

**NEW YORK CITY
DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

Notice of Adoption of Amendments to Title 24 of the Rules of the City of New York

In compliance with section 1043(b) of the New York City Charter, a notice of public hearing and opportunity to comment on a proposed amendment to Chapter 6 of Title 24 of the Rules of the City of New York, was published in the City Record on July 30, 2024. A public hearing was held on September 4, 2024. No testimony was provided at the hearing, and two written comments were received. Following the hearing, the Department determined to adopt the proposed rule without substantive amendment, and it now adopts such rule as indicated below.

Statement of Basis and Purpose of Rule

On March 29, 2024, local law 52 of 2024 (the “Local Law”) was enacted to, *inter alia*, repeal section 17-310 of the NYC Administrative Code.¹ Before its repeal, section 17-310 required persons seeking to renew a mobile food vending permit or mobile food vendor license to obtain tax clearance certificates from the NYS Tax Commission and the NYC Department of Finance. These requirements are now removed.

These amendments to subdivision (a) of section 6-11 of the RCNY, relating to permit renewal applications, are to align with the Local Law.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Subdivision a of section 6-11 of Title 24 of the Rules of the City of New York is amended to read as follows:

(a) *Renewal applications to be submitted timely.* An application for renewal of any permit shall not be accepted unless the applicant submits a complete renewal application[, the tax clearance certificates required by §17-310 of the Administrative Code,] and proof of payment of all fines and penalties owing for notices of violation as required by § 17-317(b) of the Administrative Code and § 6-10 of this Chapter, no later than thirty (30) days before the date of expiration of the permit. The Department may accept a late renewal application only if the applicant submits proof that may be verified by the Department that the delay in submission of the completed application and [clearances] such proof of payment resulted because of delays in issuing [the clearances] such proof of payment. In such cases, the permittee must show that [applications for tax and penalty clearances were] payment of all fines and penalties owing for notices of violation as required by §

¹ The Local Law also amended section 17-309 of the NYC Administrative Code to repeal the requirement that applicants for a license submit a certificate of sales authority and a tax clearance certificate. Applicants for a permit are also no longer required to submit a tax clearance certificate but remain required to submit a certificate of sales authority. The Department is adopting amendments to Article 89 of the New York City Health Code to align with these changes. The amendments to Chapter 6 made necessary by the Local Law relate only to renewals of permits in Rule 6-11 as reflected in this rule.

17-317(b) of the Administrative Code and § 6-10 of this Chapter was submitted at least sixty (60) days before the date of renewal of the permit.