

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Saturday, July 7, 2012 at 12:26:30

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Abdellatif
Last Name: Tijani
Street: P.O. BOX 40048
City: Brooklyn
State: NY
ZIP: 11204
Email: ATIJANI.MA@GMAIL.COM
Opinion on Proposed Rule: For

Comment: I am strongly for permit holders to appear in person. many permit holders live outside NY and even outside U.S.A. some of them are outside the mobile food vending business and they may not even pay their due taxes. permit is non-transferable, so permit holders must appear in person.

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Saturday, July 7, 2012 at 19:16:36

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Mohammed
Last Name: El Hachimi
Street: 6713 19th Ave, Apt F1
City: Brooklyn
State: NY
ZIP: 11204
Email: simo_hach@hotmail.com
Opinion on Proposed Rule: For

Comment: Permit holders must appear indeed during an inspection, including the onsite inspection of the pushcart. Many of them live outside new york? thats simply rentier economy. they do not operate any business; they transfer their permits to others, which is not in conformity with the rules and regulations. Permit are monopolized by rentier economy experts

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Monday, July 9, 2012 at 14:50:06

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Delois Albert Brassell
Last Name: Estate United States
CAGE Code 5PAZ8 via its authorized SOLE Administrator Mr Robert J Brassell Jr NP

Street: 421 Eighth Avenue, Unit
327

City: New York

State: New York

ZIP: 10116-8916

Email: hu7138e4i1@aol.com

Opinion on Proposed Rule: For

Comment: We are VERY RELUCTANT to agree with this proposed rule WITH A NON-NEGOTIABLE, PERMANENT CONDITION: CEASE HARASSING, OTHERWISE ADVERSELY IMPACTING AND OTHERWISE EVEN CONSIDERING BOTHERING ANY OF OUR CITYS VARIOUS HALAL-FOOD-PREPARING-AND-SELLING CART VENDORS, INCLUDING THOSE WITH THE COUNTIES OF NEW YORK AND KINGS. Thank you.

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Monday, July 9, 2012 at 14:48:15

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Robert James Brassell
Last Name: Estate United States
CAGE Code 64WJ9 via its authorized SOLE Administrator Mr Robert J Brassell Jr NP
Street: 421 Eighth Avenue, Unit 327
City: New York
State: New York
ZIP: 10116-8916
Email: hu7138e4i1@aol.com
Opinion on Proposed Rule: For

Comment: We are VERY RELUCTANT to agree with this proposed rule WITH A NON-NEGOTIABLE, PERMANENT CONDITION: CEASE HARASSING, OTHERWISE ADVERSELY IMPACTING AND OTHERWISE EVEN CONSIDERING BOTHERING ANY OF OUR CITYS VARIOUS HALAL-FOOD-PREPARING-AND-SELLING CART VENDORS, INCLUDING THOSE WITH THE COUNTIES OF NEW YORK AND KINGS. Thank you.

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Tuesday, July 17, 2012 at 00:34:58

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Nasima
Last Name: Begum
Street: 18-14 W 8 ST 2 FL
City: Brooklyn
State: NY
ZIP: 11223
Opinion on Proposed Rule: Against

Comment: The rule for the permit-holder to appear in-person during an inspection is usually impossible due to the fact that the permit-holder is mostly busy with gathering the resources needed to run the store and serve customers.

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Tuesday, July 17, 2012 at 00:38:13

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Nasima
Last Name: Begum
Street: 18-14 W 8 ST 2 FL
City: Brooklyn
State: NY
ZIP: 11223
Opinion on Proposed Rule: Against

Comment: The rule for the permit-holder to appear in-person during an inspection should not be put to effect, as its usually impossible for this to happen. Most permit-holders are the owners of the mobile food vendors, and its up to the owners themselves to gather the resources to run the service and to serve the customers.

URL: http://cityshare.nycnet/portal/site/admin311/menuitem.d9316ceafeaaaa929ade16410c6d2f9a0/?linkViewId=view_media&hashId=A49FC44AC26A4B1E384D9E69AC88DC4F03410867&accessId=C5001D43ACA36DFAE0440003BA045B3A

DOH proposed changes to Chapter 6; Re 6:13 Disabled Veterans

Armando Crescenzi [armandocrescenzi@yahoo.com]

Sent: Tuesday, July 17, 2012 8:32 AM

To: Resolution Comments

Cc: mathieu.eugene@council.nyc.gov; Jrogoff@council.nyc.gov; vallone4ny@gmail.com; vgentile@council.nyc.gov; ab2smooth@aol.com; anthony@qballmedia.com; artistpres@gmail.com; Joseph A. Bello [bjoe7@hotmail.com]; councilmemberhalloran@gmail.com; Corey Kilgannon [coreyk1@gmail.com]; CusickM@assembly.state.ny.us; cjoynes@cityhall.nyc.gov; Howard Dalton [DaltonH57@yahoo.com]; dan.bowens@foxtv.com; dbuzney@veteransacrossamerica.org; disabledvendors@yahoogroups.com; dkimballstanley@council.nyc.gov; elana.schwartz@mail.house.gov; eadams@senate.state.ny.us; fcabrera@council.nyc.gov; gethelp@pubadvocate.nyc.gov; glavine@council.nyc.gov; grubiak@senate.state.ny.us; HawleyS@assembly.state.ny.us; Hc60@optonline.net; Jerome.Tracy@labor.ny.gov; james.vacca@council.nyc.gov; jlauredan@nylpi.org; iadan@dhs.nyc.gov; Susan Kaskowitz [skaskowitz@bridge.nyc.org]; kcarroll@council.nyc.gov; LentoJ@assembly.state.ny.us; Llewellyn.usa@gmail.com; MagnarW@assembly.state.ny.us; NolanC@assembly.state.ny.us; nlopez@council.nyc.gov; PeakeC@assembly.state.ny.us; pcraft33@aol.com; PheffeA@assembly.state.ny.us; riveran@assembly.state.ny.us; riveran@assembly.state.ny.us; r.maze@atpco.com; rcordero@council.nyc.gov; rosc01965@juno.com; robert@nylegion.org; SchimelM@assembly.state.ny.us; sgetzoff@reedsmith.com; teamlearningfun@yahoo.com; Uziel Crescenzi [uzmasterflex@gmail.com]; Vaness722 [vaness722@gmail.com]; william.d.broderick@gmail.com

Proposed Changes: 6:13

Disabled Veterans must have priority to ALL DOH Permits and Licenses. All New issues should be to Veterans until some equality is reached. Presently less than 1 percent of all licenses DOH Food Cart Permits are held by Veterans. There should be a moratorium on the raffle system.

To operate in Midtown all Food Cart permittees must be a Disabled Veteran or the Operator must be a DAV or the Corporation must be 50% owned by a DAV.

Where ever food vending is authorized by DCA and DOH by permit, auction or lottery or an other method a DAV can operate in the area also; pursuant to Subdivision 11 of 35 A. This must include the New Broadway Mall.

It must be made clear that vending is permitted on plazas and piers and wharfs adjacent to park property pursuant to 35 A, NYC Admincode Title 17, Title 81, and Title 89.

Thank you for you consideration of these proposals.

Armando A Crescenzi, DAV
Veterans First, Ltd.

#7

Comment re food carts w/photos attached

Susan Longhito [suelong@ix.netcom.com]

Sent: Wednesday, July 18, 2012 3:13 PM

To: Resolution Comments

Importance: High

I live at 166 East 34th St. Last November 2011, the vendor on the right in this photo (see below) showed up less than 12ft from my buidling's property line and right in front of our entry. This vendor has NEVER LEFT this location in all these months. He is here 24 hours/7 days a week cooking meat and onions. His cart has NEVER been serviced, i.e. washed properly.

Because he is located "conveniently" in front of our door, people seem to think they can sit there and eat and throw their garbage. Our doormen are constantly asking the public to move. The overnight doorman has found this vendor's "customers" urinating.

Please revise your rules so that

1. These vendors COOKING RAW FOOD cannot operate in front of a residence, and
2. They should be required to be carted off to be properly cleaned.

Please hold them to the same standard you hold restaurants.

In addition, the men who man this cart do not have proper facilities to wash their hands or to use a bathroom.

Thank you.

Susan Longhito

Executive Advisor | Management Consultant

New Business Development for Healthcare Organizations

Paideia Communications, Inc.

Landline: 212.685.6440

email: suelong@ix.netcom.com

#79



#8



THE COUNCIL
OF
THE CITY OF NEW YORK
VINCENT J. GENTILE
COUNCIL MEMBER, 43RD DISTRICT

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- RULES, PRIVILEGES & ELECTIONS

New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Department
Attention: Rena Bryant
Gotham Center
42-09 28th Street
14th floor, Room 14-15
Long Island City, NY 11101

July 11, 2012

Re: Proposed Repeal and Recodification of Chapter 6 (Food Units) of Title 24 of the RCNY

Dear Ms. Bryant,

The Department's attempt to ensure consistency among the many laws and rules that regulate Food Units is commendable but it would seem as though the Department has missed the opportunity to address the growing concerns of New Yorkers. Their failure to provide a remedy in regard to the increasingly unequal treatment of vendors in favor of mobile food vendors as well as their inconsistent application of fundamental health principals requires an explanation.

