

May 19, 2023

AIA New York Statement on Int 0031-2022 Version B, also known as the Permanent Open Restaurants Bill

Yesterday, Thursday, May 18, 2023, the New York City Council advanced a permanent Open Restaurants bill, enabling the NYC Department of Transportation to develop new rules for sidewalk cafes and roadbed structures that AIA New York broadly supports.

Restaurants already participating in the emergency program, which started in June 2020, will be permitted to keep their existing dining structures until November 2024, which will create sufficient time for DOT to develop and test new rules for the program and for restaurants to adapt to them.

The new program will introduce a new fee system for restaurants based on location, striking a balance that will provide DOT with necessary funding to enforce the program effectively while also remaining widely accessible to many restaurants.

The bill also provides DOT with significant flexibility to develop rules on the design of roadbed structures, allowing designs to be developed, tested, and iterated in partnership with relevant stakeholders.

AIA New York has been a strong supporter of Open Restaurants since the program's inception. The chapter commends the City Council and the Adams administration for reaching an agreement on the Open Restaurants bill, effectively enshrining a program that saved thousands of businesses and jobs and brought new vitality to New York's streets. The bill establishes a framework that we believe will lead to a successful transition to a new program that preserves many of the strengths of the emergency program while embedding a process that will make it appropriately accessible for restaurants and neighborhoods across all boroughs while allowing for innovation and iteration for years to come.