city how they deal with the rapid rise of delivery bikes (like the mess on the SW corner of 1st Ave and 11th St, and now on Ave A on the block between 10th and 11th Sts), I have no hope the the city will get this done right. How about you start finally introducing some protected resident parking zones for the residents here? We lived here for a long time before you got your job. And we need to get around too. You are already painng us as residents with the congestion charge, now you want to squeeze the rest out of us. We are angry!!!

Unfair advantage instead of competition. If I followed the logic that bars and restaurants need this public space to thrive (they never had to argue that before), I could come with the same argument and declare that I have a business of renting out parking spots for drivers. Since I can't rent out three spaces in front of my building, I

might economically go under. I give a hoot about other people's needs, but just my profit and my business model, even if its shoddy. I'll be so bold and ask the city to give me their finite resources and for a measly 1000 bucks a year. I easily make that back, use public space and let the city take care of the upkeep. That's some business model!

Overwhelmed administration: The DOT already can't handle the applications let alone the enforcement. What could possibly go wrong? The street cleaners are already rounding these constructions, bar owners are inching further and further out, placing their garbage cans, street buckets etc more and more into our spaces. We sometimes can't even pass on our own sidewalk because of the many chairs placed around. And those guys don't even have a permit.

We, the residents and tax-payers of NYC, implore you to not pass these bills.

Sincerely,
Janko Puls

On The Water - Messing about on sailboats since 1981

US Coast Guard Certified Captain
OUPV near coastal, 100NM, 100 GRT, towing endorsement

Level V Captain Rank Chief Sailing Instructor / Assessor @ NauticEd
American Standards and SLC instructor / assessor
<https://www.nauticed.org/sailinginstructor/186>

Whether you just start sailing or want your International Sailing License - just get in touch with me!

Lead Sailing Instructor @ Hoboken Sailing School
<https://www.hobokensailingclub.com/>

All ages, all knowledge levels, we have the right program for you.

On Land

Point of View New York City: A Game of The City You THINK You Know

A photo book by Janko Puls.

Sample photos, videos, reviews, dates for book talks, lectures and more at
www.pointofviewnyc.com and www.facebook.com/pointofviewnyc

author, translator, photographer - let me know what you need.

Money Makes The World Go Round

Zelle and PayPal: janko.puls@gmail.com / Venmo: Janko-Puls

From: [John Campo](#)
To: [Testimony](#)
Subject: [EXTERNAL] Outdoor dining
Date: Tuesday, November 25, 2025 7:21:58 PM

[REDACTED]

We fought for years to get them under wraps won in court rallied to stop the insanity.
Keep the regulations as they are and have them down by December period.
John Campo

November 25, 2025

To Whom It May Concern:

My name is John Bahia. I'm a proud resident of Woodside, a member of Queens Community Board 2, and the person behind the [@littlemanilawoodside](#) Instagram page, where I document and uplift the small businesses, workers, and community life of Woodside's Little Manila.

Through my work and ongoing community organizing, I spend much of my time on our commercial corridor listening to the concerns of residents and business owners alike. Thank you, Chair Brooks-Powers, and members of the Committee, for holding this hearing and for giving New Yorkers the opportunity to share our experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law. As someone who helps maintain a platform amplifying immigrant-owned small businesses and as a frequent patron, I am fortunate to have seen a handful of our local restaurants participate in the program this year, but they are facing several issues including onerous rules and excessive costs associated with off-season storage.

Restaurants are critical businesses that sustain and feed our local economies in all corners of Queens. They delivered food through the pandemic and continue to allow people to gather safely and joyfully with neighbors and friends in our outdoor dining structures. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

I urge the Council to pass Councilmember Lincoln Restler's bill, Int. 1421.

In Ints. 1421 and 1446, the creation of a year-round option, along with other administrative improvements, will make Dining Out NYC work better for restaurants in my community. I look forward to working with the Council to make this program as successful as possible.

Best,

A handwritten signature in black ink that reads "Bahia". The signature is stylized and cursive, with the first letter "B" being particularly large and prominent.

John Laurence Q. Bahia

I am writing to strongly support year-round outdoor dining in New York City. This is one of the few clear success stories to come out of the pandemic—an initiative that improved public health, strengthened small businesses, activated our streets, and made our neighborhoods more vibrant. It transformed static curb space that previously held a single parked car into something with real economic and community value. Instead of dead space, we got life: jobs, tax revenue, and places for people to connect.

Outdoor dining proved that New Yorkers want to be outside. Even in the winter, there are countless days when it's perfectly enjoyable to sit outdoors for a coffee or a quick meal. Cities around the world embrace year-round outdoor life—even those with colder climates than ours—and there is no reason New York should artificially limit something so clearly beneficial. The alternative is simply worse: a return to empty curb space that generates no economic activity, no community benefit, and no reason for people to linger or support nearby businesses.

The current seasonal-only approach is expensive, bureaucratic, and unfair to restaurants. Requiring operators to assemble and disassemble structures every year wastes money, increases trash and construction waste, and introduces unpredictable permitting delays. Year-round outdoor dining would instead show that the City can manage a successful program with competence, consistency, and a long-term vision. It would provide stability for small businesses, many of which are still recovering financially, and make it easier to invest in safe, ADA-compliant setups that contribute positively to the streetscape.

Beyond economics, year-round outdoor dining improves street safety by slowing traffic, narrowing overly wide corridors, and encouraging foot traffic that keeps areas lively. It expands public space without requiring any new construction. It also supports tourism—visitors already expect outdoor dining in global cities—and reinforces New York's reputation as a dynamic, people-centered place rather than a museum frozen in time.

Overall, this program delivers enormous public value at very low cost. We should be building on what works, not rolling it back. I urge the City to adopt and protect year-round outdoor dining as a permanent part of New York's streets and a clear example of forward-thinking urban policy.

Jorge Romero

To the City Council:

I am writing in opposition to proposal
1421-2025,

There is no community consideration.

I see an increase of noise, garbage and rats.

I see crowded sidewalks inhibiting walkers,

Wheelchairs and strollers. Waiters will move

Into public space to serve patrons.

Alternate side of the street cleaning and snow removal

Will be inhibited or entirely blocked.

In addition, The Council is preventing total community

Input by adding these proposals at the last minute.

Please deny this proposal.

Thank you

Judith Zaborowski

, NYC 10009



December 26, 2026

Downtown Flushing is already one of the most congested neighborhoods in the city. The current proposal suggests that reducing sidewalks to allow sidewalk cafés would be considered sufficient for pedestrian use. In reality, this is nowhere near adequate to accommodate the extremely heavy foot traffic in the area. Any expansion of sidewalk cafes would aggravate congestion.

Only a few years ago, the Department of Transportation invested millions of dollars to widen the Main Street sidewalks in Downtown Flushing to enhance pedestrian safety and improve pedestrian flow. These new proposals would effectively **reverse** and **undermine** those prior improvements.

Sidewalk conditions are already severely strained due to illegal vendors and grocery store stoop line violators occupying large portions of pedestrian space. As a result, pedestrians are often forced off the sidewalk and into the roadway—an area already heavily trafficked by SBS bus service. **Given these conditions, there is absolutely no room to accommodate any sidewalk cafés.**

In addition, the proposal includes a plan to “streamline” the review process, which essentially means reducing community input and oversight. This would make it significantly easier for parties to proceed in an uncompliant or unsafe manner.

For all of these reasons, the Flushing BID urges you to reject these proposals, which would make Downtown Flushing more congested and less safe. We ask that you prioritize pedestrian safety and protect the quality of life for our community. **This proposal should exclude the entire Downtown Flushing area.**

A handwritten signature in black ink that reads "Judson Ain". The signature is fluid and cursive, with a large initial "J" and "A".

Judson Ain
Flushing Kent Realty Management LLC.

Dear Council Members Menin and Restler,

I am vehemently opposed to proposals Int 1421-2025, 1444-2025 and 1446-2025.

There is absolutely no public benefit to this privatization of public streets and sidewalks. These bills only sell out our publicly owned and paid for and already over crowded streets and sidewalks. They will only increase the difficulty we already have in navigating them, especially in downtown neighborhoods where many sidewalks are already too narrow for the amounts of people walking on them (they are called side**WALKS**, not sidesip strips or sidedining strips!). These bills will also hinder regular street cleaning, and snow removal during the winter.

NYC is not Paris, which has wide boulevards and avenues to absorb the noise diners and drinkers make. We live in a densely packed city - at least in Manhattan - with canyon-like avenues and streets where noise bounces off buildings and creates issues for many residents in their living and sleeping rooms.

The DoT already can't handle the number of applications it gets, nor, more importantly, the inspections each location is mandated to have.

I, a resident of and tax-payer in NYC, implore you to not pass these bills.

Sincerely,
Kate Puls

November, 2025

As residents of the Bowery, tucked in between 3 bars mid-block, whose street traffic and dining sheds were here during the height of the pandemic, it is clear there are good and bad actors. Ergo the **ABSOLUTE NEED** for accessible and responsible citizen/resident complaint and regulation.

In addition, the allowance for a minimum 8' pedestrian walkway is mindless and insulting. People walking in groups, baby carriages, dogs, small children, shopping carts, bikes, pan-handlers, rats, liter, etc. turn that width into a packed subway car...

Please, we are not against outdoor dining, in fact there are many of these places that we love...we are against

stupidity.

Ken Kobland (+others)



Members of the NYC Council,

I am submitting this testimony to indicate my very strong support for Int. 1421, to support local restaurants and restore year-round outdoor dining in NYC.

As a longtime Carroll Gardens resident, during the years in which outdoor dining was permitted year-round it was a true delight to witness the positive change the program created in our neighborhood. Neighbors and visitors were regularly dining and hanging out in these spaces, which rendered the area much more convivial than before. I am also familiar with a number of the restaurants in our area, and I know that the program was a big help to their bottom lines and well as to their popularity.

Once these restaurants were forced to remove their setups in the winter months, many of them abandoned the program entirely due to the onerous costs of having to take down and reinstall the infrastructure each year. As a result, we no longer have nearly as much outdoor dining as we did previously. Most of this space has reverted to free private car parking. Given that I live in a neighborhood where the large majority of people do not own cars and where most of the parking is free, I think it's a tragedy that space that was previously helping support local business and provide more space for the public to congregate is now being used so a single individual can park their car, and for free no less, which is especially galling given that car ownership in NYC is particularly expensive. I've also heard from a number of restaurant owners that the loss of the outdoor dining space has meant a significant revenue loss as well.

I think it makes no sense, economically or practically, to require businesses to take down their outdoor dining setups every year. This popular, positive, and economically beneficial program should be made year-round once again.

Again, I strongly support Int. 1421 and urge the Council to approve it immediately.

Thank you,

Kenneth Lay
[REDACTED]
Brooklyn NY 11231

To Whom It May Concern,

My name is Kevin Mulligan and I am the owner of The Laurels in the East Village.

Thank you for holding this hearing, Chair Brooks-Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

The current outdoor dining program is very disingenuous as it undeniably seasonal only (for all intents and purposes) and includes onerous rules and excessive costs associated with off-season storage.

Restaurants are critical businesses that sustain and feed our local economies in all corners of Manhattan. We delivered food through the pandemic and continue to allow people to gather safely and joyfully with their neighbors and friends in our outdoor dining areas. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

I urge the Council to pass CM Restler's bill, Int. 1421.

My name is Kiyana, I live on the Lower East Side, and I'm testifying in favor of all outdoor dining accommodations, including sidewalk seating, roadside dining, and open streets, which are some of the only ways immunocompromised New Yorkers and other folks at high risk of complications from COVID and flu can safely enjoy New York's restaurants.

The subtext of the opposition to outdoor dining seems to be that it was a Covid-era program, but because Covid is "over" the program should be curtailed and our streets should be returned to cars. But Covid is still *very* real for many New Yorkers, and disability can take many forms — I'm personally *very* concerned that being high-risk or immunocompromised is being *entirely* overlooked in this conversation. It's not lost on me that the city's own rules for in-person testimony today include covid safety protocols that don't seem to be widely adopted or enforced, a visible reminder of how vulnerable people are further excluded from public life

Vanishing outdoor dining options are particularly troubling when:

- Kathy Hochul is [pushing for a statewide mask ban](#)
- Vaccine uptake is terrible — only [23% of adults in the US got the most recent vaccine](#)
- [COVID cases surged last summer](#)
- Our current mayoral frontrunner intentionally underreported covid deaths in nursing homes
- The CDC is [cutting billions in federal funding](#) meant to help state health departments respond to covid
- And [Gothamist recently reported that 500,000 New Yorkers have long covid](#), which can be so debilitating it prevents them from being able to work and support themselves.