Within my own district I have witnessed the increasing disparity between brick and mortar food establishments and street vendors. I recognize the Health Department's limited ability regarding this matter; however the failure of other City agencies to enforce current law and investigate issues of concern does not license the Health Department to ignore their responsibility to the citizens of New York. Some food vendors feed more individuals then some restaurants, thus it hardly seems fair or safe to allow them a free pass. They should be inspected just as frequently and be required to adhere to a graded system, which requires posting of grades earned, just as local establishments are.

Food carts can be just as dangerous as a restaurant yet the Department's proposed classification system based upon the operation and types of food served suggests to the average citizen that some carts are harmless. Fruit and Vegetable stands have been deemed essentially innocuous despite the fact that, perhaps at no fault to the vendor, the food has been touched by countless previous customers as well as those transporting the food. The only benefit of relaxed health regulations is conferred upon the vendor and his wallet which should be the concern of the Department of Small Business Services, not the Health Department.

①

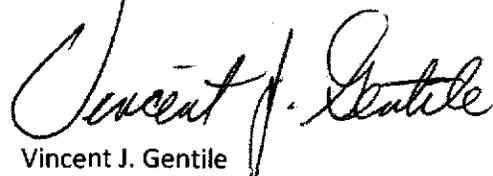
The plan to apply the current size limit of non-processing units to all units was a welcome relief. It seems as though with each passing day food units and their loyal customers are encroaching upon our city sidewalks, blocking access to local businesses and creating safety concerns for pedestrians. However, the proposed new measurement is an increase from the measurement currently on the books. Therefore while processing units will be shrinking, non processing units will be growing. However sensible this increase may be, as it now applies to units in which the operator is within the unit, any inches that stand to be gained may be lost again. The research the Department relied upon when determining the maximum size limit should be provided to the public to ensure the Department is making the best possible decision. If no scientific data was relied upon, perhaps data should be conducted regarding the point at which the size of a unit begins to inversely impact the operation of the unit.

Finally, the countless vendor carts and units operating in no-vendor zones are proof that a law or regulation means nothing if it goes unenforced. Compliance with the new rules regarding size and equipment will be reviewed during periodic inspections. However, within their own proposal the Department notes that dishonest food vendors have found their way around current rules and inspection guidelines. The Department does not introduce any new procedures related to enforcement or penalties to encourage compliance. The issue of enforcement should always be considered during the course of rulemaking and the Departments failure to address this ongoing issue suggests a lack of concern for the real world implications of their policy.

The proposed new rules also do not address continuing long-term problems with food vendors and the community in which they operate. There is a lack of enforcement or establishment of a new plan as it relates to vendor cart placement or a limit on the number of hours per day that they may operate; there is no relief given to brick and mortar merchants and building owners for summonses given for debris left behind by food vendors; there are no new safety rules on refrigeration of food vendor inventories and no attempt at centralizing enforcement of food vendors laws and restrictions.

Please consider the above stated concerns and the lasting implications your actions will have on not only New Yorkers but the millions of people who visit our city each year. Mobile food vendors have gone ignored for far too long; now is the time to put an end to the proverbial 'dirty water dog' and ensure that our citizens have access to safe food regardless of their choice of vendor. Moreover, the community deserves that its streets remain safe, clean and uncluttered – and the local merchants deserve fairness in regulatory oversight and in summons activity.

Sincerely,

A handwritten signature in black ink that reads "Vincent J. Gentile". The signature is written in a cursive style with a large, sweeping initial "V".

Vincent J. Gentile
Council Member, District 43

PUBLIC PETITION

CREATE A NEW MOBILE FOOD VENDOR PERMIT FOR DISABLED VETERAN

Specialized Mobile Food Vendor Permits Restricted JUST EXCLUSIVELY FOR US DISABLED VETERAN

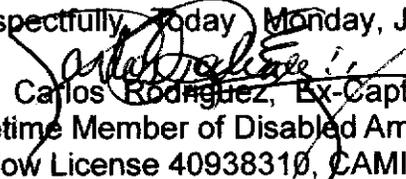
The City of New York is full of Mobile Food Vendor Permits all over the 5 borough citywide. From now Mobile Food Vendor Permit = MFVP. The MFVP holders are mainly foreigners from the 3rd world like Arabs, Bangladesh, Chinese, Pakistanis etc. making every day \$1,000's of USD to be send to their countries. 80% of MFVP holders renew the permits to rent to other people for \$10,000 to \$15,000 per year. That's why the waiting list never move down. That's why the waiting list to apply is stock for over 5 to 10 years. Renting permits to other people = 3rd party is illegal. You must operate your own business with your own permit. The NYC must start to enforce the law by CANCELLING permits to those who are making illegal profit in the sidewalks and parks Citywide.

I am the voice of all of those US Disabled Veterans holding Citywide Specialized License (Yellow License = to sell in restricted areas where others can not). I am a US Disabled Veteran who gave my blood for this land holding Specialized License = Yellow, and holding Mobile Food Vendor License, but I can not apply for MFVP to operate my own business. It is a real shame that I have to be watching how alien foreigners are prospering more and more in my own land monopolizing all the MFVP, while I have to be starving with all kind of needs because I can not even apply for MFVP. I am claiming for my civil rights. I have the right to exist and priority to gain my way of living before any citizen and must of all, before any outsider. NYC authorities are sleeping and is time for the wake up call. I am thirsty and hunger of JUSTICE!!!

In the name of the Justice, I present this public petition to the NYC authorities and I propose to create at least 1,000 NEW Specialized Mobile Food Vendor Permit Restricted EXCLUSIVELY FOR US DISABLED VETERANS holding Yellow license and Mobile Food Vendor License.

I request from NYCDOHMH to enforce and comply with the law by giving over \$2,000 tickets and close down illegal operated permits (over 20,000 citywide) by revoke, cancel, scratch, disqualify or suspend any Mobile Food Vendor Permit that is not working by the owner of the permit. The owner of the permit must be present in the active working food truck in operation.

Respectfully, Today, Monday, July 09, 2012


Mr. Carlos Rodriguez, Ex-Captain Of the US Army
Lifetime Member of Disabled American Veteran
Yellow License 40938310, CAMIS 1130505 - Priority 303
Mobile Food Vendor 1335623, CAMIS ID 41446919



Quiet Pride

June 11th, 2012

→ Carlos Rodriguez



carlitos3026@gmail.com

Carlos Rodriguez
3026 Bainbridge Ave.
Apt. C3
Bronx, NY 10458

718-684-5661

Carlos was a Captain in the Army, retiring in the early 1970s. I met him yesterday in Manhattan sitting on a park bench. He sat by himself wearing his ball cap with the Army logo. It was adorned with medals he was awarded from his time served in Laos and Vietnam. I approached him, as I do most Veterans I talk with on the streets, with a "thank you for your service to our country." A big smile spread across his face. He doesn't hear words like that often enough and he certainly didn't hear words like that when he came home in the 70s. He shared with me his stories and showed me his ankle with plates and several screws that has been a challenge to walk on for nearly 40 years. He has bayonets scars, pointing out the one visible in the side of his neck. He was in a group of 180 men and only 6 came home. Here he sat near City Hall on a very busy street, as throngs of people walked by his food cart as he watched from a distance and recounted his days in his service to our country. He is a very proud man, one of millions of men and women with stories to share if you just take a few moments to say hello and thank you.
Welcome home Captain!

This entry was posted on Monday, June 11th, 2012 at 7:46 am and is filed under [Kindness](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

10

Public Comments - Repeal and Recodification of Chapter 6 (Food Units) of Title 24 of the Rules of the City of New York

Rick Luftglass [rluftglass@lmtif.org]

Sent: Wednesday, July 18, 2012 6:36 PM

To: Resolution Comments

July 18, 2012

New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary of the Department
Attn: Rena Bryant
Gotham Center
42-09 28th Street
14th Floor, Room 14-15
Long Island City, NY 11101

RESOLUTIONCOMMENTS@HEALTH.NYC.GOV

Thank you for the opportunity to submit comments regarding the proposed Repeal and Recodification of Chapter 6 (Food Units) of Title 24 of the Rules of the City of New York. I will not be able to attend the public hearing on July 19th, but would like to submit the following as comments.

The Laurie M. Tisch Illumination Fund ("foundation") is a charitable foundation that promotes access and opportunity for New Yorkers. Our focus includes food, nutrition and health; education; the arts; and public service. For the past four years, we have been the City's philanthropic partner in the launch and development of the NYC Green Cart Initiative. We have provided nearly \$2 million in grants through the Mayor's Fund to Advance NYC, and have worked in many ways to build the success of the Initiative so that it is of benefit to New Yorkers in high-need neighborhoods where access to healthy food is otherwise a great challenge. Today, there are approximately 500 active Green Cart permits, and more than 850 jobs have been created. The Initiative has proven to be an innovative public health strategy and an economic opportunity for New Yorkers. Now, several other cities are replicating the model, and it has been the subject of a documentary film, a photography exhibit, and national academic and public policy reports.

In order for the initiative to be successful in increasing access to healthy foods in New York City neighborhoods, the Green Cart vendors have to be able to build viable, sustainable businesses. Our support has funded recruitment, training and technical assistance of new Green Cart vendors, a micro-loan program to provide financing for vendors who needed assistance in buying carts, community education and outreach, and other activities to increase the chance that these businesses will be viable and communities will receive the benefits of these non-traditional retail outlets.

