



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE BODINE
District Manager

November 12, 2015

Kathryn Garcia
Commissioner
Department of Sanitation
125 Worth Street
New York, NY, 10013

Re: Enforcement of Sidewalk Obstructions

Dear Commissioner,

Manhattan Community Board 4 (CB4) respectfully requests a strict enforcement of the current sidewalk obstructions laws in order to free sufficient right of way to ensure the safety of pedestrians, seniors and disabled persons on our very busy sidewalks. The law presently does not permit Sandwich Boards also known as A-Frames on the sidewalk.

CB4 has received numerous complaints from pedestrians, seniors, parents of small children and disabled persons who are often forced to walk in the street because of excessive congestion on the sidewalks due in part by an ever-increasing number of A-Frames.

We recommend that A-Frames not be allowed at all on the sidewalk per the current law or Community Boards be given an option to obtain stricter enforcement subsequent to a proper public consultation process.

In 2013, CB4 undertook a study of this rapidly growing problem. Each store wants to be more visible than the neighbor and since 2013 we have observed an escalation in A-Frames in both number and space occupied. We counted 288 sandwich boards in our district. In many cases an establishment will have two or sometimes three A-Frames in front of his store. Since the buildings configuration allows two 12' façade stores to coexist in each tenement, it is not unusual to encounter two to four A-Frames within 25', continuously blocking the pathway for pedestrians. In 2015 your staff walked a section of Ninth Avenue with us and observed first-hand the invasive nature of these installations.

The problem is particularly acute on Ninth Avenue where the pedestrian right of way would be reduced to 7' if the A-Frames were allowed perpendicular to the building. In 1950, the road was enlarged to accommodate the traffic anticipated for the new Lincoln Tunnel, and the sidewalk width was reduced to a mere 14'. Taking in account the depth of the tree pits/furniture lane, pedestrians are left with 10' of pedestrian path. Another 3' used by the A-Frames do further reduce the pedestrian path to 7'. With the proliferation of restaurants on this avenue, 139 of the 288 A-Frames are concentrated on 20 blocks of Ninth Avenue. It is customary to see pedestrians walking on the bike lane and wheelchairs bumping into the A-Frames.

On Eighth Avenue, subway grates occupy 3' of sidewalk. The volume of pedestrians coming and going to the Port Authority Bus Terminal or Penn Station is such that everyday, thousands of harried commuters running to catch their buses or trains want to walk fast without obstructions. As a result pedestrians overtake the whole bike lane because of the lack of sidewalk space, putting themselves and bicyclists at risk.

We have observed that any leniency engenders an escalation in numbers. Many businesses have indicated that they have A-Frames because the competition has them. Considering that the A-Frames are not affixed to the ground or the building, there is no way to ensure they will remain adjacent to the building: the staff will install them where they see fit, pedestrians will bump them into the right of way and store owners will contest the summonses.

Thus we urge the Department of Sanitation to strictly enforce the law as written. The sidewalk was not created to be a platform for local advertisement. With Mayor De Blasio's goal of Vision Zero in a city where more and more people walk, pedestrians, commuters, seniors, mothers with small children and disabled persons should be able to walk safely on the sidewalk and not risk their lives by walking in the streets because illegal A-Frames are allowed to obstruct the right of way.

Sincerely,



Christine Berthet
Chair
Manhattan Community Board 4

Enclosure

cc: Council Member Corey Johnson
cc: Quemuel Arroyo, NYC DOT , Office for people with Disabilities
cc: Victor Calise, Commissioner Mayor's office for People with Disabilities
cc: Margaret Forgione, DOT Manhattan Commissioner

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