

**New York City Department of Small Business Services
Petitions for Agency Rulemaking**

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing?

Pursuant to Section 1301 of the New York City Charter (“the Charter”), the New York City Department of Small Business Services (“DSBS”) is proposing to amend its rules to establish a process by which members of the public may submit a petition for DSBS to consider the adoption of rules.

When and where is the hearing? DSBS will hold a public hearing on the proposed rule. The public hearing will take place on April 28, 2026, at 10:30 am. The hearing will be conducted by video conference and is accessible by:

- **Internet Video and Audio.** For access, use the following link and/or meeting information:
<https://teams.microsoft.com/meet/29714769967672?p=fNMT9RptD6hn1pjRQs>

Meeting Number: 297 147 699 676 72
Password: Nd6yk6iX
- **Video System.**
Tenant key: Tenant key: cityofnewyork@m.webex.com
Video ID: 114 133 576 9
- **Phone.** For access, dial: +1 646-893-7101, 249915874# United States, New York City, when prompted, enter Meeting ID: 249 915 874#

How do I comment on the proposed rule? Anyone can comment on the proposed rule by:

- **Website.** You can submit comments to the DSBS through the NYC Rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@sbs.nyc.gov.
- **Mail.** You can mail written comments to Zen Baraki, New York City Department of Small Business Services, 1 Liberty Plaza, 11th Floor, New York, NY 10006.
- **Fax.** You can fax written comments to DSBS at 212-618-8865.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing may speak for up to three minutes. Please access the public hearing by internet video and audio or by telephone using the instructions above. It is recommended, but not required, that commenters sign up prior to the hearing by contacting DSBS by phone at (212) 513-6352 or by email at zbaraki@sbs.nyc.gov. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not

held in a “Question and Answer” format.

Is there a deadline to submit written comments? The deadline for submitting written comments is April 28, 2026, at 5:00 pm.

What if I need assistance to participate in the hearing? You must contact DSBS’s Office of Legal Affairs if you need reasonable accommodation at the hearing because of a disability. You must tell us if you need a sign language interpreter. You can tell us by email at zbaraki@sbs.nyc.gov. You may also tell us by telephone at (212) 513-6352. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us of an accommodation request by April 21, 2026.

Can I review the comments made on the proposed rule? You can review comments submitted online by visiting <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public upon request by email at zbaraki@sbs.nyc.gov.

What authorizes DSBS to make this rule? Sections 1301 and 1043(a) of the New York City Charter authorize DSBS to make this proposed rule. This proposed rule was included in DSBS’s regulatory agenda for this Fiscal Year.

Where can I find DSBS’s rules? DSBS’s rules are in Title 66 of the Rules of the City of New York.

What rules govern the rulemaking process? DSBS must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose

DSBS is proposing to add new rules into Title 66 of the Rules of the City of New York to implement Section 1043(g) of the New York City Charter, which permits any person to petition a city agency to consider the adoption of any rule and requires each agency to have rules creating a procedure for such petitions.

Specifically, these proposed rules would set forth the procedures that petitioners must follow when petitioning the Commissioner of DSBS to consider a new rule. These proposed rules would also set forth the procedure DSBS must follow in considering and responding to petitions. Additionally, these rules would require DSBS to deny or approve petitions within 60 days and would set forth a procedure for rejecting or adopting petitions.

These proposed rules would amend Title 66 of the Rules of the City of New York.

DSBS’ authority for these rules is found in sections 1301 and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Proposed Rule Amendment

Section 1. Title 66 of the Rules of the City of New York is amended by adding a new chapter 20 to read as follows:

CHAPTER 20 PETITIONS FOR AGENCY RULEMAKING

§ 20-01: Definitions.

As used in this chapter, the following terms have the following meanings:

DSBS. “DSBS” means the New York City Department of Small Business Services or its successor in function.

Person. “Person” means a natural person or a business entity, including but not limited to a corporation, trust, estate, partnership, cooperative, association, firm, club or society.

Petition. “Petition” means a request or application for DSBS to adopt a Rule.

Petitioner. “Petitioner” means the person who files a Petition.

Rule. “Rule” has the meaning set forth in § 1041 of the City Administrative Procedure Act.

§ 20-02: Procedure for submitting petitions.

(a) *Content of petitions.* Any person may petition DSBS to consider the adoption of a rule. The petition should be typewritten and must include the following information:

(1) A short statement of the purpose of the proposed rule, including an explanation of the problem or issue that the rule is intended to address and an explanation of how the proposed rule would serve to address the identified problem or issue;

(2) Proposed language for the rule;

(3) A short statement of any additional considerations that the Petitioner believes are relevant to DSBS’s determination on the petition;

(4) The name, address, telephone number, and email address of the Petitioner or the Petitioner’s authorized representative;

(5) The signature of the Petitioner or their representative.

(b) Submission of petitions. All petitions must be submitted to the Office of the General Counsel at the address/es identified on the DSBS website.

(c) Notice of change of contact information. The Petitioner must promptly notify DSBS of any change in their name, address, or telephone number during the period that the petition is under consideration by DSBS.

§ 20-03: DSBS Procedures for Considering and Responding to Petitions for Rulemaking.

(a) Requests for supplemental information. DSBS will determine whether additional information is required that would assist DSBS in assessing the petition and may contact the Petitioner to request any additional information that it determines may be helpful to its determination.

(b) Timing of determinations. If a petition is submitted in proper form, as required by § 20-02, within 60 days from the date of receipt of the petition, DSBS will either:

(1) deny the petition in writing, stating the reasons for denial; or

(2) approve the petition in writing, stating DSBS's intention to initiate rulemaking, by a specified date, concerning the subject of the petition.

(c) Determinations. DSBS has full discretion to grant or deny any portion of a petition for proposed rulemaking and may amend or modify the petition's proposed language. If a petition is denied in full, DSBS will take no further action. DSBS's decision to deny or grant a petition is final and not subject to judicial review.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Rules Relating to Rulemaking Petitions

REFERENCE NUMBER: 24 RG 026

RULEMAKING AGENCY: Department of Small Business Services

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: January 6, 2026

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Rules Relating to Rulemaking Petitions

REFERENCE NUMBER: SBS-20

RULEMAKING AGENCY: Department of Small Business Services

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated Community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Lisa Taapken
Mayor's Office of Operations

January 9, 2026
Date