We applaud the proposed rule changes, as they will help vendors AND the communities in which they operate. We are particularly pleased by the attention to establishing rules to facilitate the creation of alternatives to commissaries, as most commissaries in the city are not located in neighborhoods where the Green Cart vendors are allowed to operate. So, Green Cart vendors incur added difficulties in finding convenient, affordable

storage. A number of community and nonprofit organizations have sought to assist vendors, and they are well-placed to provide or facilitate storage so that vendors can operate in their communities. By formalizing the rules regarding alternative storage facilities, the proposed changes are an important opportunity. The proposed maximum cart size is also a positive, as the current cart size is too small to enable vendors to stock and display sufficient inventory for the day.

However, there are a few aspects in the proposed rules that are unclear:

- 1) Part of the intent of the alternative storage facility approach is to enable organizations to establish spaces so they can encourage vending in their neighborhoods. However, the proposed rules describes the process as the permit holder initiating it and seeking approval. On page 2:
"The permittee would have to get Department approval for use of a facility that is an alternative to a commissary, but the alternative facility would not have to hold its own permit."

Is there a way to encourage community organizations to set-up an alternative storage facility and get it pre-certified, so they can offer it as a resource to vendors? If it's not possible to do it that way, what role can an organization play if they want to help? Can the DOHMH at least create clear, step-by-step instructions for organizations who wish to identify and advise prospective vendors?

- 2) On p. 19, it says that the person owning the permit has to certify that "The facility has been issued all required permits and its use complies with all applicable fire safety, zoning and building laws. At the request of the Department, the user shall provide copies of such permits."

Does a vendor realistically have access to that information? In the case of an alternative facility owned by a nonprofit or community organization, can the rule be simplified so the organization certifies and provides the documentation?

- 3) On page 6, it describes a new requirement that as part of the pre-permit inspection, permittees have to provide a form listing the individuals who will be allowed to vend from the unit. Is the permittee allowed to hire employees ad hoc, as the year progresses, or are they limited to the individuals on the list? The latter seems overly restrictive, given that there's turnover in employees, seasonal staffing and other changes that can't always be anticipated. I understand the intent – that permittees take responsibility for knowing who will operate the cart and for supervising them -- but it's not realistic to expect that the permittee will know every individual up front.

Also, a minor point – the description of Class E is a bit unclear throughout the document. In some parts of the proposed rules, Class E is specifically defined as (and equated to) Green Carts, but in other parts (such as p. 11) the definition is broader and includes other fruit and vegetable carts (among other non-processing carts). I believe the broader definition is correct, and it may have simply been an effort to streamline language, but it should just be consistent throughout so it's clear which rules are Green Cart-specific vs. which are applicable to other fruit and vegetable vendors.

Thank you again for the opportunity to comment.

Sincerely,

Rick Luftglass
Executive Director
Laurie M. Tisch Illumination Fund

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New York, NY 10019-3879
t| 212-792-9900 (direct: 212-792-9902)
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From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Wednesday, July 18, 2012 at 17:44:38

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH
Rule: Chapter 6 - Food Units
First Name: Jack
Last Name: Beller
Street: 94-15 100 Street
City: Ozone Park
State: New York
ZIP: 11416
Email: jack@worksman.com
Opinion on Proposed Rule: Other
Comment: 7/18/12

Comment on Proposal to repeal recodify Chapter 6 Food Units of Title 24.....

My name is Jack Beller, and I am Vice President of Worksman Cycles/800BuyCart, located in Ozone Park, Queens. In business since 1898, we are New York's oldest manufacturers of tricycles, bicycles, food vending carts, trucks, trailers and kiosks. Personally, I likely have had the longest involvement with mobile food vending from the manufacturing perspective through my former family business; Admar. Started by my Dad Admar basically put the stainless steel food cart on the map. To gain some historical perspective, one need only visit the New York Public Library and see the popular and critically positively reviewed exhibit "Lunch Hour NYC"

Part of the exhibit is a street scene with among other things; one of our traditional hot dog carts from the 1960's. Also part of this exhibit is an extensive video of my father Edward Beller, now 91 years old; describing among other things the advent of the stainless steel pushcart.

Many companies have gotten their start with our carts and trikes. Good Humor Chipwich are a couple of examples. Some of the equipment we produce can still be found in good condition on the streets of New York. As an example; what is likely the first stainless equipped food truck in New York- Dominick's of Woodhaven Blvd in Queens just recently replaced the truck for the sole reason of having something new, not because of failing equipment.

I have reviewed the proposal and understand the desire of the Health Department to clarify, and re-codify certain aspects of the health code as they pertain to mobile food vending equipment. As a manufacturer who has recently gone through the rigorous process of having food carts designed and listed with NSF (National Sanitation Foundation) under Standard 59-Food Carts, we are very familiar with the need for adequate design and production when it comes to food equipment.

However; given that our main market has always been NYC, we have concerns as to the practicality and transparency of any changes to the regulations, given the past history of code enforcement.

First and foremost, whatever changes are ultimately made to equipment requirements, they should be presented in a clear, concise format and made available to the health department inspectors, manufacturers and vendor. This would avoid confusion as to what equipment/design features; and size limitations there actually are, avoiding costly changes, tickets and unnecessary time delays.

These should be the rules that are maintained. I have seen too many times over the years, that units failed inspection for rules that weren't there and conversely found that some equipment built contrary to regulation passed inspection.

Another issue that is of concern is that there does not seem to be any grandfather provision. Many of the proposed changes in design would put existing equipment in violation. Specifically, the more than doubling of fresh water capacity of processing carts and the limitation of size of processing carts. Bear in mind that NSF Standard 59 Food Carts requires only 5 gallons of fresh water for potentially hazardous foods.

These proposed changes attempt to address past problems with issue of fraud and other illegal activities regarding the actual permit themselves. However it does nothing to address the real problem; that

the permit itself has become a commodity from which to make a profit, rather than its original intent, to act as a vehicle for an individual without much means to get a foothold in bottom rung of the market economy. By restricting the number of permits, while at the same time enforcing the non-transferability of permits, NYC has effectively created a quasi legal gray market where operators pay many multiples of the original lessors fee to the city under the guise of partnership agreement. Either the City should release new permits or make the current scenario legitimate and allow the transfer and lease of the permits, much as a taxi medallion is.

There are questions concerning classification.

As examples:

Class A- ...fried meats. What if this fried meat is only hot dogs. Why should this be treated any differently then boiled hot dogs? Same product. Most grills in fat heat to a higher temperature then 212 degrees.

Class D...as an example units that serve coffee would typically also have milk and or cream, a fresh dairy product why wouldn't this be considered hazardous? S
Pretzels are included in this class. What if these pretzels are stuffed with cheese or served with cheese.

The proposed change to maximum size for food vending units to 5 feet x 10 feet seems to allow for larger non-processing units but in effect limits the size of processing units...except for motor vehicles. However in later text a trailer is to be considered a motor vehicle. Many of the current processing food vending "carts" are in actuality towable or trailer units. If they were then registered with Department of Motor Vehicle and operated similar to Food trucks now-on the street rather then side walk would they now not be limited by this size constraint?

In the Overview section describing alternatives to commissaries.....it is stated that the alternative facility would not have to hold its own permit. However in a later paragraph under Facilities for servicing Class D and Class E ...it states "Anyone intending to use such a facility would have to certify that the facility holds any necessary permits....." This seems to but the burden of compliance on the vendor and is asking that they look for permits where earlier it is said that no permits are required.

Other questions of concern follow

Under 6-04 Mobile food vending units:pre permit construction requirements

4 To protect foods from potential contamination in all units, no service window may be installed over or behind cooking or food preparation equipment.

This would seem to imply that only a counter could be next to a window. What of all the trucks etc that currently have steamtable grills at their windows- although usually protected with a guard.?

(f) under same section...Potable water supply . Bottled and packaged potable water...may be used to supplement the potable water,,,,,,
What does this mean? If you have under sized equipment tanks can you supplement with bottled water?

(1) under same section

There is also no definition on distribution of gallons...how much hot how much cold water.

...changing from 10 gallons to 25 gallons for a processing cart? This would add a lot of extra weight and use space making it impracticable. A shish ka bob cart for example what would the purpose be? The ka-bobs are pre cut There is little preparation other then cooking them. What will they be washing with 150% more water and an additional sink.

(2) under same section

Describing a potable water tankshall be constructed of food grade material.....does that include polyethylene; which is acceptable by NSF? The reason I ask is that although for we manufacture Stainless Steel tanks, we have had customers who came to us because they were failed for using polyethylene tanks.

(1) Hot and Cold Storage.... There is no mention of a method of cooling. Does that mean ice can be used to keep cool if it is kept in a waterproof area as long as the product is kept below 41 degrees? This is a traditional method.

(m) Compliance with fire safety requirements...."prohibit the use of any flammable gas other then LPG..."

Does this mean that hot dog carts which still use Coleman camping style units (liquid fuel) will no longer be able to use them?

In the table describing requirements for mobile food vending units... it seems green carts would need a waste tank. What is the point of this is green carts can only sell fresh uncut fruit and vegetables? What waste water would they be accumulating during operation? Or going

forward are they going to have to keep their product on ice, which of course would change their design.

In conclusion, my point is that rather than clarify, make regulations more transparent, the proposed changes have the potential for doing just the opposite.

