

## OFFICE OF THE MAYOR

### MAYOR'S OFFICE OF CITYWIDE EVENT COORDINATION AND MANAGEMENT

#### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Street Activity Permit Office (SAPO) of the Office of Citywide Event Coordination and Management (CECM) is proposing amendments to extend the existing moratorium on street fair applications to Calendar Year 2023.

**When and where is the Hearing?** CECM will hold a public hearing on the proposed rule online. The public hearing will take place on November 28, 2022, at 9:00 am.

#### **Join through Internet:**

- To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar: <https://www.microsoft.com/microsoft-teams/join-a-meeting> .Then follow the prompts. When prompted enter the following Meeting ID: **247248343972** and Password: **uxQJM2**

#### **Join via phone only:**

- To join the meeting by phone, use the following information to connect:  
Phone: **+1-332-910-6701**  
Access code: **479496829#**

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to CECM through the NYC rules website at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules).
- **Email.** You can email written comments to [saporules@cityhall.nyc.gov](mailto:saporules@cityhall.nyc.gov).
- **Mail.** You can mail written comments to Shawn Ma, Strategic Projects Manager, Mayor's Office of Citywide Event Coordination and Management, at 253 Broadway, 6<sup>th</sup> Floor, New York, NY 10007.
- **By Speaking at the Hearing.** Anyone wishing to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing [saporules@cityhall.nyc.gov](mailto:saporules@cityhall.nyc.gov) by November 25, 2022, at 5:00 pm. You can speak for up to three minutes. Each speaker will be timed.

**Is there a deadline to submit written comments?** Written comments must be received no later than 1 pm on November 28, 2022.

**Do you need assistance to participate in the Hearing?** Please inform CECM if you need reasonable accommodation, such as a sign language interpreter. Request these services by email or mail at the address given above no later than November 21, 2022, at 5:00pm.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules). A few days after the hearing, a summary of oral comments made at the hearing and copies of the written comments will be available to the public at CECM.

**What authorizes CECM to make this rule?** Section 1043 of the City Charter as well as Executive Orders No. 100 and No. 105 of 2007 authorize CECM to make this proposed rule. This proposed rule was not included in CECM's regulatory agenda for this Fiscal Year because it was not contemplated when CECM published the agenda.

**Where can I find the CECM rules?** The CECM rules are in title 50 of the Rules of the City of New York.

**What rules govern the rulemaking process?** CECM must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

### **Statement of Basis and Purpose of Proposed Rule**

The Office of Citywide Events Coordination and Management (CECM), Street Activity Permit Office (SAPO) administers New York City's permit system for street activities, block parties and fairs.

Each year SAPO issues permits to over 200 street fairs and over 5,000 other events, most of which include 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. Events like these require additional police officers which increases overtime costs to the City. These events also divert police officers from core crime fighting, public safety and counter terrorism duties.

To more effectively deploy police resources and control overtime costs, the New York City Police Department has recommended that SAPO exercise its discretion to deny permit applications for new events in calendar year 2023. The proposed rules will authorize SAPO to deny permit applications for street fairs if the street fair was not held in the calendar year 2022. Events that received permits in calendar year 2022 may be eligible to receive permits again in calendar year 2023.

CECM authority for these rules is found in section 1043 of the New York City Charter and Executive Order Nos. 100 and 105 of 2007.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

**§ 2. Subdivision (d) of Section 1-05 of Chapter 1 of Title 50 of the Rules of the City of New York is amended to read as follows:**

- (d) For the calendar year [2022]2023, the Director shall deny applications for street activity permits for street fairs not held in the calendar year [2019]2022.

**NEW YORK CITY LAW DEPARTMENT**

**DIVISION OF LEGAL COUNSEL**

**100 CHURCH STREET**

**NEW YORK, NY 10007**

**212-356-4028**

**CERTIFICATION PURSUANT TO**

**CHARTER §1043(d)**

**RULE TITLE:** Extension of Street Fair Moratorium

**REFERENCE NUMBER:** 2022 RG 084

**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

Date: October 25, 2022

Acting Corporation Counsel

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS**

**253 BROADWAY, 10<sup>th</sup> FLOOR**

**NEW YORK, NY 10007**

**212-788-1400**

**CERTIFICATION / ANALYSIS**

**PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Extension of Street Fair Moratorium**

**REFERENCE NUMBER: CECM-SAPO-15**

**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 violations pose significant risks to public health and safety.

/s/ Francisco X. Navarro

Mayor's Office of Operations

October 26, 2022

Date