Every new COVID case is a new opportunity for one of our neighbors to get seriously ill, die, or experience long-term complications. Outdoor dining also plays a role in stopping the spread of the flu. This year, flu cases were at their [highest levels since 2020](#) and there have been [23 pediatric deaths statewide this season](#), nine of which were here in the city.

Proper ventilation is crucial to preventing airborne illness in both vulnerable and healthy folks, but the city has not invested in the infrastructure needed to make indoor dining safer. And most outdoor options aren't even available year-round, meaning that if you're vulnerable, you can't safely or easily participate in a huge piece of public and social life for half the year. With all of this in mind, I'm asking you to please:

- Make applying for roadside and sidewalk seating less cumbersome
- Allow year-round streeteries
- And provide more flexibility for sidewalk cafes

City Council Testimony

Monday November 24 2025

BILLS:

Intro 1421

Intro 1444

Intro 1446

Intro 1468

Intro 1440

My first question in testimony is this:

Why are we here? We agreed to a permanent program BECAUSE OF THE RULES & PROTECTIONS PROMISED. These 5 Bills combine to strip away or critically alter Rules governing processes of public review, expands use of public space, reduces public accountability & community oversight.

I live on Cornelia Street in the Village, a 100 % R6/R7 zone street, a single block long, with 11 small restaurants. All the adjacent streets are also R6/R7 zones, with restaurants dominating ground level mixed use space. The sidewalks are narrow, the roads are tight, and tourists flock daily to see old world walkups & everyday people coexisting with global trade skyscrapers. I personally witnessed the conditions that overwhelmed our neighborhood when restaurants & bars were permitted to operate outside on the sidewalks and roadbeds during & after the COVID catastrophe. My neighbors and I found ourselves immersed in fighting for our quality of lives amid the hospitality industry's multi-million dollar campaign to eliminate zoning protections to make pandemic conditions permanent. We fought for City Council's attention to the problems being caused for

residents. After 3 lawsuits & four years of lobbying, we as a City finally emerged from the nightmare with a compromise, an outdoor dining program that the industry & City Council & DOT committed to, with Rules that included important review processes, Rules that were touted as protecting residents & public use in the long term. Hailed time and again as an important compromise, the industry vowed to follow the new Rules of their own design.

Now, five years later, with only 1 year of operating the so-called permanent program under the new Rules, the industry and its lobbying forces now circles back, to once again pressure lawmakers & public perception to roll back important controls in the Rules.

These 5 Bills are a fresh attack against residents, against ADA compliance, against public review, against Community Board voice of everyday people, against City Council's ability to monitor and manage constituent's concerns, against City Council's reason to exist as a governing & lawmaking body doing the work of enacting equitable urban policy that protects taxpayers from unfair uninvited inequitable commercial use & encroachment & development of public land, public space, and the City's public agencies tasked with it's care.

Knowing we all know now, it's outrageous that we must now contemplate reversing critical Rules for the sole benefit of an industry to once again overstep their property into the public space, neighborhoods, and lives of the people who live beside and above the restaurants and bars. It's outrageous that some City Council members waste everyone's time & attention so obviously engineer amnesiac Bills that seek to remove the very guardrails that were a critical element of safety & promise to a wary and weary but

adamantly opposed public agreeing to allow this industry a permanent program in the first place.

The Rules of the permanent program are supposed be permanent, not temporary.

Again I ask: Why are we here?

Leif Arntzen
Cornelia Street

TESTIMONY OF LESLIE CLARK, CUEUP AND WEST VILLAGE RESIDENTS
City Council Hearing. Committee on Consumer and Worker Protection
Re: Intro 1421, Intro 1444, Intro 1446

This bill – Intro 1421 – would give yet more municipal property on both the roadway and the sidewalk to a restaurant industry that has already been amply enriched by outdoor dining.

This industry has already received \$5.5 billion in federal grants and forgiven loans during the pandemic. This industry has already received free use of municipal property for 5.5 years. Indeed, all of those restaurants that are now operating outdoors on conditional outdoor dining licenses – 3,000 – are still using municipal property without paying the city for that property.

But, while this City Council is trying to give the owners of these restaurants ever more and more – then I propose that this City Council also give something to the workers in those restaurants: a living minimum wage quite apart from tips.

In his successful campaign for mayor, Assembly Member Zohran Mamdani asked for that very thing, asking for a new minimum wage of \$30 an hour. “When working people have more money in their pocket, the overall economy thrives,” Mamdani said in an interview. “Right now, if you are earning a minimum wage in the city, you simply cannot afford to continue calling it your home. We have to change that.” City and State, 2.13.25.

I agree. We should change that now – as part of this legislation. This committee and this city council should be sincerely protecting the worker by attaching minimum wage legislation to this bill – so that the restaurant worker benefits along with the restaurant owner.

Indeed, Assembly Member Mamdani supported state legislation proposed by State Senator Robert Jackson that would bring restaurant workers’ wages on par with the rest of the state – on top of tips. Senator Jackson called the current sub-minimum wage situation with restaurant workers “wage theft” and said it was long due for change. “There’s a moment where we must answer the call of countless service workers who have long suffered under the burden of subminimum wages,” he said. “It is time to answer the call.” Queens Daily Eagle, 1.10.24.

I agree with Senator Jackson. Zohran Mamdani agreed with Senator Jackson and his legislation. The people of this city elected Mamdani. Let’s give him what he campaigned on – a living wage that will protect the restaurant worker from the sub-minimum wage of the restaurant industry. Please attach a living wage to this legislation.

From: [Leslie Woodruff](#)
To: [NYC Council Hearings](#)
Subject: [EXTERNAL] sidewalks are vital - do not shrink our space!
Date: Friday, November 21, 2025 12:32:21 PM

Hello Hearings Committee,

Looks like I missed the 11/17 deadline to testify. I'm not sure if the bills have already been voted on, but in case these are still up for debate, I would like to share some reminders for why pedestrian space is so important to NYers and our city's vitality:

1. Pedestrian volume is already beyond sidewalk capacity

When sidewalks are too narrow, people spill into the street, creating safety risks and slowing movement.

2. Tourism depends on walkability

If you can't easily, safely and comfortably move from parking structures to restaurants, shops and theaters, why would you expect tourists to continue making NYC a destination?

3. Sidewalks provide equity

Wheelchair users, parents with strollers, seniors, and people with mobility devices need space to move.

4. Sidewalks support sustainability

More sidewalk space encourages walking instead of driving.

5. Our homes are TINY -- sidewalks are our "living room"

I don't have a backyard, so sidewalks double as social settings for neighbors.

6. They future-proof the city.

E-bikes, delivery traffic, scaffolding, and curbside dining continue to grow. Without MORE sidewalk space, you should expect conflicts to exacerbate.

Thank you for allowing me to share my thoughts with the committee. I hope you will vote in favor of protecting our sidewalks!

Leslie Woodruff


Written Testimony respecting

Have you ever bought clothing that's 'one size fits all?' How often did it work out for you? Maybe you got lucky. But most likely it got returned, or just ended up in storage. The truth is that one size does not fit all.

Well, that's the problem with DiningOutNYC. Its ham-handed one size fits all approach doesn't work for a lot of people. It's not reasonable. It puts the needs of a subset of our population: the hospitality industry and its clients) above the needs of the residents. We need our businesses to thrive, but we need our residents to thrive as well. It's a balance. Letting noisy businesses operate outside late into the night can be a living hell in our densely populated community. Limiting pedestrian line of sight and areas to walk or stride or stroll in is making the City more unlivable for many.

There are areas of the City, particularly where I live...Community Board 2, Manhattan...that are too dense in residential population, eating & drinking establishments, and visitor population to handle what you've already allowed. When I chaired the CB committee that worked with restaurants wanting a liquor license back in the 1990's it became clear that a balance between the needs of businesses and the needs of residents was paramount. The State recognized this by passing the 500-foot rule, requiring community board input. Noise and Space are important quality of life issues in our City. During Covid, Open Restaurants was a disaster for many residents in my community. They lost sleep, had to sidle between tables on the sidewalk, or take to the roadway, couldn't even see across the street to wave to friends due to roadway dining. DiningOutNYC fixed a lot of that. It expanded the pedestrian clear path so families could walk side by side again, so people using canes did not have to walk on subway grating; it gave a wintertime respite to roadbed obstruction (which is also environmentally smart because heaters require energy). The program is only a year old. Too early to fiddle with it, giving even more power over our public spaces to a single industry and less to the whole community.

1. The proposal to leave a one-size fits all clear path of only 8 feet is not reasonable. Its foolish. It didn't work in my community under Open Restaurants and it won't work now. We have too many people walking on our sidewalks to allow that to work. In fact the fact that the current rules allow street obstructions such as parking meters, traffic signs, mail boxes, tree pits with flush gratings, subway gratings in its clear path determinations is again not caring about pedestrians.

2. The proposal to return to one-size fits all year-round Roadway Dining, allowing restaurants to occupy more than their frontage on either the roadway or the sidewalk and allow grocery stores to occupy sidewalk space in front of their business is not reasonable.

Let's avoid dichotomous thinking. Not having roadbed dining doesn't necessarily mean returning "parking" lanes back to free parking, at least in transit rich areas. We can put in plantings, meandering bike lanes, with spaces set aside for loading/unloading. WE MUST IMPOSE daylighting at corners and that must include NO ROADWAY DINING IN THE DAYLIGHTING ZONE. Any parking spots should be monetized, at least in Manhattan. And let's tax SUVs to help pay for it. They do not belong anywhere in the City.

As an identifier, I live on Broome Street, between Crosby & Lafayette. I served on Community Board 2 as a member, chair of the land use committee, chair of the business, institutions (& SLA) committee, chair of the sidewalk events committee, and vice chair. I was on two Boro President Task Forces: the Nightlife Task Force (where I proposed legislation that required certificates of occupancy to allow restaurant use before a liquor license was granted... which was introduced by Catherine Abate & signed into law) and the Canal Street Task Force, headed by Sam Schwartz. Since I left the Board, I have continued to be a community activist.

I think I know what I am talking about. Once size does not fit all .

Cheers,

Lora Tenenbaum



November 26, 2025

testimony@council.nyc.gov

Re: Committee on Consumer and Worker Protection 11.24.25 hearing

To the Committee:

I would like to express my **wholehearted objection** to the proposed bill(s) expanding outdoor dining in the streets of New York City.

Post-Covid dining sheds in the streets are unnecessary. Steet seating is dangerous — in the East Village we have had 3 incidents in the last month alone of auto collisions, speeding cars jumping the curb, at least two of them hit-and-runs.

These sheds are **obstructive for vehicular traffic**, including bicycles, and **make road repairs onerous and at times impossible**. Bike lanes are already plagued with hovering Ubers, taxis, and double-parked trucks, despite dedicated curbside space for the latter; while the **sidewalks remain clogged** with **food-delivery e-bikes**, Amazon carts and outdoor café tables, workers, and patrons.

Outdoor street seating is **loud and unsanitary, inviting (ever more) rats to the table**; and contributes to **amped-up noise** in a neighborhood currently awash with bars and unruly bar-hoppers at all hours, beginning with “bottomless” brunches.

This “Open Streets/Plan” concept is already out of hand. As a long-time (40 years+) resident, **I have no interest in subsidizing “greater flexibility for businesses” at the expense of my own and my neighbors’ everyday Quality of Life.**

Public space is being privatized with these proposed bills, which is unacceptable.

Sincerely,

Lorna Lentini

A large black rectangular redaction box covering the signature area.

New York, NY 10009

November 24 City Council hearing agenda
Expanded Agenda on Multiple Outdoor Dining Bills

Lorry Wall


I STRONGLY OBJECT TO BELOW ITEMS ON AGENDA FOR OUTDOOR DINING BILLS.

Item 4 on that agenda, [Intro 1421-2025](#) –
a bill that would make roadway dining year-round, allow restaurants to occupy more than their frontage on either the roadway or the sidewalk and allow grocery stores to occupy sidewalk space in front of their business.

This bill would return the south village neighborhood to **the chaos and noise of the pandemic open dining era** where hundreds of dinners occupied the streets and sidewalks, homeless sleeping in the sheds, proliferation of rats and significant portions of the streets unplowed. Most restaurants will resort to using the road dining sheds as storage sheds for tables and chairs as they did during the pandemic open dining era.

