



Department of  
Consumer Affairs

40 years

of ensuring a fair and  
vibrant marketplace

Jonathan Mintz  
Commissioner

March 24, 2010

Staff Counsel  
Legal Compliance and Fitness

Re: License for game at street fair

42 Broadway  
9th Floor  
New York, NY 10004

Dear Mr. [REDACTED]

You requested information as to whether you need a license with the City of New York Department of Consumer Affairs ("DCA") in order to operate a game of skill at street fairs in New York City. The short answer to your question is that you will need to apply for a DCA Temporary Street Fair Vendor License.

Specifically, your game provides that a participant pay \$1 and in exchange, will attempt to kick a ball through an opening. If the participant successfully kicks the ball through one of the openings, he or she will win a prize. You stated in your letter that you only seek to operate this game at street fairs.

The New York City Administrative Code generally requires a person who sells goods or services in a public space to obtain a general vendor's license. The game you seek to operate, if provided in a public space, constitutes vending requiring a license. However, when a vendor is affiliated with the sponsor of a bona fide street fair and does not act as a general vendor other than at street fairs, the vendor may operate under a Temporary Street Fair License in lieu of a general vendor's license. I have attached a copy of our Temporary Street Fair Vendor License Application for your convenience.

Please note that in order to apply for a street fair vendor license, you must first make arrangements with an organization that runs a street fair. Street Fairs are permitted by the Mayor's Street Activity Permit Office ("SAPO"), which is located at 100 Gold Street, 2<sup>nd</sup> Floor, New York, NY 10038. SAPO can provide you with more information regarding the organizations that run street fairs in New York City, as can DCA's Licensing Center. After you have made arrangements with the street fair organizations, you may submit your application either in person or on-line at <http://www.nyc.gov/portal/site/businessexpress>.

Please feel free to contact me with any questions.

Sincerely,

[REDACTED]

nyc.gov/consumers

tel  
fax