Many of the proposed regulations, particularly concerning increased potable water capacities and number of sink basins seem unnecessary and unduly onerous toward the vendor.

Finally without a grandfather clause or a protracted sunset clause many of these proposed changes will only cause undue hardships.

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Wednesday, July 18, 2012 at 23:36:20

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtml?agency=DOHMH&rule=Chapter%206%20-%20Food%20Units

Office: DOHMH

Rule: Chapter 6 - Food Units

First Name: Mamadou L

Last Name: Diedhiou

Street: 228 Maryland Ave, Apt C

City: Staten Island

State: New York

ZIP: 10305

Email: mldiedhiou@juno.com

Opinion on Proposed Rule: Against

Comment: I dont think its a good
Idea for applicants of new or renewal mobile food vending unit
permits personally bring their mobile food vending units for pre-
permit health inspections. The only reason why Im against is
because some people have two (2) or three (3) part time jobs due
to current economy. Therefore, they wont have enough time do so,
if they work part time at food business.

#13

Mobile Food Vendor - New Rules

Chandramouli Mettapalli [cmettapalli@gmail.com]

Sent: Thursday, July 19, 2012 4:02 PM

To: Resolution Comments

Dear Sir/Madam,

Thank you for the opportunity for New Yorkers to recommend changes to the existing Mobile Food Vendors. I would like you to look into my recommendations:

- 1) Provide Parking CARDS for the accompanying Automobiles for each Vendor.
- 2) Reduce the Premium (that is sold in Black market).
- 3) Issue more Licenses.
- 4) Give opportunity for Different Ethnic Food Carts.
- 5) Provide Healthy options instead of too many Hot Dogs etc.
- 6) Collaborate with NYC Parks to have one PERMIT as both belong to NY City.
- 7) Increase Inspection of Storage Garages.
- 8) Ethnic Foods will have to be prepared at other centers such as Catering halls, other restaurants that already have a Alphabet Grading.
- 9) Penalties must be reduced.
- 10) Penalties must be issued after two warnings.

Thank you

Chandramouli Mettapalli

[Cmettapalli@gmail.com](mailto:cmettapalli@gmail.com)

#14

testimony on Chapter 6 of Title 24

Renee Giordano [renee@sunsetparkbid.org]

Sent: Thursday, July 19, 2012 4:23 PM

To: Resolution Comments

TESTIMONY ON PROPOSED REPEAL AND RECODIFICATION OF CHAPTER 6 OF TITLE 24
OF THE RULES OF THE CITY OF NEW YORK

HEARING DATE: JULY 19, 2012

As in many commercial districts, there has recently been an increase in the number of mobile food vending units. These include both the motorized units and non-motorized. With this increased number, has been an increase in sizes. Sidewalks often become extremely congested with shoppers and vendor carts. We have seen pedestrians being forced to travel in the street because there was no room on the sidewalk where vendors have set up. Therefore, we support a new cap on the size the non-motorized units.

We are, however, disappointed that no regulations on the size of motorized units have been included. These units seem to be the latest mobile units to invade our communities with little direct regulations, and being able to operate as they please. They take up precious parking space on the streets, often blocking several spots.

We would like to suggest that mobile food vending units be subjected to unannounced inspections and letter grades, just as restaurants are. These units are no longer selling just one or two items but have become extremely popular restaurants on wheels, and should be treated as.

We applaud the efforts taken thus far by the Department of Health to address numerous issues which are necessary for the protection of the public health.

Submitted by:--
Renee Giordano
Executive Director
Sunset Park BID
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Brooklyn NY 11220

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[Like us on Facebook](#)

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#15

Mobile food units comments

HICHAM MOUCHRIK [mouchrik@gmail.com]

Sent: Thursday, July 19, 2012 4:59 PM

To: Resolution Comments

Thank you for trying to fix the mobile food industry to support honest mobile food vendors and other business that create the food industry chains.

Comments

The NYC DOHMH must make it clear to the commissaries of not forcing their members to sell them any merchandises except if they choose as main business for commissaries is the hygiene and clean, store the units.

Create electronic system between commissaries and NYC DOHMH to report daily physical visitation of the mobile food units (trucks and carts) . as well to report to NYC DOHMH when the agreement between the vendors and commissary is void and null.

Global position system become very cheap that will make it easy to access all approved units at any giving time for any surprise visitation that the NYC DOHMH may choose specially trucks and class A ,B permits (units) .

The mobile food units must physically visit the commissary that approved for the size of that units and not get log in sheet or receipt from commissary just by buying other goods in exchange of proof of the visitation .

Divide the applicant and permittees to different types:

1 # mobile food worker as employee .

2 # Solo owner operator vendors.

3 # Owner operator as business that has to comply with all rules and regulations that apply to any business including worker compensation and disability and payroll for all workers define as labors that will protect their right according to city ,state and federal rules .

Large mobile food cart that are big in size must comply with rules and regulation of D.O.T and carry insurance that protect other motorist and pedestrian if any accident .

The city must auction any street corners, any numbers of permits, that may feel has potential to bring extra income to the city .

Thank you for taking our comments and thank you for trying to fix the mobile food industry

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Friday, July 20, 2012 at 00:55:21

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtm1?agency=DOHMH&rule=Article%20181-Protection%20of%20Public%20Health%20Generally

Office: DOHMH
ch. 6.
Rule: ~~Article 181 Protection~~
~~of Public Health Generally~~

First Name: li
Last Name: chen
Street: 825 8th avenue
City: brooklyn
State: new york
ZIP: 11220

Opinion on Proposed Rule: Against

Comment: These rules are not reasonable for street vendors. The daily log is unnecessary. (no freedom). Some vendor works long time, but for some personal reasons, delay the inspection. Therefore, he or she would lost his or her license that means losing a job that work for long time and family financial support. These vendors family would gone for crisis and wouldnt find a suitable job in the future as a vendor.

From: ()
Subject: DOHMH - Comment on Proposed Rule

Below is the result of your feedback form. It was submitted by
() on Friday, July 20, 2012 at 01:21:20

This form resides at
http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtm
[1?agency=DOHMH&rule=Article%20181-
Protection%20of%20Public%20Health%20Generally](http://www.nyc.gov/html/nycrules/html/proposed/comment_form.shtm?agency=DOHMH&rule=Article%20181-Protection%20of%20Public%20Health%20Generally)

Office: DOHMH
Rule: ~~Article 181 Protection~~
~~of Public Health Generally~~ *Ch. 6.*

First Name: wen s

Last Name: huang

Street: 315 grand street

City: new york

State: new york

ZIP: 10013

Opinion on Proposed Rule: Against

Comment: I am vendor who has four children, from 12 to 1 year old. My family of six all depend on my job as a street vendor. If I lost my job because I break the rule as daily log of stored my cart or missed the renewal application or inspections. My whole family would be homeless (no home, no food). people would make mistakes.

BRAD LANDER
COUNCIL MEMBER, 39TH DISTRICT

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OF
THE CITY OF NEW YORK**

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- WATERFRONTS

**On the Proposed Rules Regarding Mobile Food Vending
Revisions to Chapter 6 of Title 24 of RCNY
July 19, 2012**

My name is Maddie Labadie, Policy Fellow with the Office of Council Member Brad Lander. I am here today to deliver the following testimony on behalf of the Council Member.

Thank you to the Members of the Board of Health for the opportunity to testify today. I would like to especially thank the Department of Health and Mental Hygiene for its willingness to propose and implement far-sighted programs such as the Green Cart program, and to work with stakeholders to get them right. The Green Carts program has issued approximately 500 permits to serve healthy food in neighborhoods with a lack of access to fresh food and vegetables. Other cities are now in the process of replicating the innovative model the DOHMH has pioneered.

It came to my attention last year that identifying a DOHMH-permitted commissary for Green Cart vendors to store their carts close to the targeted neighborhoods is a significant barrier to expansion of the program. Even when a vendor is able to find a convenient commissary, they often find that the cost of storage is too expensive because mobile food cart commissaries require a higher level of food preparation and cleaning facilities than required by a Green Cart. This potentially discourages new vendors from participating in the program.

Some months ago, my office began investigating how to create a special class of commissary license for Green Carts. We discovered that DOHMH already has the authority to create this license in the form of an "alternative commissary," but that the process to qualify a space as such is cumbersome, the standards for qualifying are unclear, and the existence of this option was generally unpublicized and hidden in legal jargon.

I believe the proposed changes outlined in section 6-08 will help begin to bring an end to this situation. By promulgating clear rules that outline what a space requires to classify as an alternative commissary, more of these spaces will be able to be created for Green Cart storage and cleaning. This will be useful to many community-based organizations around the city seeking to attract Green Carts to their neighborhood.

I have two specific concerns that the current and proposed permit process appears to require the Green Cart vendor applicants to get the commissary space approved themselves, rather than the owner or operator of the space.

First, there does not appear to be a clear process for a non-profit organization to pre-clear a space with DOHMH. I have spoken with agency staff, who indicated they would discuss the program with any community group that wishes to operate a commissary, as well as create an outreach letter that clearly explains how the process for inspecting an alternative commissary works and

what is required. I hope we can work together to make sure interested community organizations are informed about this aspect of the Green Carts program.