It will be hell for the longtime resident's quality of life that some city council no longer feel they need to represent. We lived the covid outdoor dining nightmare that some city council members want to return to **because those council members do not live on a street with multiple restaurants.**

The other safety concern is that this bill will **severely impede NYFD's ability to access residential buildings** that have dining shed in front of them and save lives. It is a bill that is dangerous to the safety of residents.

Item 7 on that agenda is [Intro 1444-2025](#)

which would make the pedestrian clear path no greater than 8' in front of any sidewalk cafe – regardless of the width of that sidewalk.

Since we know that there are sidewalks greater than 25' in New York city, this legislation would mean that some restaurants would have over 17' for their sidewalk cafe – with the pedestrian clear path reduced to a measly 8' -- when enforced!

This bill will make it dangerous for senior citizens such as myself and the handicapped, to navigate the sidewalks. **Popular restaurants have hordes of customers** (and there are a lot of popular restaurants) blocking the side walk and this will only make it worse.

Item 8 on that agenda is [Intro 1446-2025](#)

which would create a walk-in NYC-DOT office for restaurants to get help in making out their outdoor dining applications.

The assumption here is that the DOT needs to be even more helpful in making sure that restaurants get sidewalk cafes and roadway sheds. Note that there is no such walk-in office for residents who are trying to get their complaints to a city official who will listen!

Dear Councilmembers,

Thank you for the opportunity to submit testimony in support of Intro 1441-2025 and the accompanying legislative package that would allow outdoor roadway dining to operate year-round and make it easier for restaurants to participate in the program.

My name is Mackenzie Moyer, and I am an avid outdoor dining participant and covid-aware New Yorker. I am also a performer in this city, and I am hyper-aware of the risks that poorly ventilated indoor recreational spaces can pose to both healthy and immunocompromised New Yorkers. Whenever I am not working, I choose to lower my risk of communicable diseases, and outdoor dining plays a large part in that.

For me—and for many disabled, immunocompromised, and high-risk individuals—safe access to public life depends on the availability of un-enclosed outdoor spaces where we can dine, socialize, and participate in our communities without unnecessary exposure risk.

Even today, COVID-19 continues to circulate widely, and many disabled people remain excluded from indoor public life because indoor environments often lack the protections we need. Year-round outdoor dining allows *everyone* to participate more fully in everyday activities others take for granted. Social lives shouldn't be forced to hibernate for four months of the year.

In addition to reducing infection risk, outdoor dining is often far more wheelchair accessible than many indoor spaces. Too many restaurants—especially in older buildings—have steps at the entrance, narrow aisles, tightly packed tables, and other barriers. Outdoor roadway seating frequently provides a more accessible, navigable layout and allows wheelchair users to dine with dignity rather than being turned away or seated “out of the way.” Additionally, I would be in support of adding penalties for anyone who uses their roadway dining setup as storage space and in other manners that are not in line with the spirit and goals of the Dine Out NYC program. A few bad apples should not result in collective punishment for good operators and New Yorkers who wish or need to dine outdoors year-round.

The program must maintain accessibility and safety principles

As you move to make outdoor roadway dining permanent and available all year, I strongly encourage the Council to include the following provisions, which are essential for disabled and high-risk residents:

Keep roadway structures truly unenclosed.

Enclosures—plastic walls, tarps, or fixed barriers—undermine the very purpose of outdoor dining by limiting airflow. Disabled and immunocompromised New Yorkers depend on real outdoor ventilation. The law must continue to prohibit fully or semi-enclosed structures.

Allow the use of safe outdoor heating.

Year-round outdoor dining will only be feasible if roadway cafés can legally and safely use outdoor heating lamps. This is especially critical for disabled high-risk diners who cannot move indoors as temperatures drop. Outdoor heat should be allowed as long as it complies with FDNY safety standards.

Ensure accessibility standards are upheld.

Outdoor dining areas must maintain adequate wheelchair clearance, accessible routes, and level surfaces. These areas should not replicate the same access barriers found indoors. The ADA, NYS and NYC Human Rights Laws are not optional and the DOT must be more proactive about enforcement, especially as all roadway structures and outdoor dining cafes are new construction.

A more inclusive, vibrant, and economically resilient city.

Outdoor dining has proven to be popular with residents, a lifeline for restaurants, and a major driver of neighborhood vibrancy. For disabled and immunocompromised New Yorkers, however, this is not merely a convenience—it is an equity issue. Without year-round, unenclosed, and accessible outdoor dining, many will continue to be excluded from one of the most basic parts of city life: sharing a meal with others.

Intro 1441-2025 and its companion bills represent a crucial step toward making New York a more accessible, resilient, and inclusive city for all. I urge the Council to pass this legislation and to ensure implementation that preserves the accessibility, safety, and openness that disabled New Yorkers rely on.

Thank you for your time and consideration.

Sincerely,
Mackenzie Moyer
NYC Resident

From: [Mark Fox](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:01:48 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
- Int. 1444: Restores the 8-foot clear-path standard for sidewalk cafés, which worked for decades. The new restrictive standard cuts seating, customer capacity, revenue, and jobs for many restaurants. (San Francisco just implanted a 6-foot standard)
- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.
- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Mark Fox

[REDACTED]

New York, NY 10018

[REDACTED]

From: [Marlen Gonzalez](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 8:30:12 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Marlen Gonzalez



New York, NY 10119



From: [Martin Whelan](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:20:12 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Martin Whelan

[REDACTED]

New York, NY 10017

[REDACTED]

To the NYC City Council's Committees on Consumer and Worker Protection and Transportation and Infrastructure,

I am writing to voice my strong support for bills 1421-2025 and 1446-2025. I believe that these efforts to expand outdoor dining would be a significant improvement for all New Yorkers from the standpoints of public health, inclusivity and equity, economics, and quality of life.

The origin of the outdoor dining program was the initial COVID-19 outbreak and pandemic. While COVID deaths are rarer now than in 2020, the basic public health benefits of outdoor dining are still significant, especially for people with chronic medical conditions. Proper ventilation is crucial to preventing airborne illness in both vulnerable folks and healthy people, but the city has not invested in the infrastructure needed to make indoor dining safer. This means outdoor dining really is the best (and often only) option for a lot of people. More than 1 in 4 adults have a disability, so we know that outdoor dining will benefit many New Yorkers who cannot safely dine indoors (and particularly during cold/flu season when the risk is even higher).

Furthermore, under the new application process and shed regulations that were implemented for the 2025 season, roadside dining options dropped considerably across New York City. Low-income neighborhoods were hit particularly hard according to DOT's own data. Only 8.5 percent of restaurants with roadway dining are in City Council districts with median household incomes of \$80,000 or less. An even smaller share, 2.2 percent, is in neighborhoods with median incomes of \$60,000 or less. By contrast, most roadway dining—78.2 percent—is in neighborhoods with median incomes above \$100,000. Safe dining and economic opportunities should not be limited to the city's wealthiest areas! These are public needs that should be widely available.

I will close by noting that I am a car owner who parks every day, every week, on the street. The main opposition I have seen to expanding outdoor dining is from people who think that on-street parking is more important. I could not disagree more. This is a mass-transit and pedestrian city, and we should not restrict important sectors of our economy and recreation over something like parking spots. Expand outdoor dining and let the safe, sociable, profitable good times roll!

Matt Chaves

From: [Michael Greenwald](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:01:45 PM

[REDACTED]

Dear Testimony Council,

Everyone in my neighborhood LOVES outdoor dining and was very angry at the changes snuck through. Please help!

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
- Int. 1444: Restores the 8-foot clear-path standard for sidewalk cafés, which worked for decades. The new restrictive standard cuts seating, customer capacity, revenue, and jobs for many restaurants. (San Francisco just implanted a 6-foot standard)
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- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Michael Greenwald

[REDACTED]

Brooklyn, NY 11211

[REDACTED]

Michele Birnbaum
[REDACTED]
New York, New York 10028
[REDACTED]
E-mail: [REDACTED]

November 25, 2025

New York City Council Hearing Committee on Consumer and Worker Protection
November 24, 2025 10:00 AM
Testimony on Intro 1468, 1421, 1446

Chair Menin and Members of the Committee:

Thank you for accepting my testimony today.

I am a member of CB8 Manhattan and a founder and President of Historic Park Avenue ® , although I am not speaking for these groups but only on my own behalf.

It is with great disappointment that I have become aware of the effort to put forth new bills asking for year-round dining for an expanded number of restaurants, bodegas and grocery stores. To my knowledge, as neighborhoods and communities have not asked for this, it is painfully obvious that this is a give-away to the Hospitality Alliance and restaurant associations.

It is obvious what they have to gain from this: free square footage for expansion, no necessity to increase their labor force; shared liability with the City of New York ; increase of business hours; the ability to dominate neighborhoods and the streetscape.

But, the resident who lives above the restaurant or in the area has nothing to gain. That resident will experience an increase of noise, rats, street congestion, food odors, garbage accumulation and a dangerous crowding of the pedestrian way.

With the under-staffed, under-budgeted Department of Transportation being in charge of this program, we can be assured that the conditional permit and final permitting process will be unsupervised leaving many establishments never to obtain a permanent license and leaving the unlicensed, as well as the licensed to be unsupervised with the laws being unenforced.

Groceries and Bodegas will have chairs and tables on the street, and with a requirement of only 8 feet clearance for pedestrians, carriages, wheelchairs, mobility scooters, and playing children to pass, a street that is 25 feet wide will be allowed to have 17 feet of café space, which will overwhelm the streetscape.

Insurance costs will increase for the proprietor, but liability will be shared by the City of New York, because if there is an accident on the sidewalk or in the roadway, the victim

will sue both the owner of the establishment **and** the City, making the taxpayer pay to settle accidents' claims. The taxpayer will get the bill, but had no say in the implementation of the program.

As disturbing as are the bills themselves, it is equally disturbing the way the Council Members conduct themselves with constituent outreach. In fact, there was none. What community groups did they reach out to? Block Associations, Business Associations, buildings that would be affected? The only input they got was from the industry that would benefit.

Additionally, a hearing of such importance and interest to so many should never have been held during Thanksgiving week when other obligations did not allow people to attend.

The Council Members' lack of presence, wondering in and out of the hearing, talking on their cell phones, and not engaging with those who testified, is an insult to the public and leads to a further perception that these bills are being pushed through to the satisfaction of the special interest groups.

We don't need to live on our streets and make our city a hectic, unrulily bazaar.

Please kill these bills.

Thank you for listening!

Sincerely,

Michele Birnbaum

From: [michele campo](#)
To: [Testimony](#)
Cc: [Office of Correspondence Services](#)
Subject: [EXTERNAL] committee on consumer and worker protection 11.24.25... intro 1441-2025; intro 1444-2025; and intro 1446-2025
Date: Wednesday, November 26, 2025 10:41:31 PM

[REDACTED]

This is my testimony of serious objection to these unfortunate bills:

intro 1441-2025; intro 1444-2025; and intro 1446-2025.

Upon hearing of these new bills my reaction was surprise. I am a member of several groups - each of which has worked tirelessly to keep our public spaces just that - **PUBLIC!** And yet here was a last minute session - and seemingly placed on the agenda shortly prior to a traditional holiday day and week. How convenient!

Previously almost all meetings re the curb shacks were between hospitality groups and city hall administration. Residents were barely thought of, much less included. The result - a hodgepodge of pathetically constructed and vulnerable shacks. And just how is an enclosed structure supposed to be a safe alternative for avoiding covid germs? This never made sense. Also - these are scary structures for firemen to potentially work around.

After several years and much back and forth, a compromise alternative was reached. Open air structures to exist only in

warm months. This would also help reduce the rat population — which had exploded because the shacks went up... a homey feeding situation for rodents!

— There should be **NO WINTER** month structures - **they should be taken down!**

— There should be **NO INCLUSION** of any other commercial entity (such as grocery stores !!) acquiring sidewalk areas.

— Delivery of supplies to the bars/restaurants requires large trucks to take up space in other areas creating more traffic problems.

— These structures are rarely kept clean - especially underneath - it is really quite gross and unhealthy.

— There needs to be definitive, and adequate, clear paths for pedestrians which leaves room for strollers and wheelchairs. At times there is more room inside the sidewalk cafe paths than outside their boundary.

— This city is a walking city. A place where you can meet and greet others —

—— **Please do not lock up the neighborhoods of New York.**

— At the hearing many times I heard New York City compared with Paris. There is **NO** comparison..... and Parisians would **NEVER** allow restaurant shacks to clutter their streets.

