

Friday, November 19, 2004

DAILY NEWS

NEW YORK'S HOMETOWN NEWSPAPER

Food vendors stewing over bid to raise fines

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THE CITY IS PUSHING to quadruple fines on food vendors who violate health and other laws — a move cart owners say could cook them for good.

The proposed increases — to \$1,000 from \$250 in many cases — drew scores of boiling mad coffee-cart and hot dog vendors to a public hearing at the Department of Health downtown last night.

“A \$1,000 ticket is three weeks of income for a lot of people in this city — including vendors,” Mr. Softee driver Reza Amanollahi, 34, told the city Environmental Control Board. “We are just hardworking people who want to stay in business.”

City officials argued that the new fines were necessary to protect the public from food-borne illness.

“Our experience tells us that fines help to obtain compliance with the laws intended to protect the public’s health,” said Elliott Marcus, an assistant health commissioner.

The environmental board had tried to institute the new fines in the summer of 2003 without any public hearing at all. But a group called the Street Vendor Project sued and eventually won, arguing the board had no right to boost fines without public input.

In the October ruling that put the higher fines on hold and ordered the city to hold a hearing, Manhattan Supreme Court Justice Carol Edmead blasted the city’s move as “illegal, unfair and clearly undemocratic.”

Many said the city hadn’t changed its recipe, testifying that trade groups weren’t even notified of the hearing until this week. The City Council learned of it on Monday.

“We must conclude, unfortunately, that this administration is trying to sneak through at night the largest increase in fines . . . in city history,” Robert Bookman, an attorney for the New York Night-life Association, testified.

Several of the new fines — like those requiring a cart to be 20 feet from a building entrance or 12 feet from a fire hydrant — have nothing to do with food safety.

Hot dog vendor Mohammed Ali, 34, said he got a \$1,000 ticket last April because his license was in his pocket, not around his neck, when a police officer stopped him. The fines are due when the vendor’s license is up for renewal.

“It’s a big problem,” said the father of four, who estimated that he takes home no more than \$40 a day. “I need help.”

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