

OFFICE OF THE MAYOR
COMMUNITY ASSISTANCE UNIT
STREET ACTIVITY PERMIT OFFICE
NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on the proposed amendments that pertain to the moratorium on street fair applications.

Date/Time: January 22, 2013 at 11:00 A.M.

Location: 22 Reade St, 2nd Floor, Barrish Conference Room

Contact: Emil Lissauer

Written comments regarding the proposed amendments must be received by close of business day on January 22, 2013. Written comments should be sent to:

Mr. Emil Lissauer
Director
Street Activity Permit Office
100 Gold Street, 2nd Floor, New York, NY 10038.

Comments may also be submitted electronically via NYC Rules at www.nyc.gov/nycrules.

If you need a sign language interpreter or other form of reasonable accommodate for disability at the hearing, please notice Emil Lissauer at (212) 788-7567 by close of business on January 17, 2013.

Written comments and a summary of the oral comments will be available for public inspection within a reasonable time after receipt between 9:00 AM and 4:30 PM at the Office of Citywide Event Coordination and Management.

The proposed amendments were not included in this agency's regulatory agenda.

STATEMENT OF BASIS AND PURPOSE

The Office of Citywide Events Coordination and Management (OCECM), Street Activity Permit Office (SAPO) is charged with administration of the permit system for street activities, block parties and fairs.

Over two hundred SAPO-permitted street fairs and over 5,000 events occur annually within the City. Almost all of these events involve permits for the use of multiple blocks over several days, the erection of structures, the vending of food, apparel and other goods and the use of amplified

sound and the performance of music. Such events require additional police presence and increase overtime expenditure by the City. In order to effectively deploy police resources, the New York City Police Department has requested for the calendar year 2013 that SAPO exercise its discretion temporarily to deny permits for additional events that place an excessive burden on police resources and divert uniformed personnel from core crime fighting, public safety and counter terrorism duties.

In the interests of protecting the City and its inhabitants, these rules will authorize SAPO to deny permits to events scheduled for calendar year 2013, the anticipated effective date of the proposed rules, if the event was not held in the calendar year 2012, the year prior to the effective date of the proposed rules.

PROPOSED AMENDMENT

Section 1-05(d) of Chapter 1 of Title 50 of the Rules of the City of New York is amended to read as set forth below. Additions to the rules are underlined, and deletions are [bracketed].

(d) For the calendar year 2013 [a period of one (1) year following the effective date of this amendment to these rules], the Director shall deny applications for street activity permits for street fairs not held in the calendar year 2012 [preceding the effective date of this amendment to these rules].

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment to impose a one-year moratorium on new events

REFERENCE NUMBER: SAPO-2

RULEMAKING AGENCY: Office of Citywide Event Coordination and Management

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the underlying rule provides a cure period.

/s/ Amina Huda
Mayor's Office of Operations

December 18, 2012
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

**RULE TITLE: AMENDMENT TO IMPOSE A ONE-YEAR MORATORIUM ON NEW
EVENTS**

REFERENCE NUMBER: 2012 RG 090

**RULEMAKING AGENCY: OFFICE OF CITYWIDE EVENT COORDINATION AND
MANAGEMENT**

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: December 18, 2012