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**THE COUNCIL OF THE CITY OF NEW YORK**

COMMITTEE REPORT OF THE GOVERNMENTAL AFFAIRS DIVISION

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**COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS LICENSING**

Hon. Rafael Espinal, Chair

**October 16, 2019**

**PROPOSED INT. NO. 1657-A:** By Council Member Brannan

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to prohibiting street vending on certain streets in Dyker Heights in Brooklyn beginning on Thanksgiving Day until New Year's Day

1. **INTRODUCTION**

On October 16, 2019, the Committee on Consumer Affairs and Business Licensing, chaired by Council Member Rafael Espinal, will hold a vote on Proposed Introductory Bill Number 1657-A (Int. No. 1657-A), in relation to prohibiting street vending on certain streets in Dyker Heights in Brooklyn beginning on Thanksgiving until New Year's Day. The Committee previously heard testimony on the bill from the Mayor’s Office of Citywide Event Coordination and Management, the New York Police Department, and neighborhood representatives.

1. **BACKGROUND**

Street vendors in New York City have contributed markedly to the vibrancy of the City’s streets and to the City’s food and retail landscape. They often offer cheaper food and merchandise alternatives to that sold in traditional stores, or sell fresh fruit and vegetables in underserved areas that lack various options for healthy food. Street vending in this City has existed for centuries and has consistently been an avenue for newly arrived immigrants and those with minimal work opportunities to turn their skills and resources into making a living.[[1]](#footnote-1) However, the proliferation of street vendors also prompts concerns as street vending can contribute to sidewalk congestion, blocking of driveways and an increase in rubbish.

Vending in Dyker Heights

During the holiday season, the Brooklyn neighborhood of Dyker Heights puts on an extravagant display of Christmas lights. The event, which originated in the mid-1980s by Lucy Spata, traditionally begins on Thanksgiving night and ends in early January.[[2]](#footnote-2) Most houses in the neighborhood participate, decorating their homes and yards with tens of thousands of lights, giant nutcrackers, snowmen, Santa Clauses and other decorations.[[3]](#footnote-3) The Dyker Heights Christmas Lights have now become a notable attraction for New Yorkers and tourists alike, attracting about 150,000 visitors each holiday season.[[4]](#footnote-4)

In addition to an increase of visitors, the success of the Dyker Lights has also attracted street vendors hoping to capitalize on the influx of people in the neighborhood. However, this has caused a number of problems for local residents. For example, some Dyker Heights residents site additional garbage left by street vendors, and fumes or parking obstructions caused by their food trucks.[[5]](#footnote-5) Last year the NYPD’s 68th Precinct conducted a crackdown and issued a number of summonses after residents complained about unlicensed vendors.[[6]](#footnote-6)

1. **BILL ANALYSIS**

Section one of this bill prohibits food vending beginning on Thanksgiving until New Year’s Day in the area bound by 10th avenue in the east, by 86th street in the south, by 13th avenue in the west and on the north by 81st street in the borough of Brooklyn between the hours of midnight to 6:00 a.m. and between the hours of 2:00 p.m. to midnight. Section two of the bill places these same restrictions on general vending (vending of non-food items). This bill would take effect immediately.

Proposed Int. No. 1657-A

By Council Member Brannan

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting street vending on certain streets in Dyker Heights in Brooklyn beginning on Thanksgiving until New Year’s Day

Be it enacted by the Council as follows:

Section 1. Section 17-315 of the administrative code of the city of New York is amended by adding a new paragraph 3 to read as follows:

    3. No food vendor shall vend beginning on Thanksgiving until New Year’s Day of the following year in the area including and bounded on the west by the westerly side of 10thavenue, on the south by the southerly side of 86th street, on the east by the easterly side of 13th avenue and on the north by the northerly side of 81st street, between the hours of midnight to 6:00 a.m. and between the hours of 2:00 p.m. to midnight, in the borough of Brooklyn.

§ 2. Subdivision g of section 20-465 of the administrative code of the city of New York is amended by adding a new paragraph 5 to read as follows:

    (5) No general vendor shall vend beginning on Thanksgiving until New Year’s Day of the following year in the area including and bounded on the west by the westerly side of 10thavenue, on the south by the southerly side of 86th street, on the east by the easterly side of 13th avenue and on the north by the northerly side of 81st street, between the hours of midnight to 6:00 a.m. and between the hours of 2:00 p.m. to midnight, in the borough of Brooklyn.

§ 3. This local law takes effect immediately.

BAM

LS 10526

10/8/2019 1:20 p.m.

1. See for example Rembert Browne et al “New York City street vendors”, Columbia University Graduate School of Architecture, Planning and & Preservation, Spring 2011, available at: <http://www.spacesofmigration.org/migration/wordpress/wp-content/uploads/2017/05/StreetVendorReport_Final.pdf>, pp. 10-11. [↑](#footnote-ref-1)
2. Rob Abruzzese “Christmas displays put Dyker Heights on tourist map”, *Brooklyn Daily Eagle*, December 9, 2013, available at: <https://brooklyneagle.com/articles/2013/12/09/christmas-displays-put-dyker-heights-on-tourist-map/>. [↑](#footnote-ref-2)
3. Rob Abruzzese “Christmas displays put Dyker Heights on tourist map”, *Brooklyn Daily Eagle*, December 9, 2013, available at: <https://brooklyneagle.com/articles/2013/12/09/christmas-displays-put-dyker-heights-on-tourist-map/>. [↑](#footnote-ref-3)
4. Dana Schulz “See this year’s completely outrages Dyker Heights Christmas lights”, *6sqft*, December 11, 2018, available at: <https://www.6sqft.com/see-this-years-completely-outrageous-dyker-heights-christmas-lights/>. [↑](#footnote-ref-4)
5. *News 12 Brooklyn* “Proposed legislation could prevent vendor trucks in Dyker Heights during Christmas”, August 19, 2019, available at: <http://brooklyn.news12.com/story/40933051/proposed-legislation-could-prevent-vendor-trucks-in-dyker-heights-during-christmas>. [↑](#footnote-ref-5)
6. Paula Katinas “Cops crack down on food vendors in Dyker Heights”, *Brooklyn Daily Eagle*, December 18, 2018, available at: <https://brooklyneagle.com/articles/2018/12/18/cops-crack-down-on-food-vendors-in-dyker-heights/>. [↑](#footnote-ref-6)