—— And I didn't even get around to the noise - especially the late night alcohol, voice and music mixture..... many residents work from home.... the surrounding noise makes this quite impossible.

—— We are taxpayers too ...we should be included in all decisions!

thank you for your consideration,

—— michele campo

Bowery Alliance of Neighbors

Dining Out NYC Testimony – in support of CM Restler’s bill, Int. 1421

To Whom It May Concern,

My name is Michelle Chai and I am a resident of Fort Greene, Brooklyn.

Thank you for holding this hearing, Chair Brooks–Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current outdoor dining program and urge the Council to pass CM Restler’s bill, Int. 1421.

I’m a New Yorker who enjoys outdoor restaurant dining in several ways:

- It gives me the opportunity to dine out with friends in small restaurants that don’t have enough space inside to accommodate all the people who want to patronize them.
- It gives me (and whoever I’m dining with) a safer outdoor option to eat together during Covid/flu/cold spikes – especially in the colder months when everyone is getting sick.
- It improves the quality of life in the neighborhoods we live, work, play, and relax in. Outdoor dining sheds done well create a beautiful, enjoyable, and inviting environment for everyone walking or bicycling by. These are places we want to be around and stay around (these are places that bring high foot traffic as a result). They are also calmer, quieter, and safer because there is slower (or less) vehicular traffic coming through and creating noise and pollution.
- I enjoy being in neighborhoods with thriving local businesses – not just large businesses – and in order for local (often smaller) businesses to remain profitable and stay where they are, they need to be able to make enough money. This means having more outdoor seating available during all months of the year, and not have to shoulder prohibitive costs such as building/storage for seasonal dining structures.

I urge the City Council to reform the current legislation to make it year–round to allow our community to continue supporting our local restaurants. I urge the Council to pass CM Restler’s bill, Int. 1421.

Thank you,

Michelle Chai

To the Members of the New York City Council,

My name is Nathalie Galyen, and I live in Bed-Stuy. I'm writing to share my perspective as a New Yorker who cares about the vibrancy, safety, and long-term health of our public spaces and local businesses.

Over the past several years, outdoor dining has become an important part of everyday life for me and my family. This year, that importance grew even more after I had a baby. Outdoor spaces are now essential for my child's well-being, especially because even a simple cold like RSV could lead to a hospital visit at her age. Being able to sit outside allows us to engage with our neighborhood safely and support local businesses that I otherwise wouldn't be able to visit.

I've seen firsthand how much outdoor dining contributes to a sense of community and helps shape a neighborhood's identity. When the 2025 changes went into effect, I noticed a clear difference. Fewer outdoor setups have meant less vibrant streets and fewer options for families like mine to patronize. It was a reminder that thoughtful, stable policies truly shape the character of our neighborhoods.

As the Council considers the current bills on year-round outdoor dining and simplifying participation, I hope a family perspective helps illustrate why consistent, accessible outdoor dining matters to so many of us on a day-to-day level. Clear, workable rules support the restaurants we love and help maintain the lively, connected communities we value.

Thank you for your time and for considering input from everyday New Yorkers like myself.

Nathalie Galyen Bed-Stuy, Brooklyn

11/24/2025 @ 10am: Committee on Consumer and Worker Protection (Jointly with the Committee on Transportation and Infrastructure) Hearing

Testimony in Opposition to Making Roadway Dining Year-round

My name is Ned Shalanski, and I am a licensed landscape architect with 16 years of experience designing New York City public spaces. Currently, I design public parks for the City Parks Department. Council members, it really is a pleasure to design green spaces for your districts. I am also a resident of the Lower East Side.

My comments today apply to roadway dining, not sidewalk dining. The “vibrance” wording I so often hear connected with roadway dining means for residents: constant noise, crowds, and LESS livable streets. It is truly vexing to me that I’ve had to defend my neighbors and I from City Council greenlighting a beer garden outside my window that operates late into the evening. That Council Member Restler and others should propose this environmental transformation be made year-round is not only out-of-touch with everyday NYers’ quality of life, it demands a thorough, public EIS. CM Restler’s bill promotes the entertainment-ization of neighborhoods and unfairly favors a leisure class, ignoring resident NYers’ reasonable, humble concerns for local quiet, cleanliness, and ease.

No city agency can oversee a program wherein thousands of independent restaurants are permitted to stage individual roadway set-ups. That restaurants should be allowed to design & erect substantial structures in the public realm without drawings from architects or engineers? - to quote John MacEnroy, “You cannot be serious!” Roadway dining is a square peg in a round hole, and deep down, I think we all know this. The public space in my neighborhood should not be handed over to private entities for 24/7 year-round profiting.

CM Restler’s bill proposes a far-reaching transformation of the city’s public realm that would affect tens of thousands of NYers outside their windows, and every single NYer as they engage our city. If DOT and City Council want a successful outdoor dining program, it should follow careful, city-led planning, not the enshrining of ad-hoc, pandemic-era rules by industry-insiders. This isn’t rocket science - especially for small neighborhoods like mine, again, a one-size-fits-all model is a square peg in a round hole. If at all, street dining should take place on safe, fully closed-off streets, during weekends and/ or special occasions and with removable tables and chairs. Contrary to the NY Hospitality Alliance, TransAlt, Open Plans NYC, and the like, streeteries are not unanimously popular. The Paris program, which I often hear plugged as a model for Dining Out NYC *does* use movable furniture and not permanent structures. NYC families deserve a better post-pandemic reality, and reasonableness, not the prevailing wishlists of special interests groups, ought to guide this debate.

11/17/25

Dear Department of Transportation,

I am writing to express my concern about the continued expansion of outdoor dining structures and the impact these changes are having on residential neighborhoods like Boerum Hill. While the Department's commitment to safer, more pedestrian-friendly streets and improved public transit is commendable, the reality on the ground has become increasingly difficult for those of us who live here.

The reduction of vehicle lanes has already created heavy congestion, blocking delivery trucks, slowing buses, and leaving residents with few options for necessary travel. Adding more roadway dining setups would only make these conditions worse—eliminating parking, constraining traffic flow, and increasing safety hazards for drivers, cyclists, and pedestrians alike.

I fully support efforts to reduce unnecessary car use and make the city more sustainable, but the current infrastructure cannot safely accommodate street dining on top of existing demands. Our neighborhood streets are small, busy, and already under strain.

Additionally, street dining has unfortunately brought with it several negative side effects: increased litter, rodent activity, noise, and unsanitary conditions. These issues affect everyone's quality of life and contradict the goal of creating cleaner, safer streets.

I urge the Department to take these local concerns into account before approving further street closures or dining expansions. A balanced approach that supports safety, accessibility, and neighborhood livability is essential.

Thank you for your time and consideration.

Sincerely,

Nicholas Gao / 

Boerum Hill Resident

I would like to share my support for CM Restler's bill Int. 1421 in support of year-round outdoor dining, or at least fewer rules around outdoor dining.

The current, new rules are burdensome for restaurants.

With the ability to have more space, restaurants can serve more customers, provide more jobs, and earn more money.

It is generally a win-win—and good for people with dogs, strollers, walkers, and the immune-compromised as well.

Thank you,

Nora McCauley

[REDACTED]

Brooklyn 11201

[REDACTED]

Oral Testimony
Intro Bill 1444
Re: Setting a Maximum Pedestrian Clear Path
In Front of Sidewalk Cafes
City Council Hearing
Nov. 24, 2025

It's important to realize how this legislation came about:

According to the Committee Report on this legislation (pp. 24-25),
The Comptroller wrote to DOT and said, give the restaurant industry whatever it
wants on clearances.

That's what we've got here.
Intro 1444 is restaurant industry's wish list

But the restaurant industry isn't looking out for the public

Before you even consider voting for this bill,

Demand that the restaurant industry show you an authoritative treatise, written by experts on the
principles of sidewalk design, that says:

It's a good idea to use the same fixed width for the clear pedestrian path on every
sidewalk on every street in the City, regardless of location, condition, need, and capacity.

The same on Baseline Streets
(low pedestrian volumes and infrequent passing)
(typically residential streets)
(no widespread pedestrian generators)
And on Global Corridors
(large crowds of people moving many directions)
(high concentration of pedestrian destinations)
(high concentration of large scale attractions)

If the restaurant industry doesn't show you an authoritative treatise that endorses this
design (and they can't), then don't vote for this bill.

Demand that the restaurant industry show you an authoritative treatise, written by experts on the principles of sidewalk design, that says:

It's a good idea to reject a 50-50 split or any other percentage limit on how much of the sidewalk a café can take up. It's okay to establish a maximum width for a clear path and let a sidewalk café have all the rest.

Experts on sidewalk design recognize that sidewalks serve many functions. They're places where people meet and gather, stop to talk to a neighbor, linger, pause, and otherwise stay in place. If the only space that's left to the public is the clear path, which is meant for walking down the sidewalk, the public won't be able to engage in those other activities there. It will be like the City is saying to the public: Keep moving.

If the restaurant industry doesn't show you an authoritative treatise that endorses this design (and they can't), then don't vote for this bill.

Demand that the restaurant industry show you an authoritative treatise, written by experts on the principles of sidewalk design, that says:

It's a good idea to ignore obstructions in the sidewalk when laying out a clear pedestrian path. The specified maximum width of a clear path is all the space that can be reserved for pedestrians, even if that path contains obstructions.

If the restaurant industry doesn't show you an authoritative treatise that endorses this design (and they can't), then don't vote for this bill.

Please stand up for the public and reject Intro 1444.

Norma Cote



New York NY

Testimony
Intro Bill 1444
Re: Maximizing The Required Pedestrian Clear Path
In Front of Sidewalk Cafes
Nov. 24, 2025

This bill would take away scarce, vital, irreplaceable public space.

It would flip the fundamental principle governing the allocation of sidewalk space, going from public-priority to business-priority.

It would shrink the minimum clear path on the most crowded streets in every borough in the City.

It would throw out the current formula for setting the width of a clear pedestrian path, a flexible minimum based on likely foot traffic, and replace it with a fixed maximum – the narrowest width under the current rules -- that would apply to every street in every borough of the City, regardless of location, conditions, need, and capacity.

It would ignore obstructions built into the sidewalk and force pedestrians to swerve to get past them.

I urge you to vote NO on Intro 1444.

- 1) **Decisions about how much sidewalk space should be kept clear for pedestrians should not be made by a legislative body such as the City Council.** Sidewalk design and the identification of pedestrian needs require expertise, knowledge, and a basis in fact. The City has developed a holistic, data-driven Pedestrian Mobility Plan that builds upon existing safety and accessibility guidelines. The existing DOT rules for clear pedestrian paths are derived from that Plan and are specifically tailored to manage the impact of sidewalk cafes on the public use of City sidewalks. The City Council should not override those carefully considered specifications, especially not merely at the urging of laymen who are motivated by self-interest. This alone is reason enough to vote no on Intro 1444.
- 2) **Intro 1444, by setting a maximum of 8 feet for clear pedestrian paths, would shrink the clear path on the 2 biggest corridors in the City – the ones where crowds circulate.** On Global Corridors, it would go from 12 feet to 8. On Regional Corridors, it would go from 10 feet to 8. Global Corridors, as defined in the Plan, have large crowds of people moving in many directions and a high concentration of pedestrian destinations or large scale attractions. Regional Corridors have crowds of people passing each other and a concentration of pedestrian destinations or large scale attractions. Crowds pose built-in safety risks and can be dangerous. The City should not be taking chances with safety. The City Council should not second-guess DOT's informed judgment by cutting the minimum clear paths on the busiest, most crowded streets in the City. This alone is reason enough to vote no on Intro 1444.