Second, the rules require vendor applicants themselves to certify that the space in question "has been issued all required permits and its use complies with all applicable fire safety, zoning and building laws." This seems to put a large legal burden on a Green Cart vendor applicant to certify something that is only really verifiable by experts versed in the zoning and building codes. Further, because conditions on the ground can change, it opens up an applicant to a possibility of being falsely charged with making a false statement on an application if at the time the space meets all codes, but later falls out of code.

It is my hope that these issues can be worked out so the process for Green Carts to use an alternative commissary can be continue to be made more straightforward.

The proposed rules that all pushcarts can be up to ten feet long is a commendable change and should be approved as it will allow some vendors to expand their businesses in a modest way. Some of the other changes to cart structure are less clear and potentially costly, such as the increase to a 25 gallon water tank for processing carts from 10 gallons. I urge the DOHMH to find ways to consider the necessity of such rules, and if truly necessary to ensure public health, to find a way to phase in the rules that require changes to cart structure over a period longer than the current proposal of 6 months.

Thank you again for the chance to testify and for working with my office to improve the Green Cart program.

Comments

of

Andrew Rigie

Executive Director

New York City Hospitality Alliance

on the

**Opportunity to Comment on Proposed Repeal and Recodification of Chapter 6
(Food Units) of Title 24 of the Rules of the City of New York**

July 19th, 2012

10:00a.m.

NYCDOHMH – 125 Worth Street 3rd Floor Board Room, New York, NY 10013

My name is Andrew Rigie and I am the Executive Director of the New York City Hospitality Alliance. The Alliance is a broad-based membership association founded in 2012 to foster the growth and vitality of the industry that has made New York City the Hospitality Capital of the World. It is the first association ever formed in New York City representing all facets of this diverse industry: restaurants, bars, lounges, destination hotels and major industry suppliers.

The Alliance supports and respects culinary innovation and entrepreneurship, some of which is occurring within the mobile food vending industry. However, recent investigations by the City's Department of Investigation and stories in the press have exposed a number of questionable and disturbing business practices in the mobile food vending industry. These disturbing practices, coupled with ineffective and unenforced regulation of the mobile food vending industry, create both unfair competition and operational challenges to brick and mortar restaurants and other hospitality venues who do comply, at great cost, with the extensive web of complex regulations and best practices, and jeopardize public health and safety.

Therefore, The Alliance commends efforts by the Department of Health and Mental Hygiene in their proposal to repeal and recodify Chapter 6 (Food Units) of Title 24 of the Rules of the City of New York.

There are significant regulatory changes in this proposal. The Alliance supports three (3), in particular, which we believe are steps in the right direction and will help to mitigate the legitimate concerns of the brick and mortar hospitality industry and the dining public.

1. The Alliance supports the Department's proposal of a maximum size limit of five feet in width and 10 feet in length for all mobile food vending units, other than those that are motor vehicles. The Alliance has received multiple complaints from our members regarding the negative impact on their businesses posed by the large and unwieldy size of many mobile food vending units. Mobile food vending units are often adorned with umbrellas and signage that extends into the sidewalk and into the air creating obstructions to pedestrians and blocking the awnings and signage of brick and mortar restaurants. Side tables, milk crates and other objects are often setup next to the vending units causing additional obstructions. Therefore, we request that Department further clarify that such objects be included in the proposed maximum size limit and that a height limit be established.
2. The Alliance supports the proposed requirement that applicants for new or renewal mobile food vending unit permits personally bring their mobile food vending units to a Department inspection venue for pre-permit health inspections and that, at each pre-permit inspection, permittees also be required to:
 - Have photos of themselves and photos of their units taken to enable accurate photo identification, and

- Provide a list, on a Department approved form, to be updated as applicable, of all individuals allowed to vend from the unit and the legal relationship to the permittee (employee or other specified relationship).

The NYC Department of Health should issue photo ID cards to all permit holders, which ID must be presented at time of renewal, to ensure that the person renewing is in fact the permit holder.

3. The Alliance believes that emphasizing and clarifying provisions of the Health Code that hold permittees jointly and severally liable with their operators for the safe and legal operation of the mobile units will further reduce questionable and illegal practices.

The New York City Hospitality Alliance's position is that through enforcement of current regulations and further changes to the Rules, brick and mortar restaurants and mobile food vending units can operate more harmoniously and further secure New York City's well deserved reputation as the culinary capital of the world.

The Alliance respectfully requests that it be permitted to fully participate in future discussions with the Department, related agencies and other affected parties to address matters relating to mobile food vending which were not addressed in this proposal.

Respectfully submitted,

Andrew Rigie | Executive Director

New York City Hospitality Alliance
630 9th Avenue, Suite 311
New York, NY 10036

646-532-2756 | Arigie@theNYCalliance.org

www.theNYCalliance.org



July 19, 2012

Hello, my name is Sophia Laskaris. I am a food vendor who sells hot dogs, shish-kebabs, pretzels, and knishes in lower Manhattan. My parents came here from Greece and started vending in 1950. In the 1980s I continued their business when they could not work anymore. Food vending has been part of my life since I was born and my parents taught me the work ethic to become a successful small business owner. Street vendors are part of a long standing tradition in New York City and the City should encourage the growth of these small businesses, not make it more difficult for vendors to work. I interact with many customers on a daily basis who tell me that they love my food. I provide valuable knowledge and insight about New York City to many visiting tourists like an ambassador. Working seven days a week, from 7 AM until 9 PM, I am the sole provide for my 16 year old son. I have also been a member of the Street Vendor Project since 2002.

I am here today to give my opinion on the newly proposed health code rules for food vendors. I would just like to say that I and all of the food vendors in New York City have spent a lot of money to build our pushcarts and conform them to the specifications laid out by the health department throughout the years. These newly proposed rules will cause many problems for vendors if we have to change our pushcarts. For example, we will have to disrupt our work to bring the cart in to be fixed and we will have to pay thousands of dollars to make changes to the carts. If these new rules do pass and there are different requirements for vending carts, older carts that have already passed inspection should be grandfathered in.

First, the rule about having seven pounds per square inch of water is confusing. Why is the amount of water pressure set at seven pounds per square inch? If we have to have strong water pressure at the sink, we will have to have a lot more water stored on the cart. Vending pushcarts are heavy enough and are not able to store more items such as additional water. Right now I have plenty of water pressure to wash my hands at my hand wash sink.

Second, the rule about having a culinary sink does not make any sense for vendors who do not wash food on their cart. The food I sell is, if necessary, is washed and cleaned at the commissary where I store my pushcart. I do not ever wash any food on my cart and I should not need to have a second sink installed which would be another unnecessary expense. Also, it is unnecessary to have an additional sink to wash utensils and equipment. Why can't we wash our utensils in the same sink where we wash our

hands? It will also be too difficult to store our utensils in a container with 135 degree water. We do not have enough space to keep this water hot enough the whole time we are working. In addition, the rules about the sinks having different compartments are really confusing. Why and when will the department approve use of a "one compartment sink?"

In addition, it will be very difficult to have the water from the melted ice from the beverage area drain into our waste water tank. How will that affect the formula of the storage capacity of the waste water tank?

It costs a lot of money to make changes to the sinks on our pushcarts. I used to have a sink that was in one particular place on the pushcart and then in 2010, when I went for inspection they told me I had to move the sink to a different location on the cart. In order to do this, all of the wiring and batteries had to be changed at a significant cost. If I have to make more changes to the pushcart it will cost me more unnecessary interruptions and about \$5,000.

Third, one of the proposed rules says that we will have to have 25 gallons of potable water instead of 10 gallons on our pushcarts. I will have to change the structure of my cart including the waste water tank. This will be yet another expense to change my pushcart. Why do we need 25 gallons of water? I have never had a problem with not having enough water to wash my hands or utensils.

I understand that the health department wants to have a size requirement of 10 feet long by 5 feet wide. However, this will be unfair for people who already have carts that are wider than 5 feet. They would have to make new carts which would be very costly and will take a lot of time to be re-inspected.

In addition, to require the permit owner to show up is problematic because a notarized power of attorney is a legal document and should be accepted as such in representing the permit owner. Permit owners may be unavailable for many valid reasons and asking them to be available for the inspection could be problematic. I have my own permit but unforeseeable circumstances might present themselves. I might not be able to present my cart for inspection myself and would like to know what options there are otherwise.

Overall, I think it the health department should make a clean and clear list of easy to understand requirements. These proposed rules are very confusing and most vendors will not be able to understand these new rules. Also, we would like to know what is expected of us before we present our carts for inspection so that we don't spend unnecessary money in preparing our carts and coming back to be re-inspected.

Thank you for the chance to be heard. I hope that the health department will seriously consider my comments and all other comments made today by hardworking street vendors.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sophia Laskaris". The signature is fluid and connected, with a prominent initial "S" and a long, sweeping tail.

Sophia Laskaris



Hello, my name is Mohamed Saad Ali and I came to New York City in 1999. I have worked as a food vendor since that day. I have a wife and three children who live with me and my children are all in school. When I first started as a food vendor, I was helping another vendor at his cart. Now, I am managing two food carts in Manhattan; one non-processing cart that sells hot dogs, pretzels, and cold drinks, and one processing cart that sells shish-kebabs. I work eight hours a day, five days a week.

