

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 184

Introduced by Council Members Constantinides, Rodriguez, Levin, Levine, Rosenthal, Kallos, Cohen and Miller.

A LOCAL LAW

In relation to off-hour deliveries at city facilities

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Central business district. The term “central business district” means the area of the borough of Manhattan lying south of and including 60th street.

City facility. The term “city facility” means a facility used or occupied or to be used or occupied to meet city needs that is located on real property owned or leased by the city or is operated by the city pursuant to a written agreement on behalf of the city.

Highly congested areas. The term “highly congested areas” means at least two areas of the city outside of the central business district in which there are both high levels of traffic congestion and high densities of city facilities, as determined by the agency or office designated by the mayor pursuant to subdivision b of this section.

Lower Manhattan. The term “lower Manhattan” means the area of the borough of Manhattan lying south of and including Canal street.

Off-hour deliveries. The term “off-hour deliveries” means the delivery of goods between 7:00pm and 6:00am.

b. No later than 180 days after the effective date of this local law, an agency or office designated by the mayor shall, in consultation with other agencies or offices as deemed appropriate by the mayor, develop a framework for the feasibility of city facilities in the central business district and highly congested areas receiving off-hour deliveries and shall submit a report on such framework to the mayor and the speaker of the council. Such report shall include, but need not be limited to, the following:

1. A discussion of the problems that currently exist with respect to daytime deliveries at city facilities;

2. A discussion of the existing models of off-hour delivery programs in both the public and private sectors;

3. Recommendations for actions that the city could take to expand off-hour deliveries to city facilities;

4. An assessment of the feasibility of deploying personnel to receive off-hour deliveries at city facilities;

5. Recommendations for actions that the city could take to enable off-hour deliveries without the presence of personnel;

6. Recommendations for actions that the city could take to reduce adverse impacts on communities adjacent to city facilities receiving off-hour deliveries, including through the use of low-noise equipment and operating procedures; and

7. Recommendations for processes through which building and facility delivery and service plans could best be created, implemented and refined over time for city facilities, including through delivery scheduling, vendor consolidation and safer and more environmentally sustainable freight vehicles.

c. No later than 270 days after the effective date of this local law, the agency or office designated by the mayor pursuant to subdivision b of this section shall assess all city facilities in lower Manhattan to determine whether off-hour deliveries are feasible at such facilities and such agency or office, in consultation with other agencies or offices as deemed appropriate by the mayor, shall conduct off-hour deliveries at such facilities.

d. No later than 18 months after the effective date of this local law, the agency or office designated by the mayor pursuant to subdivision b of this section shall submit a report to the mayor and the speaker of the council regarding off-hour deliveries at each city facility at which off-hour deliveries were implemented pursuant to subdivision c of this section. For each such facility, such report shall include the number of deliveries, the provider of the goods delivered and the value of the goods delivered that have been diverted to off-hours deliveries and any measures taken to increase off-hour deliveries.

e. No later than 18 months after the effective date of this local law, the agency or office designated by the mayor pursuant to subdivision b of this section shall assess all city facilities in the central business district and highly congested areas that are not in lower Manhattan to determine whether off-hour deliveries are feasible at such facilities and such agency or office, in consultation with other agencies or offices as deemed appropriate by the mayor, shall conduct off-hour deliveries at such facilities.

f. No later than two years after the effective date of this local law, the agency or office designated by the mayor pursuant to subdivision b of this section shall submit a report to the mayor and the speaker of the council regarding off-hour deliveries at each city facility at which off-hour deliveries were implemented pursuant to subdivision e of this section. For each such facility, such report shall include the number of deliveries, the provider of the goods delivered and the value of the goods delivered that have been diverted to off-hours deliveries and any measures taken to increase off-hour deliveries.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 25, 2019 and returned unsigned by the Mayor on November 13, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 184 of 2019, Council Int. No. 1140-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.