- 3) **Intro 1444, by setting a fixed maximum for the width of clear pedestrian paths, would allow sidewalk cafes to dominate public sidewalks, taking up more than half the sidewalk.** Under the present rule, where the sidewalk is more than twice the width of the required minimum path, pedestrians are entitled to at least half of the sidewalk. The 50% rule expands the specific corridor measurement so that cafes won't take up more than half the sidewalk. For example, if the sidewalk is 30 feet wide and the corridor requires 8 feet for a clear path, the minimum clear path now will be 15 feet wide (50% of 30), not 8, and the sidewalk café can take up the remaining 15 feet (a 50-50 ratio). Under Intro 1444, the pedestrian clear path would be only 8 feet wide and the café would take up the remaining 22 feet, almost 3 times the pedestrian path, and would dominate the sidewalk. Sidewalks are not just conduits for the movement of pedestrians. They provide public space for meeting and gathering, pausing, stopping, lingering, etc. These activities would be foreclosed if the public were limited to the clear path while restaurants and bars took up all the rest of the sidewalk. The allocation of public space should not prioritize private interests like those of restaurants and bars. This alone is reason enough to vote no on Intro 1444.
- 4) **Intro. 1444 would reduce the unobstructed, walkable pedestrian path to less than 8 feet wherever there is an obstruction built into the sidewalk.** Objects like fire hydrants, lampposts, tree pits, bicycle racks, traffic signals, mail boxes, pedestrian ramps, etc., are often built into the sidewalk in the strip of sidewalk called the Furnishing Zone, which runs next to and parallel to the curb. If there are no obstructions in the Furnishing Zone, the clear path is measured to the curb line. But wherever there's an obstruction in the sidewalk, the current rule specifies that the clear path must be measured from the café "to the nearest element or object, including a pedestrian ramp, installed or affixed to the sidewalk." The rule does not limit how much of the sidewalk can be taken up by the Furnishing Zone and the clear path combined. It will be as wide as it has to be so that pedestrians have an unobstructed, continuous path and don't have to weave among obstacles on the sidewalk. If there is an obstruction 3 feet from the curb, and the required clear path is 8 feet, then 11 feet of sidewalk width must be off limits to sidewalk cafes. See Rule 5-11 (a) (1) (iii) (D).

Intro 1444 says nothing about obstacles. Instead, it says that no rule can require that the "clear path ... remain clear". The unmistakable implication is that if there are obstacles within the 8 foot maximum, that's okay. Ignore them. Those 8 feet are all the space that can be off limits to sidewalk cafes, regardless of whether there are obstructions that render the "clear" path not actually clear and continuous throughout. The restaurant lobbyists have publicly complained that their members have a hard time measuring how far out into the sidewalk they can extend when there are obstacles in the sidewalk. Intro 1444 would solve their problem by overriding the 50% rule, but it would create a major problem for the public and make many sidewalks virtually impassable. This is reason enough to vote no on Intro 1444.

Scofflaws

It should be noted that the restaurants and bars have been flagrant, defiant, contemptuous, notorious scofflaws when it comes to siting regulations for sidewalk cafes. They take as much space as they want, and the public be damned. There is no question that they will continue to flout the rules if the rules are liberalized. This too is reason enough to vote no on Intro 1444.

Norma Cote
Manhattan
Nov. 22, 2025

Testimony
Intro Bill 1421
Re Expanding Access to Roadway and Sidewalk Cafes
City Council Hearing
November 24, 2025

Allowing Roadway Cafes to be Built Close to Pedestrian Crosswalks

This provision in Intro 1421 presents a danger to the public and should be rejected. The present rule requires that roadway cafes stay at least 20 feet away from a crosswalk in locations where the vehicles in the parallel travel lane are approaching the intersection (rather than leaving the intersection). This distance gives pedestrians a wide field of vision of oncoming traffic as they look out into the roadway or step off the curb to see whether it is safe to cross. Intro 1421 would reduce that distance to 8 feet, allowing roadway cafes to be built as close as 8 feet from the crosswalk. This is too close for safety. Pedestrians would have to step out into the roadway to get a clear sightline to oncoming traffic; it is particularly problematic for children and short adults and in situations where vehicles are traveling at some speed. It would also require sharper turns for vehicles trying to turn into the side street, which would be particularly dangerous for the general public in the case of large emergency vehicles like fire engines. This provision in Intro 1421 should be rejected.

Allowing Roadway Cafes to Spread Beyond Their Restaurant's Frontage

This provision in Intro 1421 represents an undesirable intrusion into the fabric of a neighborhood and should be rejected. Outdoor cafes are particularly problematic in residential areas, from which they used to be excluded by the zoning law. These are precisely the areas where residential buildings and the ground-floor restaurants in them are likely to be less than 20 feet wide, especially in historic districts. Under this provision in Intro 1421, indoor ground floor restaurant that have less than 20 feet of frontage would be permitted to spread into the roadway in front of the property next door. There is no requirement that the abutting property have less than 20 feet of frontage; in fact, it may have 25 feet or 30 feet or more. There may be an abutting property on the other side of the ground-floor restaurant too, so that the resulting roadway café is triple the frontage of the ground-floor restaurant. Although the abutting property owners may consent to the spread, residents who live across the street or down the block have no power to control the spread. It's one thing to move onto a block knowing that there is one small indoor restaurant on the block, but it can destroy those residents' quality of life when suddenly there's a café in the street on the block and it's 2 or 3 times the size of the restaurant itself. This is unfair to neighbors. It is also an undeserved bonanza to a restaurateur who leased the indoor space knowing that it was small. It is not unfair to limit that restaurateur to the roadway space in front of his/her indoor restaurant. This provision in Intro 1421 should be rejected.

Allowing Roadway Cafes to Operate During the Winter and to Construct Fully Enclosed Sheds

These provisions in Intro 1421 would prolong the burdens borne by people who live near outdoor cafes, which have proven to be undesirable neighbors because of the noise, unruly patrons, and sanitation and

rodent problems that they create. Last winter, when the roadway cafes came down, the improvement in the quality of life in a residential neighborhood like mine was palpable. With the return of those sheds in the spring, the problems also returned. The situation will be even worse if Intro 1421 is enacted, because it would permit the construction of fully enclosed sheds in the roadway: (DOT shall promulgate rules relating to “(v) the design ... of a roadway café that has been approved to operate during the period from November 30 through March 31”). These sheds amount to an urban blight. They are just the reverse of “outdoor” dining. There is no justification for allowing them to remain in place during cold months when few diners are likely to patronize them. In addition, if roadway sheds are allowed to be fully enclosed, the operators of sidewalk cafes will demand the same treatment, exacerbating the cheapening of the urban landscape. These provisions in Intro 1421 should be rejected.

Prohibiting “Community Boards” from Requesting Additional Written Materials

This provision in Intro 1421 is a deliberately deceptive attempt to prevent any component of a community board from requesting additional information in connection with any aspect of an outdoor dining operation, including a restaurateur’s application for a liquor license to serve alcohol in its outdoor café. It exceeds DOT’s authority over community boards, and it also unjustifiably hinders their review of restaurateurs’ applications for a revocable consent under DOT’s Dining Out Program. This provision in Intro 1421 should be rejected.

The open-ended language in this provision is deliberately – and misleadingly -- open-ended. It applies to “the community board” as a whole. It appears to be a sneaky attempt to stop the liquor license committees on community boards from requesting additional information when the operator of an outdoor café applies for a liquor license to serve alcohol there. DOT has no authority to issue rules on how a community board and its liquor license committee may perform their review function under the New York State Liquor Law. DOT has no authority to dictate what information a community board and its liquor license committee may or may not request or require in order to perform that review.

In addition, community boards must be free to ask for additional information when they review applications under DOT’s Dining Out Program. Otherwise, they will not be able to render an informed recommendation. There has been no showing by the restaurant industry that community boards have been abusive in requesting additional information.

In short, this provision is unlawful as it pertains to community board activities other than review under DOT’s Dining Out Program, and it is unnecessary as it pertains to their review under that program itself. It should be rejected.

Norma Cote



New York NY 10014

From: [Zoya Shaikh](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:00:12 PM

[REDACTED]

Dear Testimony Council,

I'm a small business owner of a restaurant in the west village and though I've been approved for my roadway dining, the costs of removing them every year might be too much for me to continue. My patio is kept clean and maintained well and if i'm doing so, I should be able to keep it around the year.

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
- Int. 1444: Restores the 8-foot clear-path standard for sidewalk cafés, which worked for decades. The new restrictive standard cuts seating, customer capacity, revenue, and jobs for many restaurants. (San Francisco just implanted a 6-foot standard)
- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.

- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Zoya Shaikh

[REDACTED]

New York, NY 10014

[REDACTED]

1. Strongly Object to Item 4 on that agenda, [Intro 1421-2025](#)
2. Strongly Object to [Item 7](#) on that agenda is [Intro 1444-2025](#)
3. Strongly Object to [Item 8](#) on that agenda is [Intro 1446-2025](#)

[Strongly Object to Item 4 on that agenda, Intro 1421-2025](#) – a bill that would make roadway dining year-round, allow restaurants to occupy more than their frontage on either the roadway or the sidewalk and allow grocery stores to occupy sidewalk space in front of their business.

This bill would return the south village neighborhood to the chaos and noise of the pandemic open dining era where hundreds of diners occupied the streets and sidewalks, homeless sleeping in the sheds, proliferation of rats and significant portions of the streets unplowed. Most restaurants will resort to using the road dining sheds as storage sheds for tables and chairs as they did during the pandemic open dining era. It will be hell for the longtime resident's quality of life that some city council no longer feel they need to represent. We lived the covid outdoor dining nightmare that some city council members want to return to because those council members do not live on a street with multiple restaurants.

The other safety concern is that this bill will severely impede NYFD's ability to access residential buildings that have dining shed in front of them and save lives. It is a bill that is dangerous to the safety of residents.

[Strongly Object to Item 7 on that agenda is Intro 1444-2025](#) which would make the pedestrian clearpath no greater than 8' in front of any sidewalk cafe – regardless of the width of that sidewalk.

Since we know that there are sidewalks greater than 25' in New York city, this legislation would mean that some restaurants would have over 17' for their sidewalk cafe – with the pedestrian clear path reduced to a measly 8' -- when enforced!

This bill will make it dangerous for senior citizens such as myself and the handicapped, to navigate the sidewalks. Popular restaurants have hordes of customers blocking the side walk and this will only make it worse.

[Strongly Object to Item 8 on that agenda is Intro 1446-2025](#) which would create a walk-in NYC-DOT office for restaurants to get help in making out their outdoor dining applications.

The assumption here is that the DOT needs to be even more helpful in making sure that restaurants get sidewalk cafes and roadway sheds. Note that there is no such walk-in office for residents who are trying to get their complaints to a city official who will listen!

Sincerely,

Peter Gibson, resident for 35 years.



New York NY

**Written Testimony of Phillip Godzin
Hearing on the Dining Out NYC Program
Committee on Transportation and Infrastructure & Committee on Consumer and Worker
Protection November 24, 2025**

To Whom It May Concern,

My name is **Phillip Godzin**, and I am a resident of **Prospect Heights, Brooklyn**. Thank you for holding this hearing and for the opportunity to submit testimony regarding the Dining Out NYC program.

I am writing today as a strong supporter of New York City's restaurants and of the outdoor dining program, which has brought extraordinary economic, social, and cultural value to neighborhoods across the five boroughs. In Prospect Heights—particularly along the vibrant corridor of **Vanderbilt Avenue**—outdoor dining has helped create one of the most beloved, community-centered streetscapes in the city. It has supported local businesses, made streets safer and more walkable, and given residents a gathering place that fosters connection and joy. I have personally seen how much livelier, safer, and more economically resilient our streets became once outdoor dining flourished.

However, I am deeply concerned that the **seasonal restrictions** and **high costs** embedded in the current Dining Out NYC framework are undermining the program's success and pushing participation to unsustainably low levels. Many restaurants—especially small, independent establishments—cannot afford the cycle of building, breaking down, storing, and reconstructing roadway setups every year. These are not incidental expenses; they represent thousands of dollars upfront, repeated annually, for businesses already operating on thin margins.

As a resident who closely follows the program and its impact, I have watched participation shrink dramatically compared to the temporary pandemic-era version. This decline is not due to lack of customer demand. On the contrary, restaurants that have backyard or sidewalk seating continue to fill available outdoor tables, particularly during mild winter days, evenings, and weekends that are growing more and more common with climate change. Personally, as a new parent with a newborn that we aren't taking indoors yet, we look forward to our regular dining trips outdoors. New Yorkers overwhelmingly want this experience year-round, and our restaurants benefit from it year-round. The demand is there—what's missing is a regulatory structure that makes participation feasible and consistent.

The current system also reinforces inequities across neighborhoods. Under seasonal rules and costly design requirements, outdoor dining has become concentrated primarily in wealthier areas of Manhattan and central Brooklyn—leaving behind many communities that could most benefit from additional foot traffic, safer streets, and new economic activity. A truly permanent program should expand opportunity, not shrink it.

New York City needs a year-round roadway dining option—one that is predictable, cost-effective, and supportive of small businesses rather than burdensome. Seasonal operation

simply does not match the real-world economic needs of restaurants or the real-world usage patterns of diners.