I don't agree with the proposed rule that says the permit decal cannot be covered or protected. Right now I have a glass covering on my decal which protects the permit but still allows it to be visible. It can be easily opened for any health inspector to see. Decals can easily be scratched by an individual or during storage and it is important to protect the decal. If the decal gets damaged it can take up to three months until I can get a new decal and start working again.

I also have a problem with the new proposed rule that will require a 25 gallon water tank instead of a 10 gallon water tank. First, I have never had a problem running out of water at my hand wash sink so I do not know why the health department is requiring a 25 gallon water tank. If this rule passes, I and many other vendors will have to rebuild their carts. If this rule passes, it should only apply to food carts that have not passed inspection before. I have already spent thousands of dollars to build and change my carts according to the health department rules throughout the years. It will be unfair to make me change my cart again. In addition, this also applies to the proposed rule that will require more sinks for washing food and utensils. In my

kitchen at home I have one sink for washing my hands, my food, and my utensils and it works just fine. It will be too expensive to change my cart to add additional sinks.

I also have a problem with the proposed rule that will require non-processing hot dog carts to have a waste water tank. It will be very hard to make this tank because there is not enough space on my pushcart for this tank. Right now, when I use ice to make my drinks cold, I drain the melted ice water at the commissary at the end of the day. There is already a rule that prohibits vendors from draining their water on the sidewalk and there is no reason why I need to spend more money to add a waste water tank to my cart.

I would like to know what the health department means when it proposes that even non-processing hot dogs carts will have to have an overhead structure. If we have to have a roof like the processing carts do, it will change the historical look of the hot dog cart which has been a symbol of New York City for many years. Also, customers will not be able to tell the difference between carts that only sell hot dogs and carts that also sell shish-kebabs. It will also cost a lot of money for all hot dog vendors to change their carts.

Thank you for listening to me today.



My name is Sean Basinski and I am the director of the Street Vendor Project at the Urban Justice Center. We are a non-profit organization that organizes vendors throughout the City and advocates for their rights. We have 1,500 members, about half of whom are mobile food vendors. I am here today to comment on the proposed changes to Chapter 6 of Title 24 of the Rules of the City of New York. We welcome any changes to the Health Code that clarify existing rules and provide reasonable a reasonable explanation for those rules.

Most of these changes, however, make it more burdensome for food vendors to operate without providing any rational basis for the changes. Food vendors are already one of the most heavily regulated small businesses in New York City and it does not make sense to impose additional restrictions that will discourage their growth.

As a general statement, we object to the lack of any grandfathering provisions in the required changes to equipment. It would be extremely unfair to force vendors who have spent tens of thousands of dollars to build pushcarts to existing requirements to throw those carts in the junk heap because you have changed the rules. Even when it is possible to modify carts, this can be extremely expensive. Existing pushcarts should be grandfathered in. Below I will detail our specific comments to the proposed rules.

§6-04(b)(3)

It is important to understand that permit decals can become damaged or even stolen and many vendors need to protect their permit by installing a clear plastic covering on top of the permit decal. This allows the permit to be visible by customers and health officials. It is unclear from the wording of the proposed rule whether this will still be allowed. Many times vendors have come to our office with stories of how their decals have been stolen or damaged and have had to wait a long time before they can go back to work because their food unit has to be re-inspected. This can be a travesty for their families.

§6-04(f)(1)

Mobile food vendors have limited space on their pushcarts and it is an onerous requirement to mandate a water tank with a twenty five gallon capacity where no evidence has provided that a ten gallon tank is not adequate. What is the reason for this change? If this rule passes, all food vendors with processing carts will have to reconfigure their carts which will cost thousands of dollars and result in many missed days of work.

§6-04(g)(2)

Why is the department proposing mandating that potable water be dispensed at a pressure of seven pounds per square inch? How did the department come up with this amount? We would like to see a reasonable basis for mandating this amount of water pressure and whether it is possible for existing sinks on food units to dispense water at this amount of pressure.

§6-04(h)

This proposed rule would require that all vendors who create "liquid waste", including non-processing hot dog vendors, have a waste water tank installed on their food units. As you are aware, only processing carts with hand washing sinks are currently required to have a waste water tank. If this rule passes, every non-processing cart will have to be reconfigured to include a waste water tank. What is the basis for this requirement? Currently, hot dog carts that use boiling water and ice discard their water at the end of the day at their commissary. Requiring hot dog carts to have waste water tanks installed will cause the thousands of hot dog vendors in New York City to reconfigure their carts resulting in enormous unnecessary expenses.

§6-04(j)

This proposed rule is confusing in that it seems to require some vendors to have additional sinks on their food units. If food vendors wash and prepare their food at a commissary why do they need to have a separate culinary sink for washing foods? The rule should be clear to only require a culinary sink if the vendor is washing food on the food unit. Additionally, the proposed rule states that a colander may be used in lieu of a culinary sink but the rule does not detail how the colander is supposed to be used. Will it be adequate for vendors to use the colander with their existing hand wash sink?

§6-04(k)

We are confused as to whether this proposed rule will require an additional separate sink for sanitization and ware washing. It is unclear whether vendors can use their existing hand wash sink to also sanitize their utensils and equipment. Again, vendors who have invested thousands of money in their food units should not be forced to spend incur additional significant expenses to reconfigure their pushcarts or trucks. If the department is proposing that vendors with processing carts or trucks have a separate sink for sanitization, what is the reasoning for this requirement?

§6-04(m)

While we understand that there are fire code rules that regulate the use of propane on mobile food units, prohibiting food units from using propane on top of the subway ventilation grates will result in the displacement of thousands of food vendors from their locations. What is the reason for restricting food carts, that use propane, from subway ventilation grills? Given the amount of restrictions on where mobile food vendors can work, it is extremely difficult to find a legal vending location. We do not agree with any rule that will further restrict where food vendors can work.

§6-04(o)

This proposed rule adds another requirement that will potentially force thousands of food vendors to reconfigure their food carts. First, it is unclear what the department means by an "overhead structure." Since this requirement could potentially apply to non-processing hot dog vendors, we need clarification on whether they will be forced to reconfigure their pushcarts. If an "overhead structure" can be an umbrella, then this rule change will not be that significant. If an "overhead structure" has to be an actual roof or other covering that is found on larger processing carts then thousands of hot dog vendors will have to incur another large expense to redesign their pushcart. This would result in the end of the iconic non-processing hot dog cart that has been a symbol of New York City for many years.

§6-05(b)

We know that food vendors must follow the applicable Health Code regulations, but a minor violation should not be the basis for seizure of the permit. This drastic consequence should only be reserved for the most serious of all violations. For example, if a hot dog vendor forgets his thermometer at the commissary or runs out of cold water at the hand wash sink, his permit should not be seized. When a food vendors' permit is confiscated, their entire business and livelihood is shut down and their families suffer. The penalties for violating provisions of the health code are already severe enough and seizing a food vendors permit is disproportionate for many of the offenses described in this subsection.

§6-06

It is positive to see that the department is proposing a uniform length of ten feet for all food units that are not motor vehicles. Many fruit and vegetable vendors are not able to store enough fruit on their six and one half foot carts and will now be able to keep enough fruit to have a successful business. It will be important to remember that all fruit and vegetable vendors have already purchased six and one half foot long carts and should not have to buy a new cart in order to apply the new rule. Vendors should be allowed to use their current extensions to make their carts ten feet long.

§6-08

We are happy to see that the department is making it easier for certain vendors to find storage facilities for their carts. We feel that this rule will make it slightly easier for green carts to operate but would like to know why there are still so many requirements for fruit and vegetable carts, where no food is being kept on the cart, and the cart is not being used for any food preparation? It is a huge burden for all vendors to find an adequate storage facility and many more vendors would be able to start vending from a Green Cart if they were able to store their pushcart, with adequate covering, at a location such as a parking lot.

§6-10(b)

We seek clarification on whether fines for violations that are not "A" type violations will also need to be paid prior to the issuance or renewal of a mobile food vending license or permit. The proposed rule just states that "A" type violations will need to be paid.

§6-10(c)

Refusing to renew, or suspending or revoking a mobile food vending license or permit is the equivalent of putting an end to that vendor and their families livelihood. It is unfair to refuse to renew or revoke a license or permit for four "A" type vending regulations. I certainly do not think the department would revoke a restaurant license if the restaurant committed four violations. It is common for vendors to receive four tickets from either a police officer or a health inspector in one day and the fines for the violations are already severe enough.

§6-11(c)

We are encouraged that the department is concerned with the existing black market for mobile food permits. However, simply requiring the permit owner to appear at the inspection will not be enough to end the current system of permit leasing. If the department really wants to reform the black market system then more permits should be released. The Health Department should get behind existing legislation at City Council that would increase the number of food vending permits. This will create new jobs, encourage the growth of small businesses, and put an end the black market system which exploits vendors and provides no benefit to the City.

§6-11(g)

Food vendors have to comply with numerous confusing health and administrative code requirements while operating their carts every day. Requiring more documents to be kept on the cart does not seem to fulfill any purpose. It would be casier for vendors just to supply all the relevant information at the inspection instead of mandating that it always be kept on the vending unit.

§6-13

We would like more clarification on this section. Specifically, will any disabled veteran who holds a food vendor license be able to receive a restricted mobile food vending permit? Additionally, what is the definition of park lands? We are not able to fully comment on this proposed rule because we do not understand how it will be implemented.

