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Rena Bryant (347) 396-6071  
New York City Department of Health and Mental Hygiene  
Board of Health  
Office of the Secretary to the Board  
2 Gotham Center, 14th Floor, Room 14-15, Box 31  
Long Island City, NY 11101-4132

TESTIMONY RE PROPOSED AMENDMENT TO ARTICLE 5 NYC HEALTH CODE  
NEW FEES FOR TEMPORARY FOOD SERVICE ESTABLISHMENTS  
Hearing Date July 26, 2012

**Recommendation: Keep both fee schedules, the \$20 fee for a 14-day permit and the \$70 fee for an annual permit.**

The Sunset Park Business Improvement District has been hosting its 15-block Street Festival since 1999. We have many vendors taking part, both general vendors and food vendors. In the past, the permitting process was confusing. Last year it was revamped and made easier to adhere to. Granting only one \$20 permit good for 14 days was more realistic and we thank you for that change.

However, we are concerned with the newest revisions being proposed which will only allow for one annual permit costing \$70. This will create an unfair burden on those TFSE who only attend their local street festival, as is the case in Sunset Park. These vendors do not travel to other neighborhoods or events, but are only interested in taking part once a year in their own community. They don't make a lot of money, but enjoy being part of their own event. Also, local businesses take part in our festival, sometimes only giving away samples to their customers. A \$70 fee for this one time event will be too costly and could preclude both these groups of TFSE from taking part, thus diminishing the success of our festival.

Therefore, we would strongly recommend that you keep the \$20 permit you began last year and add the choice for a \$70 annual permit.

Thank you for taking the time to look into the permitting process and attempting to conform it to the needs of the participants. Thank you for allowing us to comment on this amendment.

Sincerely

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SUBMITTED: 7/17/12



**LINCOLN SQUARE**  
BUSINESS IMPROVEMENT DISTRICT

MONICA BLUM  
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July 25, 2012

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**RE: Proposed Amendment of Article 5 of the New York City Health Code found in Title 24 of the Rules of the City of New York to Raise the Fee for Temporary Food Service Establishment Permits**

Dear Ms. Bryant:

I am writing on behalf of the Lincoln Square Business Improvement District (BID) to comment on the proposed amendment of *Article 5* of the New York City Health Code found in *Title 24* of the Rules of the City of New York that would authorize a \$70.00 annual fee for a permit to operate a Temporary Food Service Establishment. This is a \$50 increase from the current fee of \$20. While I recognize that the proposed amendment may change the term of the fee to reflect how it is most commonly used, I do not believe that the amendment has taken into consideration permits that are required for one-day events.

As President of the Lincoln Square BID, I am very concerned about how this change will affect our annual holiday celebration, *Winter's Eve at Lincoln Square* - New York's largest holiday festival, which is a one day event held every year in late November that draws 25,000 people to the Upper West Side neighborhood of Manhattan for free entertainment, food tastings, and holiday fun. This year's event, which is designed to showcase the small businesses of the neighborhood, will be held on Monday, November 26, 2012 and over 30 restaurants will participate in the food tastings portion of the event at three outdoor locations, including one public park. Currently, each participating restaurant not serving in front of its establishment is required to obtain a Temporary Food Service Establishment permit. For the past twelve years, the Lincoln Square BID has obtained permits on behalf of approximately 20 neighborhood restaurants that participate in the event, which do not serve in front of their establishments. While this event is large, the BID is a small nonprofit whose budget would be significantly affected by an increase in the permit fee. Our estimate shows that this increase will cost our small organization an additional \$1000 or \$50 extra per permit for the 20 restaurants that are required to obtain a Temporary Food Establishment Permit. To ensure that participating restaurants cover their costs, we pay for all infrastructure, including individual tents, tables, lighting, signage and the permit fee. Restaurants charge a nominal amount for a taste and keep the proceeds. Some also donate a portion of their proceeds to the Winter's Eve Charitable partner - the New York Cares Coat Drive.

As an organization that uses the event-specific Temporary Food Service Establishment permit annually, and has for the past twelve years, we respectfully request that a Temporary Food Service Establishment permit remain available for a one day event at a reasonable price. Although the regulations are not entirely clear to us, we believe that an increase in the fee may place an undue burden on organizations that plan one day food events throughout the City of New York.

Please feel free to contact me at 212.581.3774 or [mblum@lincolnsquarebid.org](mailto:mblum@lincolnsquarebid.org) if you need additional information or would like to discuss this further.

Sincerely,

Monica Blum