



## Legislation Text

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Int. No. 1811

By Council Members Powers, the Speaker (Council Member Johnson) and Vallone

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a theatre district safety zone

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended to add a new section 19-157.1 to read as follows:

§ 19-157.1 Theatre district safety zone. a. Definition. For the purposes of this section, the following terms have the following meanings:

42<sup>nd</sup> Street general project plan area. The term “42<sup>nd</sup> Street general project plan area” means the area extended from the southeast corner of Eighth Avenue and 43rd Street eastward along 43rd Street, across Seventh Avenue and Broadway to a point approximately 194 feet east of Broadway; then south to 42nd Street to a point approximately 138 feet east of Broadway; then west to Broadway; then south along the east side of Broadway to 41st Street; then west across Broadway and Seventh Avenue to a point approximately 400 feet west of Seventh Avenue; then south to 40th Street; then west to Eighth Avenue; then north along the east side of Eighth Avenue back to the southeast corner of 43rd Street and Eighth Avenue.

Designated activities. The term “designated activities” means commercial activities, entertainment or performances by individuals or groups, posing for or taking photographs or videos, and vending expressive matter, where any form of compensation, donation, or gratuity is requested or accepted. Persons who engage in designated activities shall be deemed to be engaged in such activities for the entirety of their interactions with each member of the public for the purpose of offering the above referenced goods, services, or entertainment,

such as offering to pose for or take photographs or video.

Designated activity zone. The term “designated activity zone” means an area designated as such by the department by signage and/or markings in which individuals conduct designated activities.

Pedestrian flow zones. The term “pedestrian flow zone” means an area of the sidewalk on a block that shall not be used for any purpose other than the safe and continuous movement of pedestrian traffic.

Pedestrian safety zone. The term “pedestrian safety zone” means an area designated as such by the department by signage and/or markings for the safe and continuous movement of pedestrian traffic.

Theatre District safety zone. The term “Theatre District safety zone” means the pedestrian safety zone comprised of the Theatre Subdistrict Core and the 42<sup>nd</sup> Street general project plan area.

Theatre Subdistrict Core. The term “Theatre Subdistrict Core” means the area bounded by West 50th Street, a line 200 feet west of Avenue of the Americas, West 43rd Street, and a line 100 feet west of Eighth Avenue.

b. Pedestrian flow zones. Within the Theatre District safety zone, the department shall establish pedestrian flow zones that are sufficient to accommodate the demand for pedestrian space on sidewalks on Broadway, Seventh Avenue, and on all blocks with three or more theatres with a capacity of over 500 individuals.

c. Designated activities. 1. The department may establish additional designated activity zones to adequately accommodate demand for designated activities on sidewalks in the Theatre District safety zone; provided, however, that there shall be no more than one designated activity zone within 100 feet of a pedestrian flow zone. Any such zones established following the enactment of this local law shall abut the curb line and be no more than three feet in width.

2. The department shall consider pedestrian and vehicle traffic when determining whether to renew on-street sight-seeing bus stops located in the Theatre District safety zone; provided, however, no on-street sight-seeing bus stop shall be located adjacent to a pedestrian flow zone.

d. Street closures. The department shall review the number of street closures for commercial purposes on streets and avenues within and 200 feet adjacent to the Theater District safety zone annually. If department determines that such closures negatively impact pedestrian traffic and congestion, the city may take any actions necessary to alleviate such traffic and congestion, including, but not limited to, limiting the number of such closures.

e. Rules. The department may also establish additional rules to address public safety concerns in the Theatre District safety zone, including but not limited to rules prohibiting designated activity vendors from intentionally touching another person without that person's consent, or intentionally blocking or interfering with the safe or free passage of a person by any means, in the course of engaging in any aspect of designated activities within a designated activity zone or within 50 feet of a designated activity zone in the Theatre District safety zone.

§ 2. There is hereby established an interagency working group to ensure communication and coordination on issues related to designated activities conducted in the Theatre District safety zone. Such working group shall include:

1. the commissioner of transportation, or their designee, who shall serve as chair;
2. the commissioner of small business services, or their designee;
3. the commissioner of consumer affairs, or their designee;
4. the police commissioner, or their designee;
5. a representative of the times square district management association or successor entity;
6. an organization representing individuals engaged in designated activities, appointed by the speaker of the council;
7. the city council members representing the Theatre District safety zone, or their designees;
8. the Manhattan borough president, or their designee; and
9. a representative each from Manhattan community board 4 and Manhattan community board 5.

Such working group shall meet at least quarterly to discuss issues relating to or impacting commercial activity, pedestrian flow, regulatory matters, public safety, workforce development opportunities, and any other issues deemed relevant by the working group. The working group shall also develop and distribution of education materials regarding designated activity in the Theatre District safety zones. All such educational materials shall be distributed in English, Spanish, and any other languages the department of transportation deems necessary in order to communicate to individuals engaged in designated activities. At least bi-annually, such working group shall hold a meeting that is open to all individuals engaged in designated activities.

§ 3. This local law takes effect 60 days after it becomes law.

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