This is why I strongly support **Council Member Restler's bill, Int. 1421**, which would:

- Allow restaurants to opt into **year-round** roadway dining.
- Permit use of the frontage of adjacent businesses (with consent).
- Remove the Council veto process that adds unpredictability.
- Offer greater flexibility in design features to protect diners from weather.

These improvements would not only help stabilize restaurants and secure year-round jobs, but also help maintain the vibrancy, economic activity, and community spirit that outdoor dining has brought to our streets. The temporary program showed what was possible; the current rules are unnecessarily shrinking that success. The program's success should be measured by the number of participating businesses.

New York City has led the nation in designing lively, people-centered public spaces. We should not lose that progress. A strong, permanent, year-round outdoor dining program is essential to preserving what we gained—and essential to the future of our local businesses.

I urge the Council to adopt meaningful reforms and pass **Int. 1421**.

Thank you for your consideration.

Phillip Godzin

Prospect Heights, Brooklyn

From: [Rachel Sommer](#)
To: [Testimony](#)
Subject: [EXTERNAL] comments on Intro 1441-2025
Date: Tuesday, November 25, 2025 7:47:10 PM

[REDACTED]

Dear Councilmembers,

Thank you for the opportunity to submit testimony in support of Intro 1441-2025 and the accompanying legislative package that would allow outdoor roadway dining to operate year-round and make it easier for restaurants to participate in the program.

My name is Rachel Sommer, and I am a disabled New Yorker living with ME/CFS, POTS, and additional health conditions that place me at high risk for long COVID. With the abandonment of any protections I have been increasingly isolating to remain safe. For me—and for many disabled, immunocompromised, and high-risk individuals—safe access to public life depends on the availability of un-enclosed outdoor spaces where we can dine, socialize, and participate in our communities without unnecessary exposure risk.

Even today, COVID-19 continues to circulate widely, and many disabled people remain excluded from indoor public life because indoor environments often lack the protections we need. Year-round outdoor dining allows us to participate more fully in everyday activities others take for granted and our social lives shouldn't be forced to hibernate for four months of the year.

In addition to reducing infection risk, I find that outdoor dining is often far more wheelchair accessible than many indoor spaces. Too many restaurants—especially in older buildings—have steps at the entrance, narrow aisles, tightly packed tables, and other barriers. Outdoor roadway seating frequently provides a more accessible, navigable layout and allows wheelchair users to dine with dignity rather than being turned away or seated “out of the way.” In listening to some of the testimony yesterday, the comments of Jean Ryan from a small fringe group called “Disabled in Action” do not represent New Yorkers with disabilities writ large. Yes, some restaurants continue to violate the ADA but that is a separate issue that must be dealt with and should not prevent restaurateurs who do operate in good faith and provide access to everyone from being able to operate roadway cafes year-round. Additionally, I would be in support of adding penalties for anyone who uses their roadway dining setup as storage space and in other manners that are not in line with the spirit and goals of the Dine Out NYC program. A few bad apples should not result in collective punishment for good operators and New Yorkers who wish or need to dine outdoors year-round.

The program must maintain accessibility and safety principles

As you move to make outdoor roadway dining permanent and available all year, I strongly encourage the Council to include the following provisions, which are essential for disabled and high-risk residents:

Keep roadway structures truly unenclosed.

Enclosures—plastic walls, tarps, or fixed barriers—undermine the very purpose of outdoor dining by limiting airflow. Disabled and immunocompromised New Yorkers depend on real outdoor ventilation. The law must continue to prohibit fully or semi-enclosed structures.

Allow the use of safe outdoor heating.

Year-round outdoor dining will only be feasible if roadway cafés can legally and safely use outdoor heating lamps. This is especially critical for disabled high-risk diners who cannot move indoors as temperatures drop. Outdoor heat should be allowed as long as it complies with FDNY safety standards.

Ensure accessibility standards are upheld.

Outdoor dining areas must maintain adequate wheelchair clearance, accessible routes, and level surfaces. These

areas should not replicate the same access barriers found indoors. The ADA, NYS and NYC Human Rights Laws are not optional and the DOT must be more proactive about enforcement, especially as all roadway structures and outdoor dining cafes are new construction.

A more inclusive, vibrant, and economically resilient city

Outdoor dining has proven to be popular with residents, a lifeline for restaurants, and a major driver of neighborhood vibrancy. For disabled and immunocompromised New Yorkers like me, however, this is not merely a convenience—it is an equity issue. Without year-round, unenclosed, and accessible outdoor dining, many of us will continue to be excluded from one of the most basic parts of city life: sharing a meal with others.

Intro 1441-2025 and its companion bills represent a crucial step toward making New York a more accessible, resilient, and inclusive city for all. I urge the Council to pass this legislation and to ensure implementation that preserves the accessibility, safety, and openness that disabled New Yorkers rely on.

Thank you for your time and consideration.

Sincerely,
Rachel Sommer
New York City Resident and Disability Advocate
Sent from my iPhone

Rachel Wilkerson

[REDACTED]
New York, NY 10002
[REDACTED]

Nov. 24, 2025

My name is Rachel Wilkerson and I am writing to express my enthusiastic support of both measures to expand outdoor dining.

A few years ago, as a healthy young person, I contracted a common virus that left me immunocompromised. This means that every time I leave my apartment, I am masked. When I want to spend time in the world—grab a drink with friends, take a new coworker out to lunch, *participate in the social fabric of our city*—I rely entirely on outdoor dining because it’s the only way I can reliably avoid airborne illnesses.

If you’ve never had to think about this, you likely don’t realize how hard it is to socialize in these circumstances; a lot of “outdoor” dining is partially enclosed or has only a couple of tables, and I can’t just pop inside when I arrive and see that it’s not *really* open. As a result, I’ve had to miss my coworkers’ goodbye drinks, friends’ birthday parties, casual networking and community organizing opportunities, and so many other gatherings that most people take for granted. I doubt the folks who speak out against outdoor dining have ever bundled up and eaten a burger outside on a 40 degree night, but I have done it many times because it’s the only way I can go on a dinner date with my partner. And every year, I watch more of these meager options vanish.

Having more open dining options available would remove a huge barrier for me and other New Yorkers like me. Being sick and having to be so cautious is deeply isolating, but being able to easily meet up with friends allows me to feel normal and like my old self again. Open dining been my lifeline.

More than 1 in 4 adults have a disability, so I’m confident that I’m not the only New Yorker who benefits from safer spaces to eat and drink. Open dining also benefits the thousands of our neighbors who are 65+, and who, as a rule, are at higher risk of serious complications and severe outcomes from covid and flu. Far from being an ADA violation, open dining is a form of inclusion and accessibility. This is especially important at a time when vaccine uptake is low and loneliness is sky high.

I feel very sad when I hear people confidently and incorrectly say that covid is over. Tell that to the estimated [500,000 New Yorkers who have long covid](#), which can be so debilitating it prevents them from being able to work and support themselves. Every new covid case is a new opportunity for one of our neighbors to get seriously ill, die, or experience long-term complications. At *best*, it's an opportunity for a someone to miss a week or two of wages because they got sick and don't have PTO.

On that note: This legislation is really not just about people who are at high-risk of complications from cold, flu, RSV, and shingles. It's also good for service workers who shouldn't be forced to spend the entirety of long shifts inside cramped restaurants where patrons are coughing all over them, and who can't afford to take the sick day they will inevitably need. It's also good for their kids, who might have to stay home from school or daycare if they get sick. (Speaking of children, families with babies really benefit from outdoor dining, as babies cannot mask and often aren't vaccinated, but their caregivers still deserve to be able to grab coffee or brunch with friends.) This legislation is good for people who live in poorer parts of NYC, where the current outdoor dining landscape is substantially worse than it is in richer neighborhoods. It's good because it would prioritize the more vulnerable among us *and* would help healthy New Yorkers stay healthy, both physically and mentally.

It isn't lost on me that so many of the people who vocally oppose outdoor dining are older white folks from neighborhoods like Soho, Nolita, and the Upper West Side. That is who, overwhelmingly, has the time and flexibility to know about and then sit through a four-hours-long council meeting on a Monday so they can argue that their rights are being trampled on because they can no longer wave to a friend across the street because a roadside dining shed blocks their view. (These are the same people who would, overwhelmingly, benefit from not getting covid again, but I digress!) Despite this loud contingent, I know there are many, many other New Yorkers like me, who love outdoor dining (and rely on it!) and who support its expansion.

When we curtail roadside dining, we're ultimately saying that two parked cars are more important than the health of all New Yorkers. I hope that city council will support these bills—because we *all* deserve to participate in public life in our city.

Sincerely,
Rachel Wilkerson

From: [Rajan Lai](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 2:00:17 PM

[REDACTED]

Dear Testimony Council,

Dear Council Members Borelli and Salamanca,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

- Int. 1421: Makes roadway dining year-round — a crucial fix. Seasonal roadway dining doesn't work for many restaurants; setup, breakdown, and storage costs make it unviable for small operators.
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- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.

- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.
- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Rajan Lai

[REDACTED]

New York, NY 10013

[REDACTED]

From: [Rakesh Chandiramani](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 10:20:16 AM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Sincerely,

Rakesh Chandiramani

[REDACTED]

New York, NY 10001

[REDACTED]

From: [Regis MARINIER](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 2:30:20 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Sincerely,

Regis MARINIER

[REDACTED]

New York, NY 10021

[REDACTED]

November 19th, 2025

To Consumer Affairs Committee Chair Menin et al,

I wish to express my **fierce and unequivocal opposition** to Intro 1421-2025 and the related bills—1444, 1446, 1440, and 1468. Taken together, these bills would radically transform our public streets and sidewalks into a permanent commercial zone, with devastating consequences for residents.

Intro 1421 proposes permanent, year-round roadway dining and allows restaurants to extend beyond their own frontage onto neighboring properties. That is not “flexibility”—it is the **permanent privatization of public land**. It forces residents to live with constant noise, late-night activity, amplified music, alcohol service below their windows, and crowds spilling into the street. It exposes families to unmanaged garbage, food waste, and the rat infestations that exploded under the previous dining program.

This bill also permits grocery stores to seize sidewalk space—again, without consideration of ADA-accessibility, pedestrian mobility, emergency access, or the safety of seniors, disabled people, and parents with strollers. Sidewalks were never designed to be free commercial real estate.

Intro 1444 makes the situation even worse: it caps the pedestrian clear path at only 8 feet, no matter how wide the sidewalk is. That means restaurants on 25-foot sidewalks could claim more than two-thirds of the space, leaving walkers confined to a narrow, overcrowded chute—if enforcement even occurs. This is not just bad planning; it is a direct hit on disabled New Yorkers. We already have widespread noncompliance. Shrinking the standard will lock in that harm.

Intro 1446 proposes a walk-in DOT office dedicated to helping restaurants expand into public space. But where is the walk-in office for residents dealing with blocked sidewalks, vermin, noise, blight, and broken regulations? The City cannot enforce the rules it already has. Instead of helping residents, this bill helps businesses navigate how to take more space.

Intro 1440 shifts oversight to the Department of Consumer and Worker Protection—a move that might once have made sense, but paired with the rest of these bills looks like an attempt to place the program in the hands of the *most* compliant agency, one that will not challenge the expansion agenda.

Finally, Intro 1468 is the most dangerous bill of all. It eliminates revocable consent—a critical safeguard that allows the City to reclaim public space when conditions become unsafe, disruptive, or harmful. Replacing it with a simple license eliminates liability insurance requirements, removes community board review, and shuts out the public from decisions about how their own streets are used. This is an unprecedented deregulation of commercial encroachment on public land.

Sidewalks and streets are a shared commons. They belong to the entire population of this city—not to a small subset of businesses, not to tourists, not to political agendas. During the pandemic, outdoor dining was framed as an emergency measure. Today, that emergency is being exploited to justify a massive, irreversible privatization of space that residents rely on for mobility, safety, and quality of life.

These bills ignore the lived experience of the people who actually inhabit these blocks. They ignore the noise, the garbage, the vermin, the blocked sidewalks, the lack of ADA compliance, the abandoned structures, the fire hazards, and the sheer blight that the outdoor dining program created. Instead, they double down on it.

We need more public space—not less. More accessibility—not less. More community input—not less. And more accountability—not less.

I urge the Council, in the strongest terms possible, to reject Intro 1421 and the related bills. Protect our sidewalks. Protect our streets. Protect the rights of residents who live here year-round. Our public realm is not for sale.

Thank you.

