



Jonathan Mintz
Commissioner

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Re: Parking Lot License is Required for Use by Outside Vendors/Parties

Dear Mr. ██████████,

I write in response to your email letter seeking answers to several Garage or Parking Lot related questions. First, you ask whether the parking facility operated by the ██████████ requires a NYC Department of Consumer Affairs ("DCA") license to lease a portion of its lot to users other than patrons or employees of ██████████. The answer to your question is that a license is required.

Section 20-321 of the New York City Administrative Code ("Code") makes it "unlawful for any person to maintain, operate or conduct a garage or parking lot without a license. . . ." Section 20-322 of the Code provides that parking garage licensing requirements "shall not apply to the maintenance, operation or conduct of a garage . . . b. in conjunction with a business for the exclusive accommodation of patrons of such business or the employees of such business"

Since your email indicates that the proposed use of the lot would not be for the exclusive accommodation of patrons or employees of ██████████ and since the proposed use does not fall within any of the exceptions under the Code, a DCA license is required.

Next, you ask how many parking spots DCA would permit ██████████ to lease to an outside vendor in this proposed expanded use described above. As with any Garage or Parking Lot license application, applicants must submit a Certificate of Occupancy indicating a capacity greater than or equal to that for which you are applying for a license. Therefore, any permissible use must conform to the capacity listed on the Certificate of Occupancy.

Any questions regarding changes to the Certificate of Occupancy must be addressed by the NYC Department of Buildings.

Please feel free to contact me with any further questions.

Sincerely,

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