

Testimony on 11/20 CECM-SAPO Rules Hearing

Open Plans writes today in regard to new proposed rules on the Open Culture Program, Open Streets events, and the extension of the moratorium on street fairs. We strongly oppose the extension of the street fair moratorium, and believe the justification of avoiding police overtime is illegitimate. We also generally oppose requiring Open Streets Partners to obtain SAPO permits for each event on an Open Street and burdening them with fees and bureaucracy when they provide an essential service the DOT relies on in order to meet their goals. Further comments on these points and others are below:

- **End the street fair moratorium.** We are vehemently opposed to the extension of the street fair moratorium and continuation of the status quo. Categorical denial of applications is unjust. Street fairs bring economic and social benefits to our neighborhoods. They are especially vital for food entrepreneurs and small businesses looking to open up their own brick-and-mortar establishments. Further, the explanation for the continuance of this moratorium is to reduce police overtime — a claim that does not reflect the current reality of policing in our city, and devalues the safety and necessity of safe, joyful public spaces.
- **Remove unnecessary waiting periods for community block parties.** We oppose maintaining a 60 day application lead time for block parties, which is an unreasonable time frame that places barriers for communities attempting to create community. Instead, a 14 day lead time more closely mirrors the reality of neighbors and community groups applying for such permits.
- **Avoid disproportionate categorical denials.** We are concerned that the reasons listed to deny applications will be felt by New Yorkers and organizations with fewer resources and could lead to subjective application denial.
- **Free Open Streets Partners from burdensome bureaucracy.** We oppose requiring Open Streets Partners to obtain a SAPO permit in order to conduct programming on an Open Street. The proposed rule does not (but should) remove this undue burden that Open Streets Partners face when providing programming that is in-line with DOT-stated goals.
- **Lift unnecessary fees for Open Streets Partners.** We firmly believe that any “Open Street partner” should be fully and permanently exempt from paying

a processing or convenience fee. Charging such a fee is unfair to the groups that are vital in providing a public good and service that the City relies on these groups to provide in order to meet their goals.

- **Ensure Community Boards remain advisory.** Broadly speaking, we are concerned about the consistent focus placed on Community Boards in the existing and proposed rules. While we recognize that they are a neighborhood-level entity, they have traditionally not proven to be good-faith partners for street safety improvements nor public space events. Their role in this process should continue to be 100% advisory.

Respectfully,
Open Plans

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