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Commissioner

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Via Email

[Redacted]

Re: **Stoop Line Stand Sizing and Design Questions**

Dear [Redacted]:

The New York City Department of Consumer Affairs (the “Department”) sends this letter in response to your email asking whether: (1) any portion of the stoop line stand may encroach beyond your property line and onto the public sidewalk (2) you may place either: (a) five 4’ x 3’ or (b) 11 22” x 36” stoop line stands next to one another in front of your store, in an area that measures 20 feet in length; (3) a stoop line stand must be a permanent fixture or can be a fixture with castor wheels that can be moved inside during closing hours.

1. Whether any portion of the stoop line stand may encroach beyond the property line and onto the public sidewalk?

The answer to this question is yes. Stoop line stands encroaching on the public sidewalk must be licensed by the Department. The law does not require a license for and the Department does not regulate stoop line stands located wholly within the property line of the premises.

The City of New York Administrative Code (“NYC Code”), Section 20-237 regulates the size of licensed stoop line stands. It states that “Stoop line stands shall not exceed ten feet in length nor four feet in width, except . . . [w]here the sidewalk in front of the premises is at least sixteen feet wide, such stoop line stand may extend up to ten feet in length and five feet in width as long as a straight, unobstructed pathway of at least nine and one-half feet is maintained at all times on the sidewalk in front of the entire length of the premises where such stoop line stand is located.” In addition, a stoop line stand may not be licensed if it would take up “more than one-third [of] the entire width of the sidewalk” (6 RCNY §2-70.2[b]), regardless of the size of the stand.

2. Whether you may (a) place five stoop line stands measuring 4' x 3', or (b) 11 stoop line stands measuring 22" x 36", "lined up next to each other" within a store frontage measuring 20 feet in length?

The answer to 2(a) is yes. You may have stoop line stands measuring 4' x 3' and you may arrange five of them "lined up next to each other," resulting in a display the total length of which is 15 feet. You will be required to apply for two stoop line stand licenses in order to do so, since one license allows for a stoop line stand that is not greater than 10 feet in length.

The answer to 2(b) is yes, if the total length of the of the stoop line stands does not encroach more than the permissible width of the sidewalk at either end of the building. Thus, the law would permit you to use stoop line stands measuring 22" x 36" and to arrange 11 of them lined up next to each other, provided that the total length of 33 feet would not encroach the adjoining sidewalk at the ends of the building by more than four feet, or five feet if the adjoining sidewalk is 16 or more feet wide. You will require four licenses for stoop line stands totaling 33 feet in length on a public sidewalk.

3. Whether a stoop line stand must be a permanent fixture or can be a fixture with castor wheels that can be moved inside during closing hours?

Pursuant to New York City Rules, "[e]very licensed stoop line stand shall be enclosed at both ends and in front by a fence or partition constructed of wood or some other rigid material, and no box, barrel or any other obstruction shall at any time be maintained outside such enclosure. The outside surface of such enclosure shall at all times be kept smooth and free and clear of all projections which might tend to damage the clothing of passing pedestrians or which might cause bodily injury to such pedestrians." 6 RCNY § 2-70.2(b). Nothing in the Rule prohibits the use of wheeled stoop line stands.

Please contact us should you have any further questions.