As you see, we were not able to comment fully about many of the proposed changes because we do not understand them. We have not been given any guidance or answers to the questions we have been asking about them these past several weeks. We look forward to a day when the Health Department engages in true dialogue with the street vending community, which right now is not taking place.

Thank you for the opportunity to testify.



My name is Nadir Ayub. I came to this country in 1995. I tried a lot of jobs, like in a restaurant and at a t-shirt store, but I made no money there. I have one son and daughter and my wife, and I take care of my brother, sister and cousin in Bangladesh. My son and daughter go to good schools and are good students.

I've worked as a street vendor for fifteen or sixteen years. I have seven carts on Broadway from Houston to Broome Streets. I sell chicken, rice, gyro, cold drinks, and smoothies. I always sell fresh, good food that my customers love. Right now, I work seven days a week, minimum 10 to 12 hours a day.

At first, when I came here, I worked for another vendor. Then I got a permit and got my own hot dog cart. Now I manage seven carts and have twelve employees. I also am working to open up my own garage.

As a garage owner, I have a problem with the new rule that requires garages to keep records of when each cart comes and goes. Right now, I have two shifts of workers – and we are open from 6 am until 10 pm. There are coffee vendors in the garage who come to the garage after we close – there are no workers there at that hour, but the coffee vendors have a key. If this change is made, I will have to pay an extra person to be there all through the night. I cannot afford to do this.

I also have a problem with the new rule that says that you cannot have a cart with propane on top of a subway grill. Five of my carts use propane and vend on top of subway grills. In New York City, most food vendors work on top of subway grills. Where will they go? What will they do? This is a big problem for the food vendors. Also, the propane inside my cart is safe. If there is a problem with it, the problem will be inside my cart, not the subway.

I also have a problem with the rule that I need to install 25 gallon tanks in my cart instead of 10 gallon tanks. Right now, my carts have 2, 10 gallon tanks – one hot and one cold. It will cost a lot of money --- thousands of dollars – for me to change my water tanks to comply with this new law. Each day, I only use 5 or 6 gallons out of each of my 10 gallon tanks. There is no need for this new rule.

I also have a problem with the rule that I install more sinks into my cart. The cart is very small already – where will the extra sink go? It will cost at least \$3,000 to put a new sink in each of my

carts. And it is not necessary. I make all the food in my garage already, and I clean up everything in the garage at night.

As for the rules about new tanks and new sinks, for new carts, these rules are ok. But this is a problem for old carts.

Please listen to me today. Thank you so much.



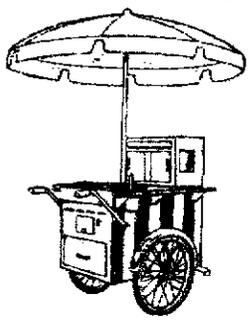
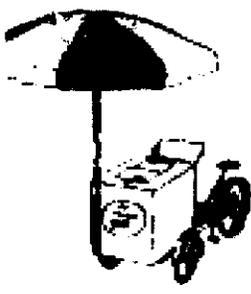
Hello, my name is Sabul Hussain and I am a mobile food vendor and and immigrant from Bangladesh. I am a United States citizen and have lived in New York City for 17 years. I have sold hot dogs in Midtown Manhattan since 1996. I am here today to give my opinion on some of the new proposed rules for mobile food vendors.

First, the rule about the new water pressure is very confusing. I do not know whether it is possible to have 7 pounds per square inch of water from my sink in the pushcart. I would like to know how the health department came up with this number.

Second, the rule about having more sinks on our pushcarts will be a big problem. We will have to change our carts which will cost around \$5,000. We will also have to pay to bring our pushcarts to get fixed which will be a big problem for us. This is not fair for all of the food vendors who have already paid \$12,000 to buy their pushcarts. Also, the food that I sell has already been cleaned at the garage, so there is no reason that we would need another sink on the cart to wash the food.

Third, I do not know what it means to have an overhead structure on hot dog carts. Only big chicken and rice carts have a roof. It will be almost impossible to make a roof on all regular hot dog carts. Why do hot dog pushcarts need to have an overhead structure and what does this mean?

Thank you for the chance to speak here today.



7/18/12

Comment on Proposal to repeal & recodify Chapter 6 Food Units of Title 24.....

My name is Jack Beller, and I am Vice President of Worksman Cycles/800BuyCart, located in Ozone Park, Queens.

In business since 1898, we are New York's oldest manufacturers of tricycles, bicycles, food vending carts, trucks, trailers and kiosks.

Personally, I likely have had the longest involvement with mobile food vending from the manufacturing perspective through my former family business; Admar. Started by my Dad Admar basically put the stainless steel food cart on the map. To gain some historical perspective, one need only visit the New York Public Library and see the popular and critically positively reviewed exhibit "Lunch Hour NYC"

Part of the exhibit is a street scene with among other things; one of our traditional hot dog carts from the 1960's. Also part of this exhibit is an extensive video of my father Edward Beller, now 91 years old; describing among other things the advent of the stainless steel pushcart.

Many companies have gotten their start with our carts and trikes. Good Humor & Chipwich are a couple of examples. Some of the equipment we produce can still be found in good condition on the streets of New York. As an example; what is likely the first stainless equipped food truck in New York- Dominick's of Woodhaven Blvd in Queens just recently replaced the truck for the sole reason of having something new, not because of failing equipment.

I have reviewed the proposal and understand the desire of the Health Department to clarify, and re-codify certain aspects of the health code as they pertain to mobile food vending equipment. As a manufacturer who has recently gone through the rigorous process of having food carts designed and listed with NSF (National Sanitation Foundation) under Standard 59-Food Carts, we are very familiar with the need for adequate design and production when it comes to food equipment.

However; given that our main market has always been NYC, we have concerns as to the practicality and transparency of any changes to the regulations, given the past history of code enforcement.

First and foremost, whatever changes are ultimately made to equipment requirements, they should be presented in a clear, concise format and made available to the health department inspectors, manufacturers and vendor. This would avoid confusion as to what equipment/design features; and size limitations there actually are, avoiding costly changes, tickets and unnecessary time delays.

These should be the rules that are maintained. I have seen too many times over the years, that units failed inspection for rules that weren't there and conversely found that some equipment built contrary to regulation passed inspection.

Another issue that is of concern is that there does not seem to be any grandfather provision. Many of the proposed changes in design would put existing equipment in violation. Specifically, the more than doubling of fresh water capacity of processing carts and the limitation of size of processing carts. Bear in mind that NSF Standard 59 Food Carts requires only 5 gallons of fresh water for potentially hazardous foods.

These proposed changes attempt to address past problems with issue of fraud and other illegal activities regarding the actual permit themselves. However it does nothing to address the real problem; that the

permit itself has become a commodity from which to make a profit, rather than its original intent, to act as a vehicle for an individual without much means to get a foothold in bottom rung of the market economy. By restricting the number of permits, while at the same time enforcing the non-transferability of permits, NYC has effectively created a quasi legal gray market where operators pay many multiples of the original lessors fee to the city under the guise of partnership agreement. Either the City should release new permits or make the current scenario legitimate and allow the transfer and lease of the permits, much as a taxi medallion is.

There are questions concerning classification.

As examples:

Class A- ...fried meats. What if this fried meat is only hot dogs. Why should this be treated any differently than boiled hot dogs? Same product. Most grills in fat heat to a higher temperature than 212 degrees.

Class D...as an example units that serve coffee would typically also have milk and or cream, a fresh dairy product why wouldn't this be considered hazardous? S
Pretzels are included in this class. What if these pretzels are stuffed with cheese or served with cheese.

The proposed change to maximum size for food vending units to 5 feet x 10 feet seems to allow for larger non-processing units but in effect limits the size of processing units...except for motor vehicles. However in later text a trailer is to be considered a motor vehicle. Many of the current processing food vending "carts" are in actuality towable or trailer units. If they were then registered with Department of Motor Vehicle and operated similar to Food trucks now-on the street rather than side walk would they now not be limited by this size constraint?

In the Overview section describing alternatives to commissaries.....it is stated that the alternative facility would not have to hold its own permit. However in a later paragraph under Facilities for servicing Class D and Class E ...it states "Anyone intending to use such a facility would have to certify that the facility holds any necessary permits....."

This seems to put the burden of compliance on the vendor and is asking that they look for permits where earlier it is said that no permits are required.

Other questions of concern follow

Under 6-04 Mobile food vending units:pre permit construction requirements

#4 To protect foods from potential contamination in all units, no service window may be installed over or behind cooking or food preparation equipment.

This would seem to imply that only a counter could be next to a window. What of all the trucks etc that currently have steamtables grills at their windows- although usually protected with a guard.?

(f) under same section...Potable water supply . Bottled and packaged potable water....may be used to supplement the potable water,,,,,,

What does this mean? If you have under sized equipment tanks can you supplement with bottled water?

(1) under same section

There is also no definition on distribution of gallons...how much hot how much cold water.

...changing from 10 gallons to 25 gallons for a processing cart? This would add a lot of extra weight and use space making it impracticable. A shish ka bob cart for example what would the purpose be? The ka-bobs are pre cut There is little preparation other than cooking them. What will they be washing with 150% more water and an additional sink.

(2) under same section

Describing a potable water tankshall be constructed of food grade material.....does that include polyethylene; which is acceptable by NSF? The reason I ask is that although for we manufacture Stainless Steel tanks, we have had customers who came to us because they were failed for using polyethylene tanks.