Sandy Reiburn
Fort Greene, Brooklyn

November 24, 2025

RE: Oversight Hearing for Dining Out NYC Program

RE: Intro. 1421

Outdoor dining was one of the silver linings of the pandemic and incredibly popular. Finally NYC joined the rest of the world. It made the city more vibrant, saved many local restaurants, and allowed a little portion of our streets to be used for people instead of free private car storage.

Unfortunately, the current form of the Dining Out program, due to overly restrictive legislation passed by the Council and the cumbersome rules put in place by DOT, effectively killed the program. This was incredibly predictable. In fact, I testified in November 2023 at the DOT outdoor dining rules hearing to warn that exactly this would happen:

“The program should be year-round. The seasonal nature, with restaurants having to take down and store their setups every winter, creates an unnecessary financial burden that effectively will limit participation. It will lead to a less equitable program as only certain businesses will be able to afford participation due to this requirement.”

Today I am again urging the Council to make the program year-round.
I urge the Council to pass CM Restler’s bill, Int. 1421.

Saskia Haegens
Prospect Heights, Brooklyn

**Hearing of the Committee on Consumer and Worker Protection
Jointly with the Committee on Transportation and Infrastructure**

11/24/2025

250 Broadway - 8th Floor - Hearing Room 1

WRITTEN TESTIMONY OF SCOTT LYNE

My name is Scott Lyne and I live in Manhattan Community Board 4 on West 44th Street.

Below are points outlining my concerns about Intro 1421-2025 and Intro 1444-2025.

Intro 1421-2025 (Expanding access to roadway and sidewalk cafes):

1. We haven't been through 1 year under existing rules yet – it seems premature to change them before we know how current ones will work in practice.
2. The current requirement for seasonal removal helps to ensure “right-sizing” of the program.
3. Restaurants that will not realize sufficient and ongoing economic benefit from Roadway Dining will not undertake the time, effort and expense to remove/store/replace Roadway Café setups. This minimizes the proliferation of underutilized and ill-maintained setups that will languish and never need to be removed.
4. Others have stated that the expense to remove/store/replace the outdoor setups is prohibitive, especially for small restaurants. However, it seems like the smaller the restaurant, the smaller the setup, and the smaller the time/effort/expense to remove/store/replace the setup. Also, if a restaurant is unable incur the expense required to remove/store/replace their setups, it seems unlikely that they will incur the expense to ensure that their setups (that sit out all year and are subject to harsh winter conditions) will be well maintained.
5. Current seasonal removal rules also help to ensure that setups will be well maintained. Seasonal removal means that setups are not exposed to harsh/damaging winter weather and street conditions (sand, salt, etc.). Also, restaurants will not undertake the effort and expense to remove/store/replace Roadway Café setups that are not well maintained.
6. An expanded (12 month per year) program might (emphasis on might) be workable if there was adequate enforcement – but the opposite is currently the case. MCB4 recently sent a letter to the DOT about this very subject – asking for increased enforcement.
7. An expanded program without adequate enforcement would likely result in the same kind of ill-maintained, semi-permanent/noncompliant setups that existed during the pandemic.
8. **Alternate proposals:** The rules do not need to be the same for all Boroughs or areas. Also, an alternative solution that would make Roadway Dining more accessible for the restaurant industry could be to reduce or eliminate the license fees and/or revocable consent fees associated with Roadway Dining. That would have the combined benefit of providing economic relief while maintaining the seasonal removal requirement (which has the benefits outlined above).

Intro 1444-2025 (Setting a maximum pedestrian path requirement in front of sidewalk cafes):

A uniform rule regarding sidewalk clear path does not seem logical or reasonable and if a uniform rule is adopted, then eight (8) feet in an insufficient clear path. Below are related concerns:

1. Under the existing rules, at least some restaurants that qualify for both Roadway Dining and Sidewalk Cafés will forego Roadway Dining and only apply for a Sidewalk Café (due the effort and expense to remove/store/replace Roadway Café setups).
2. Under the existing rules, it seems unlikely that restaurants that qualify for both Roadway Dining and Sidewalk Cafés will decide to forego having a Sidewalk Café and only apply for Roadway Dining. (Indeed, it would be very interesting to know how many, if any, restaurants that qualify for both Roadway Dining and Sidewalk Cafés have chosen to forego having a Sidewalk Café and have only applied for Roadway Dining.)
3. Under the proposed revised Roadway Dining rules (Intro 1421-2025), it will be much more likely that restaurants that qualify for both Roadway Dining and Sidewalk Cafés will apply for both. (There will no longer be the effort or expense to remove/store/replace Roadway Café setups.)
4. For at least the following reasons, it is likely that sidewalk space will be more impacted by the situation where both Roadway Dining and Sidewalk Cafés coexist than where there is only a Sidewalk Café (with no Roadway Dining):
 - a. Keeping Sidewalk Cafés within their DOT approved boundaries is difficult regardless of whether the official DOT rules require extra sidewalk space for pedestrians (whether or not there is also Roadway Dining):
 - i. Regardless of the setup approved by the DOT under the Open Dining rules, restaurants default to setting up their Sidewalk Café “the way it has always been.” In most cases, this means the same setup in the same configuration with the same furniture – regardless of whether that setup adheres to the new Open Dining rules.
 - ii. Even if the restaurants company with the setup approved by the DOT under the Open Dining rules, restaurants prioritize layout over dimensions. If the DOT approves X tables and Y chairs in a particular layout, that is what the restaurant is going to put on the sidewalk. The restaurant may “technically” have agreed to utilize smaller (sometimes laughably small) furniture to justify the approved layout, but restaurants view the layout to be what has been approved – whether or not it impinges on the required clear path.
 - iii. Even if restaurants can be convinced to comply with the approved layout AND use correctly sized furniture, the natural inclination of the employees setting up the Sidewalk Café will be to allow extra space inside the Sidewalk Café to provide patrons and employees with a more comfortable dining/working experience. This is just human nature.
 - b. Keeping Roadway Dining setups off the sidewalk is also challenging. Roadway Dining setups abut the sidewalk and this inevitably leads to furniture being placed

- in the furnishing zone (including plants, signage, serving paraphernalia and other items) – even though this is technically not allowed. This is true whether or not there is also a Sidewalk Café.
- c. Even though all service is technically required to be done from within the Sidewalk and Roadway setup areas (leaving the sidewalk clear), that is not how things works in practice. Serving is inevitably done from the sidewalk and there is also constant traffic of serving staff on the sidewalk – to service both Roadway Dining and Sidewalk Cafes.
 - d. Roadway Cafes and Sidewalk Cafes invite queueing and loitering on the abutting sidewalk space.
 - e. All of the above result in impingements on pedestrian sidewalk space – and that effect is exacerbated and multiplied where Roadway Dining and Sidewalk Cafés coexist (a situation that will proliferate if the Roadway Dining rules are extended to 12 months).
5. Without vigilant enforcement (which is not happening – See item 6 above related to Intro 1421-2025), an eight (8) foot clear path will simply not be maintained. Some amount of additional space should be technically required to ensure that the minimum desired amount of space will be preserved in practice.
 6. **Alternate proposal**: If a uniform clear path rule is established, the clear path be required should be the greater of either 10 feet or 50% of the sidewalk width (not including the furnishing zone).

Respectfully submitted,
Scott Lyne
scottlyne@yahoo.com

From: [Sophie Bruschi](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Tuesday, November 25, 2025 2:00:51 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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- Int. 1446: Improves accessibility and equity by allowing paper applications and adding a “save your work” feature to the online portal — essential for small business owners who aren't tech-savvy.
- Additional improvements in these proposed bills: Streamlined community board review and allowing use of adjacent roadway café frontage will help small businesses generate more revenue and create jobs.

More Reforms Are Still Needed:

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- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

Sophie Bruschi

[REDACTED]

New York, NY 10019

[REDACTED]

From: [Stephen Troy](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Monday, November 24, 2025 1:51:41 PM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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Sincerely,

Stephen Troy

[REDACTED]

New York, NY 10003

[REDACTED]

Steven Taras

[REDACTED]
New York, NY 10009
[REDACTED]

November 24, 2025

City Council Committee on Consumer and Worker Protection

Re: 1441-2025, 1444-2025, 1446-2025

Dear City Council Members,

I am writing to voice my **strong opposition** to the aforementioned bills. During the Covid pandemic, neighborhoods tolerated this sheds as it was a supposed "lifeline" to the businesses. Now, businesses feel they are entitled to virtually free property, regardless of whether it affects traffic or keeps neighbors up at night. The amount charged is a pittance compared to how much they make – yet they complain that they want more. In a neighborhood such as mine in the East Village, it is not uncommon to have 4, 5 or more bar/restaurants right next to one another. Occupying both the sidewalk and streets prevents the fire department from quickly accessing buildings in an emergency. Spaces on corners often block the view of cars and e-bikes and frequently result in accidents. The noise level keeps residents up at night. People do "dine" but I've yet to meet to a neighbor who thinks this is a good idea. Streets cannot be properly paved with the mini houses on the street and the vermin accumulate and reproduce under the sheds. What happened to a pedestrians right to walk on the sidewalk unimpeded? Servers often serve from outside the cafes boundaries and leave no room to pass.

Andrew Rigie and the New York City Hospitality Alliance are often quoted that they are an "economic engine" that keeps the city vibrant. Yet, many workers work for less than minimum wage plus tips and often don't pay taxes as it's under the table. Workers employed in this industry cannot afford to pay market rate for apartments – further exasperating the housing crisis. Intro 1446-2025 would establish a walk in office to help restaurants with outdoor dining applications. What about helping residents deal with problem businesses once approved? Calling 311 is pointless. The NYPD is ill equipped and unwilling to help. They do not have the proper devices to register sound volumes from business and often close a 311 ticket without even visiting the business. If Mr. Rigie is so concerned about the industry he works in, why does he not advocate for paying workers liveable wages, provide health insurance, paid days off and a matching 401k?

In summation, these bills will enrich the owners of businesses and make life a living hell for residents. Please vote down this ridiculous legislation.

Sincerely,



Steven Taras

Dear Members of the Committee,

It is rather extraordinary that you are holding these last-minute hearings on Intro 421 which will expand roadside dining (the filthy sheds again!) just as many New Yorkers are heading out of town for Thanksgiving

Sara Lind, co-executive director of Open Plans can sugar coat this huge gift to the restaurant industry in her best PR language, but it only reflects the eagerness of that industry to expand their incomes and places of business on the streets of our city. No other industry so profits from basically free rent by using our shared streets as their places of business.

The years of virtually unregulated sheds, during and post-Covid, littered our neighborhoods and finally came under regulation just last year. Finally, most of the rats, filth, noise, crowds under our windows until early in the morning (2-4am) no longer ruined our daily lives and nights. Now the Council is proposing to help the industry with even fewer regulations, undoing the little bit of sanity and quiet that returned to our streets.

I know there are large areas of neighborhoods like Bed Stuy and others, where the long quiet residential streets have no restaurants; council members' support of these proposals will not affect the lives of their constituents. But in denser areas, like Manhattan, Intro. 1421 will have a huge negative impact on residents.

How can you seriously think these are good actions to support?

- [Intro 1441-2025](#) — would make roadway dining year-round, allow restaurants to occupy more than their frontage on either the roadway or the sidewalk and allow grocery stores to occupy sidewalk space in front of their business. **So now the bar next door can block the entrance to my building??**
- [Intro 1444-2025](#) — would cap the pedestrian clear path at eight feet, regardless of sidewalk width. **Already, I often have to step aside for waiters crossing the sidewalk to serve customers in the street. Now you will make it impossible for someone with a walker or wheelchair to navigate. Why does the business have priority over pedestrians? I mean I think sidewalks are meant for pedestrians?**
- Intro [1446-2025](#) — would establish a DOT walk-in office to help restaurants with outdoor dining applications. **Our taxpayer dollars will be helping restaurant shed applicants with the paperwork??? Really?)**

Lind continues, "By restoring year-round outdoor dining the City Council is making it possible for more businesses to succeed and creating more time and more ways for New Yorkers to enjoy public spaces." **Oh, Intro 421 is just about making New Yorkers happy by underwriting the restaurant industry's profits with our taxes. How can the Council buy this PR claptrap?**

Sincerely,

Sue Williams

11/17/25

Dear Department of Transportation,

I appreciate the Department's continued efforts to make New York City's streets safer for cyclists and pedestrians and to improve bus efficiency by limiting vehicle lanes. However, these changes have also led to serious and growing congestion issues in neighborhoods like Boerum Hill. Delivery vehicles, personal cars, and commuter traffic now face significant delays and blockages that affect daily life and local commerce.


