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Gale A. Brewer, Borough President

Testimony of Manhattan Borough President Gale A. Brewer
New York City Council Committee on Consumer Affairs
Testimony In Support of Int. Nos. 1303 and 72
October 26, 2016

Thank you Chair Espinal and members of the Committee on Consumer Affairs for having this important hearing on these important pieces of vendor legislation. I am Manhattan Borough President Gale A. Brewer.

I want to thank and congratulate the Speaker, Council Member Levine and Council staff on their work on Int. No. 1303. I say this not because it is a perfect proposal or a solution to all our vendor issues. There is no such thing. Street vendors have been a controversial issue in New York City for well over a century. There have always been tensions between food vendors and fixed location businesses. According to published reports, in the 1800s, in an effort to ease these tensions, vendors were forced to move every half hour.[1] After the depression Mayor LaGuardia tried to move them all to fixed, off-sidewalk locations.[2] And Mayor Giuliani tried to close virtually every Manhattan street to them.

The reason street vendors and especially food vendors persist is simple: New Yorkers love inexpensive accessible food and enterprising recent immigrants want to take advantage of the opportunity that this entry level business affords them.

In March, 2015, I issued a report called "Small Business Big Impact" which tries to look at the issue in the same way I believe the council is looking at this issue: food vendors are a type of small business that should be treated as a small business. In that report I called for raising the cap on food vendor permits.

The Speaker and Council Member Levine's legislation, which I am proud to join, starts with that premise but pairs it with an equally important one. Given that food vending is a business that occurs on public space – our sidewalks – we have to pay special attention to enforcement. The council legislation seeks to balance new opportunities for vendors with improved enforcement. Importantly, the set-up of the special enforcement office comes first. We need to make sure we have adequate and targeted enforcement and I think we should all be open to carefully considering the speed and amount of increase in the cap to make sure our

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[1] A Brief History of Street Vending in NYC, November 30, 2011 Midtownlunch.com
[2] Encyclopedia of New York City, Edited by Kenneth T. Jackson, Yale University 1995, p. 728-731.

food service establishments in storefronts as well as for all supermarkets. I would urge the Council to consider this legislation together with these vendor reform bills. Today we affirm our position that street vendors are legitimate small businesses worthy of our attention. We certainly can offer no less to our storefront businesses and must help them in their struggle to survive in the face of national chains and high business costs.

Thank you for the opportunity to testify today.