(l) Hot and Cold Storage..... There is no mention of a method of cooling. Does that mean ice can be used to keep cool if it is kept in a waterproof area as long as the product is kept below 41 degrees? This is a traditional method.

(m) Compliance with fire safety requirements....."prohibit the use of any flammable gas other than LPG..."

Does this mean that hot dog carts which still use Coleman camping style units (liquid fuel) will no longer be able to use them?

In the table describing requirements for mobile food vending units... it seems green carts would need a waste tank. What is the point of this is green carts can only sell fresh uncut fruit and vegetables? What waste water would they be accumulating during operation? Or going forward are they going to have to keep their product on ice, which of course would change their design.

In conclusion, my point is that rather than clarifies, make regulations more transparent, the proposed changes have the potential for doing just the opposite.

Many of the proposed regulations, particularly concerning increased potable water capacities and number of sink basins seem unnecessary and unduly onerous toward the vendor.

Finally without a grandfather clause or a protracted sunset clause many of these proposed changes will only cause undue hardships.

THANK-YOU FOR your time + work.

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#26



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July 19, 2012

Dear Members of the Public Hearing:

As a small business owner located in the Broadway Triangle area, we are no stranger to trials and tribulation when government laws and policies negatively impact small business.

Currently, the proposed changes to the Health Department's Mobile Food Vending rules regarding caps on cart sizes and sink requirements will have a negative impact on potentially over 80% of existing carts in New York City.

As the Department of Health has worked with us regarding size restriction of carts back in January of 2007, please again work amiably with the food vendors of New York City and allow them the time necessary to meet the new code requirements. I request for a written amendment providing a "grandfather" clause which will allow existing vendors the ability to continue doing business in their current status quo and through attrition, retire old units and build new units which will meet new code requirements.

As much as the City understands the critical importance of public health, Shanghai Stainless knows the importance of small business to the city. New Yorkers need a place to live, as much as they need a place to work. We would like to work in a cooperative effort with the City of New York throughout this process.

Thank you in advance for your consideration in this matter.

Sincerely,

Ernie Wong
Director of Operations
Shanghai Stainless Product & Design, Co.
(718) 599-4583
erniewong@shanghaistainless.com



Community Board Ten

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JOSEPHINE BECKMANN
District Manager

July 19, 2012

NYC Department of Health and Mental Hygiene
Office of the Secretary to the Department
Rena Bryant
Gotham Center
42-09 28th Street -14th Floor Rm 14-15
Long Island City, NY 11101

Re: Proposed Repeal and Recodification of Chapter 6 (Food Units of Title 24 of the Rules of the City of NY)

Dear Ms. Bryant:

On June 18, 2012, members of Community Board Ten voted unanimously to provide you with general comments relating to the proposed repeal and Recodification of Chapter 6 (Food Units of Title 24 of the Rules of the City of NY) since the changes were released shortly before our summer hiatus.

The members of Community Board 10 believe there has to be a broad comprehensive response among multiple city agencies, community leaders, elected officials, Business Improvement Districts and merchant associations citywide to address the complexity of issues involving food-vending carts.

In Community District 10, business leaders, residents and community members have been advocating for change for well over four years following the appearance of large mobile food units operating on the public sidewalks within a vendor free zone in the 86th Street Business Improvement District.

Most recently during the month of April we heard many complaints from frustrated residents as well as brick and mortar stores, who for years had been complaining about the inequities they face operating a small business within the 86th Street BID as well as the inequities in city regulations since the emergence of these large food units that have been dubbed "Stationery Restaurants on Wheels." We also observed public street actions on behalf of residents and business owners which we believe may escalate if changes are not made expeditiously.

RECODIFIED CLASS A MOBILE FOOD UNITS

These are the mobile vendor carts that are most problematic within the confines of Community Board Ten. The average size cart in our Community Board is the proposed 10 feet by 5 feet. They have full service grills with exhaust, illuminated lights and signage, and prepare full meals with raw meat and vegetables. The reality of allowing for such a kitchen cart to operate on a public sidewalk sets the stage for an unfair competitive distinction created by a lack of consistency within DOH Rules with kitchens that operate on a public sidewalk versus kitchens in a brick and mortar store.

MARTY MARKOWITZ, BOROUGH PRESIDENT

Community Board Ten

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1. The proposed Class A Units are not subject to same restaurant inspection controls which includes temperature, ventilation, and refuse removal standards. In our District, food vendor cart meats are stored in nearby vans in coolers – this is impossible for inspectors to regulate. An operation that is 20 hours per day requires for the storage of meats in an area other than the food cart. How can this possibly be enforced? I have attached photos that reflect this issue.
2. The proposed Class A Units are not subject to a letter grade review – in our community all carts are stationary and return day after day.
3. The proposed Class A Units will have more comprehensive Fire Department rules – however, the Fire Department is not required to proactively inspect – as they do commercial restaurants.
4. The proposed Class A Units – mirror those already in our community. An average cart size of 5 foot by 10 foot – have as many as 3 employees per shift – are not required to demonstrate they have private sanitation or grease removal services.

PUBLIC SIDEWALK/ REGULATORY INEQUITIES

Placement of processing carts on public sidewalks within DOH rules is not clearly defined.

- a. Administrative Code Section 7 – 210 rests all liability of the maintenance of the public sidewalk to the owner of real property abutting any sidewalk. A Class A Food Unit that operates on our public sidewalks 20 or more hours per day – 7 days per week unfairly have no liability obligations to the sidewalk where they conduct business.
- b. Traffic Rules of the City of New York in two sections clearly prohibit carts from the public sidewalk at any time – Section 4-08 (n) (4) and Section 4-12 (g)
- c. Traffic Rules of the City of New York Section 4-12 (g) also allows the owner or lessee of property to object to the placement of a vendor cart on the sidewalk abutting the property. This rule is consistent with Administrative Code 7-210 and inconsistent with DOH rules.
- d. Administrative Code Section 20-465 (g) No General Vendor shall vend on any street which is in a C4, C5, or C6 Zoning District, The 86th Street Business Improvement District is located within a C4 District and the same area is restricted to General Vending as a result of the Street Vendor Review Panel in 1995 – both restrictions were put into place because of high pedestrian traffic. Food Vending and General Vending prohibitions due to pedestrian and vehicular traffic should be consistent.
- e. The 86th Street Business Improvement District is a Zero Sidewalk Display District – meaning that brick and mortar stores cannot place any wares on any portion of their public sidewalk including the 3 feet in front of their stores. Again, food unit carts should also be prohibited in these areas.
- f. The Zoning Resolution – in part, due to pedestrian volume - restricts Sidewalk Cafes along 86th Street from 3rd Avenue to the Gowanus Expressway yet a mobile food vendor cart is permitted to operate on the very same sidewalk. This is UNFAIR.
- g. 86th Street at 4th Avenue, an intersection within the 86th Street BID ranks 4th in the City of NY for Pedestrian accidents, has seen an increase of 7 percent in subway use and the addition of two new bus lines in the past four years. Its public sidewalks are often completely filled with pedestrians – as a

MARTY MARKOWITZ, BOROUGH PRESIDENT

Community Board Ten

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result we have twice requested to add 86th Street BID to the list of restricted food vending streets without a response from the Department of Small Business Services.

- h. Today, our public sidewalks have wonderful street amenities including bicycle racks for a growing population of bicycle commuters, street benches for the elderly, trees, planters and yet these rules do not create clear guidelines regarding placement of vendor carts abutting street furniture and street trees.
- i. Weight regulations for food carts on public sidewalk are not included in size restriction modifications.

QUALITY OF LIFE COMPLAINTS

Recodified Class A Mobile Food Units in our District will permit food to be processed on a public sidewalk without restriction to placement or hours of operation – this is problematic in our residential area – The City of NY places time restrictions on sidewalk cafes, sidewalk sales, block parties and street festivals – the failure to restrict hours of operation creates a number of ongoing quality of life complaints that include – noise from generators, odors from generator exhaust and food emissions, noise from patrons and employees. The 86th Street BID area is a mixed residential/commercial use district.

SOME SUGGESTIONS: TO PREVENT FRAUD AND IMPROVE OVERALL SYSTEM

Tamper resistant vendor cart permits would be an easy remedy in response to claims that licenses are duplicated and rented. Today we have the technology to distribute and monitor permits that can verify the authenticity and location of food vendor carts.

The Independent Budget Office (IBO) in both 2010 and 2012 reviewed the failings of the current system and we urge the DOH to further study these failings as they relate to revenue from vendor fees and fines, peddling and sales tax, enforcement and a thriving black market system that exists in the City of NY. The IBO in 2012 proposed to institute competitive bidding for Mobile Food Vending Permits.

Community Board Ten plans to convene an ad hoc committee to review the issue of food vending carts in the Fall, but wanted to take the time today to discuss problems in areas resulting from conflicting citywide regulations.

Thank you for your attention.


Joanne Seminara
Chairperson

Sincerely,


Josephine Beckmann
District Manager

Attachment

cc. Hon. Vincent Gentile
86th Street BID
Dept. of Small Business Services
Department of Transportation
FDNY
NYPD
NYC Department of City Planning
Mayors Community Affairs Unit
DSNY

MARTY MARKOWITZ, BOROUGH PRESIDENT