

Testimony on SAPO Proposed Open Streets Rules

Prospect Heights Neighborhood Development Council

November 20, 2023

For the last four years, the Prospect Heights Neighborhood Development Council has been the local partner with the NYC Department of Transportation operating the Vanderbilt Avenue and Underhill Avenue Open Streets. During the last three years, PHNDC has had the opportunity to work with SAPO in securing permits for programming on both Open Streets. We have in general found SAPO staff to be responsive, and we have had no issues in complying with the agency's permitting policies. We welcome the opportunity to provide this testimony regarding changes to permitting rules for Open Street events. We have the following recommendations.

Reduce the paperwork necessary to permit Open Streets events through the season

The current policy requires us to file for a monthly permit for street events on Open Streets. For the most part, there is no change month to month in terms of types of programming, street layout, insurance and run-of-show. We would greatly appreciate the ability to file a single permit for a window of time coterminous with our DOT agreements that describes our standard operations and programming for the season. For the very few events that would deviate from standard operations, we would file a separate permit. This change would help us avoid inadvertently missing a filing deadline mid-season. It would also provide better transparency both to City agencies and to other applicants, as the duration of our season would be clear from its beginning.

Proactively connect third party presenters with Open Streets partners

We understand the need to allow third party applicants to request permits for spaces we are managing as Open Streets. We would like to suggest that if such an applicant requests a permit for an event that would overlap with our season on either Vanderbilt or Underhill Avenue, SAPO refer the applicant directly to us, the Open Streets partner, so we have the ability to coordinate with them. If we are not able to respond on a timely basis, or can't come to an agreement as to how to support the applicant's event, they would still have the opportunity to apply to SAPO directly. However, in practice, we believe that we will be able to address the majority of third party presenters within the scope of our program, thereby creating less work for SAPO, and a more straightforward workflow for everyone involved.

Avoid overlapping regulation

Although we see the necessity of having Open Streets events be visible on SAPO's citywide event system, we would prefer that operating terms for Open Streets be part of our agreements with DOT to the greatest extent possible to avoid confusion. For example, our typical operations involve

- Closing blocks to traffic and opening them
- Providing temporary and permanent open space to the public
- Presenting various types of programming events
- Making use of amplified sound
- Displaying sponsor insignia and messaging
- Allowing third party commercial activity on the street

We understand that it will be necessary for these operations to be permitted by multiple agencies (DOT, SAPO, NYPD) for the foreseeable future. However, we would ask that agencies coordinate to streamline workflow and avoid the potential for conflicting regulation. Ideally, each of the above activities would be permitted by one and only one agency. Since "Open Streets partner" means an organization selected by DOT to assist with functions related to the implementation of Open Streets—which includes programming—it seems redundant and burdensome to then still also expect the Open Streets partner to obtain SAPO permits for activities the partner is conducting in order to fulfill its agreement with DOT.