

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2021**

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**No. 55**

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Introduced by Council Members Rivera and the Speaker (Council Member Johnson), Rodriguez, Menchaca, Kallos, Reynoso, Levin, Cabrera, Van Bramer, Powers, Koo, Levine, Lander, Chin, Dromm, Rosenthal, Ayala and Gennaro.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to the open streets program.**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-107.1 to read as follows:

*§ 19-107.1 Open streets. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Community organization. The term “community organization” means any formal or informal group of people or businesses with ties to the community who collaborate to manage or participate in the operations of an open street.*

*Open street. The term “open street” means a street or segment of a street designated by the department as such, on which motor vehicle access is controlled by barriers and signage or other traffic calming measures, and on which priority is given to pedestrians, individuals using bicycles, and other non-vehicular street users.*

*b. The department shall designate and manage open streets in accordance with this section and rules of the department.*

*c. 1. An open street may be managed by the department or by a community organization designated by the department, provided that the department shall manage or provide resources for community organizations to manage no fewer than 20 open streets in areas underserved by open streets. At minimum, 10 of such open streets shall be no fewer than five blocks in length.*

*2. The department shall provide signage, street furniture and other equipment to any community organizations for the purpose of an open street, as available.*

*d. Applications. 1. A community organization may submit to the department a proposal for designation of a street as an open street in accordance with this section and the rules of the department. A proposal may include an application to manage such street in accordance with this section and the rules of the department or to provide volunteers to assist with such management. Such application shall, at minimum, include:*

*(a) Geographic bounds of the requested street or segment of a street;*

*(b) Proposed duration and daily hours of operation;*

*(c) Space on the roadway designated for use in the management of such proposed open street, including parking spaces;*

*(d) Resources, if any, such organization proposes to contribute to the operation of the proposed open street or any other open street;*

*(e) Resources, if any, requested from the department for the operation of such proposed open street;*

*(f) Description of measures to facilitate use of the open street by people with disabilities; and*

*(g) Proposed plan for how to maintain emergency vehicle access and any staffing plans.*

2. *The department shall offer a short-form application to renew the management of an open street. Such short-form application shall include an opportunity for an applicant to request any of the following: additional resources, traffic calming measures as specified in subdivision i, street furniture, accessibility improvements, or consideration of conversion of such street to a shared street.*

3. *A management agreement with a community organization shall not be required where the department provides for the management of an open street and such community organization provides volunteers to assist in such management.*

*e. Selection. In exercising its discretion to designate an open street, the department shall consider the following factors:*

- 1. Equitable distribution of open streets throughout the city;*
- 2. The safety of all street users;*
- 3. Existing parks, open streets or other open spaces and their current utilization;*
- 4. The presence of bus routes, truck routes or medical facilities;*
- 5. Access for commercial deliveries and emergency vehicles;*
- 6. Existing access to public transportation and bicycle and pedestrian infrastructure; and*
- 7. Proximity to existing pedestrian and bicycle infrastructure or parks.*

*f. Outreach. The department shall conduct community outreach regarding the open streets application process, including applicant development, with priority given to neighborhoods with few community organization applicants or other measures of equity as determined by the department.*

*g. Operation. Open streets shall be managed and operated in accordance with this section and rules of the department. In addition to any other requirement, such rules shall provide:*

*1. Open streets must be maintained in a manner that allows for emergency vehicle access at all times;*

*2. Subject to applicant interest and applicant or department resources, open streets may be operated for up to 24 hours per day and up to 366 days per year;*

*3. Procedures for the temporary suspension of an open street as necessary, including for safety, severe weather events, or any other purpose for which the department determines a suspension will benefit the community;*

*4. Proposed operational and maintenance plan for the open street, including how to maintain emergency vehicle access and any other staffing plans;*

*5. Procedures for the staffing of open streets, to include that the department may choose not to require staffing of open streets with sufficient traffic calming measures;*

*6. Procedures by which community organizations may create their own barriers, signage and street furniture that encourage sustainability and welcoming design, subject to the review and approval of the department; and*

*7. Procedures by which community organizations may expeditiously obtain permits related to programming on open streets.*

*h. The department may, in accordance with its rules, provide for the closure of an open street to all motor vehicle traffic except as required for emergency access, where the department determines that such closure would benefit the community.*

*i. Streetscape elements and design changes. On an annual basis, the department shall evaluate existing open streets to determine whether any such open streets could benefit from additional traffic calming measures and streetscape elements, including but not limited to conversion into a shared street or pedestrian plaza, bicycle parking, signage, street markings, bollards or street barriers, tree plantings, parking removal, street furniture and accessibility improvements, to include raising of the street grade. Any shared streets or pedestrian plazas created pursuant to this section shall satisfy the pedestrian space requirements in section 19-199.1.*

*j. Prior to the designation of an open street, the department shall provide notice to affected council members, community boards and community organizations.*

*k. Section 19-107 shall not apply to the designation of a street or segment of a street as an open street pursuant to this section.*

*l. Reporting. On an annual basis, the department shall submit to the mayor and the speaker of the council and post on the department's website a report evaluating the open streets program, including any recommendations for modifications or expansion. In addition, the department shall regularly post on the department's website an updated list of open streets, hours of operation and any temporary suspension.*

§ 2. This local law takes effect 120 days after it becomes law, except that the department may provide for the implementation of such local law including the promulgation of rules prior to such effective date.

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 April 29, 2021 and approved by the Mayor on May 13, 2021.

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. 55 of 2021, Council Int. No. 1933-A of 2020 to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.