Expanding outdoor dining into additional roadway space would make these problems worse. While promoting sustainable transportation is an admirable goal, our neighborhood streets are already operating beyond capacity. Restricting more curb and lane space in order to accommodate restaurant structures will further compromise safety, accessibility, and mobility for residents.

I support the city's vision of reducing unnecessary car traffic, but a complete elimination of vehicle access is neither realistic nor fair to residents and small businesses. If we want to advance bicycle safety, efficient public transit, and pedestrian protection, our infrastructure must remain functional for all essential uses—including deliveries, sanitation, and emergency access.

In addition, the street dining program has created ongoing quality-of-life concerns: public health violations, unsanitary conditions, rat infestations, and increased litter near homes. These outcomes conflict with the city's stated goals of promoting cleaner, safer, and more livable streets.

I urge the Department to take these community impacts seriously and to pursue balanced solutions that protect safety and accessibility without further straining residential neighborhoods.

Sincerely,

Tiffany Chu / 

Resident, Boerum Hill

From: [tom.mendes](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support Outdoor Dining Reforms!
Date: Thursday, November 27, 2025 1:10:11 AM

[REDACTED]

Dear Testimony Council,

I operate a restaurant, and I urge you to reform the Dining Out NYC (outdoor dining) program by reducing burdens and costs on participating businesses and removing barriers that deter others from participating. Restore outdoor dining to the small business friendly program the City told us to expect, but that fell short of expectations. Please support the following reforms to fix outdoor dining.

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- Allow Sidewalk Café Enclosures: Let restaurants use enclosed sidewalk cafés year-round, especially in cooler months, to sustain sales, preserve jobs, and provide comfortable seating. Since restaurants pay annual license fees, they should be able to operate year-round.
- Cut Red Tape: Eliminate the costly, time-consuming revocable consent requirement for outdoor dining. The City Council added it — and can remove it — to make the system faster, fairer, and more affordable for small businesses.

- Offer Fee Installments: Allow outdoor dining fees to be paid in installments rather than one lump sum to ease financial pressure on small operators.

Again, as someone who operates a business in your district and in NYC, please support these proposed bills and the additional reforms, as they are critical to support small businesses, jobs, and New Yorkers and visitors who love dining alfresco.

Sincerely,

tom mendes

[REDACTED]

New York, NY 10002

[REDACTED]

To The New York City Council,

Attn: Adrienne Adams,

My name is William Klayer and I have been a resident of the East Village for 45 years.

My apartment is my only home. I am not wealthy enough to have a secondary residence outside of the city that I love so dearly.

I am opposed to proposals Int 1421-2025, 1444-2025 and 1446-2025.

There is absolutely no public benefit to this privatization of public streets and sidewalks. These bills only sell out our publicly owned and paid for, and already over crowded, streets and sidewalks. They will only increase the difficulty we already have in navigating them, especially in downtown neighborhoods where many sidewalks are already too narrow for the amounts of people walking on them. These bills will also hinder regular street cleaning, and snow removal during the winter.

My neighborhood is already overcrowded with foot traffic from the numerous bars and restaurants that have indoor seating.

Adding to this congestion by giving use of our public sidewalks, the only meager bit of shared property we have to conduct our daily lives, is an insult to those who proudly call this city our home.

Please don't turn your backs on us.

In regards to Int 1446-2025: the DoT already can't handle the number of applications it gets, nor, more importantly, the inspections each location is mandated to have.

We, the residents and tax-payers of NYC, implore you to not pass these bills.

Sincerely,

William Klayer

To the City Council:

I would like to register my support for Int 1421-2025 that would bring back year-round outdoor dining.

It is clear that the council's existing regulations have strangled the industry. Many of my favorite local restaurants have decided to completely forgo outdoor dining due to the poison pill of seasonality in the council's law from last year. When I expressed my displeasure to them, they all said it was too expensive to tear down and rebuild every year, especially considering storage space.

By allowing restaurants to leave their sidewalk and roadbed cafes in place over the winter, Int 1421-2025 has a chance to bring back vitality to the street and revenue to our local businesses. I hope you will vote to support the legislation.

Thank you,
William Meehan

A nice, outdoor area to have a meal is a better use of neighborhood space than a parking spot. I miss all the curbside dining areas we saw come up over the last few years before they were taken away. The city council should pass legislation that brings these back. The quality of life in New York is much lower than it should be, and this is an easy way to meaningfully improve it.

I endorse the MCB4 Nov 7 letter to Councilmember Bottcher re Intro 1421 and 1444, and urge you to oppose Intro 1444 and seek and enact crucial modifications to Intro 1421 in order to maintain a sufficiently clear path for pedestrians.

The sidewalks need to be maximized for pedestrians.

My friend just tripped and fell at a congestion spot: 7 stitches on her eyebrow.

How is the space measured? (e.g. Planters have a base, their location marked on the sidewalk, but some plantings extend beyond the base, further reducing functional sidewalk width by more than a foot.)

And yes, I also wholeheartedly agree “every restaurant that includes a sidewalk café or roadway café be compelled to give free access to its bathrooms to the general public as a benefit to the community.”

Thank you.

People over parking.

In a time where the Loneliness Epidemic is raging, the ability to dine and build community is crucial for our health. When we do not allow immunocompromised citizens participate in social life in the same ways as most able bodied citizens, we continue to draw a divide in what we deem is acceptable to live in New York City. This city welcomes all walks of life and we should be able to have outdoor dining that reflects and supports that all New York citizens have the right and ability to enjoy a meal with others and improve their quality of life.

Additionally, the ability for restaurants to grow and expand is dependent on outdoor dining. With the current economy, many citizens are discerning of what our money supports. To see restaurants in the street, helps us decide where to put our hard earned money.

The proposed outdoor dining legislation takes important steps forward by maintaining the year-round operations that have become essential to both our restaurant industry and our quality of life. By streamlining the permitting process and eliminating seasonal interruptions, we're enabling small businesses to plan effectively and invest confidently in their outdoor spaces.

Year-round roadway dining delivers multiple benefits: it supports restaurant recovery and job creation, activates our streetscapes during winter months, and gives New Yorkers more opportunities to gather and enjoy their neighborhoods. Our city is strongest when our streets serve as dynamic public spaces, not just traffic corridors.

I urge the City Council to pass this legislation and make permanent the vibrant, accessible, year-round outdoor dining that has become an integral part of New York.

I'm writing concerning items 1421, 1444, and 1446.

Many people assume that the City Council is a real voice for New Yorkers, and has their interests at heart. I've always wanted to believe this. But when I read about bills like this, I have to wonder if I'm wrong. To start with, 1446 – is it really SO HARD to do these applications that restaurant owners need walk-in help? No doubt, provided by my tax dollars? I'd suggest simplifying the application or improving the instructions. It would be nice if regular citizens, who can't hire lawyers to help them, could access walk-in help for THEIR problems.

As for the other 2 bills, why are restaurants entitled to so much PUBLIC space? Even crazier, why would they be entitled to go beyond their own frontage? What about the stores next to them – isn't this going to make them less visible? Why should someone who rents over a grocery store have to wake up one day and find they are now renting over a café, with all the noise and music this probably implies?

Council members seem to live in a different city than I do. In your city, sharing an 8 foot space with way too many people, some of them on scooters, or trying to navigate with strollers and children, is easy, even for those in wheelchairs. In your city, noise is no issue. Everyone lives above the 30th floor. Or everyone is so happy the city is making a few more dollars that they willingly accept having no peace and quiet. In your city, being driven nuts by loud restaurants is no problem, because you can just move whenever necessary. But that city does not exist.

I urge the City Council to reform the current outdoor dining legislation to make it year-round to allow our community to continue supporting our local restaurants. I urge the Council to pass CM Restler's bill, Int. 1421.

To whom it may concern:

I am 100% opposed to making open dining year-round again and also to give the restaurants more space on the streets and sidewalks.

Our sidewalks and streets are narrow in the West Village, and during the years we had the year-round open dining, it was an absolute nightmare between the noise, rats, and trash.

Noise is my main concern. We had no peace, especially if a restaurant was situated right under or close to one of our apt buildings. Also, many were allowed to stay open until midnight every night of the week. That's just insane for everyone.

Since the city restricted the dining period, revamped the site setups, and tried to enforce the rules, things have gotten much better. In addition, in my opinion I don't see any restaurants suffering. You need reservations to get into most of them, and I see new ones cropping up all the time.

Please think twice about trying to re-vamp the program again. Let it be.

Thank you.

To whom it may concern:

I am writing to express my support for the extension of year-round roadway dining as outlined in Int 1421-2025. As a resident of Council Member Powers' district, the expansion of outdoor seating has greatly enriched my neighborhood. COVID-19 is absolutely still a threat, and the availability of roadway dining has allowed me to continue to support local businesses. Restaurants also need to be empowered to expand their seating availability—and therefore potential profits—by facilitating roadway dining applications, as described in Int 1446-2025.

I moved to New York at the tail end of lockdown during a period of chronic illness and weakened immunity.

Stepping out to explore was startling—it felt like I was being thrown into a daily superspreader event with a completely new framework of what constituted risking my life. Being able to access outdoor dining was and is essential. It allows me to meet people and try new things rather than feel like my only options are to risk my safety or be cut off from a huge part of social life the second it gets cold outside.

The roadside sheds helped my new neighborhood feel like home—they made streets feel expansive and inviting for pedestrians. They were full of light, well ventilated, and beautiful—some restaurants even grew gardens in them! I cannot overstate how good it felt to know that I could have a social life, enjoy the food in my neighborhood and not feel like I was constantly gambling with my well being or risking further disability in order to do so. Watching many of them disappear and be replaced by just a few cars felt like such a huge loss, and it broke my heart knowing how many other disabled and vulnerable people could no longer access these places when they left. It's also deeply unfair that the new regulations for 2025 disproportionately impacted low income neighborhoods. Illness prevention and atmosphere prevention should not be reserved for the rich. Everyone deserves access to a safer, healthier option.

Long covid has already impacted half a million New

Yorkers. Covid has killed tens of thousands. It feels imperative to prevent those numbers from rising. I don't think it's fair for anyone to have to choose between participating in society and preventing airborne illness that endangers us and our neighbors. I adamantly believe that expanding access to roadway and sidewalk dining is the right thing to do. The city should fulfill its obligation to the working class, the elderly, babies and children and people at high risk of complications and make well-ventilated dining an accessible, abundant option year round. We all deserve to connect and participate in this city and people are infinitely more important than parking spots!

I want to express my support for Lincoln Restler's proposal for expanding access to roadway and sidewalk cafes. I believe that outdoor dining improves the atmosphere of the city, increases revenue to restaurants, and uses street space for more beautiful and effective purposes than for an individual to park their private vehicle. The current outdoor dining regulations make it too onerous for businesses to follow but this proposed change would improve it immensely.

I have many friends who are immuno-compromised and the benefit of the COVID pandemic is that there was more public concern for their wellbeing. The outdoor dining opportunity is the best option to keep these members of our community safe! It also helps in reducing the spread of diseases during the winter months. I would highly support any measure to continue some form of accessible outdoor dining.

I urge the City Council to reform the current legislation to make outdoor dining year-round to allow our community continued enjoyment of our public spaces. I urge the Council to pass CM Restler's bill, Int. 1421.

I have lived in New York City for 13 years, and I am strongly in favor of making it easier for restaurants to participate in more outdoor dining. Having lived in the city through COVID, I can personally testify that it encourages people to dine out more, thus boosting the viability of restaurants, particularly smaller-run ones, and generating more money for local businesses and economies. Many restaurants have small footprints, but outdoor dining creates more tables and more opportunities to serve customers — and more ways for immunocompromised people to dine out comfortably.

As an expectant mother, I worry about bringing an unvaccinated newborn into indoor dining establishments during my baby's first few months of life. Knowing that restaurants have outdoor dining options will increase my comfort level and my ability and willingness to go out and spend money at an establishment.

For all of this to happen, though, it needs to be easier for restaurants to obtain outdoor dining. The application process and regulations are onerous and disproportionately affect low-income neighborhoods, which deserve the atmosphere and business that outdoor dining creates. New York is a city that thrives on community, and the ways that neighborhoods were reinforced with the plethora of outdoor dining structures and options in the wake of COVID was heartening. The city should be encouraging more of this type of community, versus making it harder to establish. The amount of parking created by eliminating roadside dining structures is minimal compared to the positive effects on the economy, community, and public health that easily-accessible outdoor dining creates.