



NICOLE MALLIOTAKIS
Member of Assembly 64th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

MINORITY WHIP
RANKING MINORITY MEMBER
Committee on Governmental Employees

COMMITTEES
Aging
Corporations, Authorities & Commissions
Education
Rules
Ways and Means

The Honorable Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

July 13, 2020

Dear Mayor de Blasio:

I am writing in regard to the confusion and lack of direction our restaurant owners have been subject to since outdoor dining in New York City was deemed acceptable. I have spoken directly with many restaurant owners in our city, who have expressed confusion and frustration with the current regulations regarding permissible outdoor seating arrangements.

I implore you to issue guidelines for the issues most frequently noted by compliance inspectors. These owners have suffered relentlessly throughout the COVID pandemic and they now feel that they are being harassed, as multiple inspectors from various agencies are coming to their establishments multiple times a week and sometimes on the same day. They have been repeatedly visited by the New York City Department of Buildings, Department of Transportation, Department of Health, as well as the State Liquor Authority. Many owners who believe they are in compliance and have invested substantial income into transforming their restaurants are now finding out they are not in compliance and their investments seem pointless. The current guidelines are not clear on outdoor dining setups, the use of umbrellas, and a number of other stringent caveats.

I would like you to review the existing regulations to allow more options, not fewer. Further, I would like you to direct inspectors to issue warnings and allow restaurant owners to make the necessary adjustments before issuing a fine.

These owners have been struggling and are trying to do their best to follow every regulation based on the limited information provided to them. It is inherently wrong to continue to fine our owners when they are trying to follow convoluted directions. You have a duty to lift up and support the restaurants and owners of this city, not tear them down with complex regulations.

Sincerely,

Nicole Malliotakis
Member of the Assembly
64th District

Cc: NYS Governor Andrew M. Cuomo