



In support of Int. 1503 – Adding exemptions to the City’s Air Conditioning Prohibitions

My name is Kevin Dugan and I am the Regional Director for the New York State Restaurant Association, a trade group that represents food and beverage establishments both in New York City and throughout New York State. The Association is the largest hospitality trade association in the State of New York and it has advocated on behalf of its members for over 80 years. Our members represent one of the largest constituencies regulated by the City as nearly every agency regulates restaurants in one aspect or another.

Restaurants are one of the most highly regulated industries in the City and face many challenges that normal retail spaces do not. To this end we are happy that Council members Constantinides and Gentile have recognized one of these unique challenges and have introduced sensible legislation to address the problem.

In 2015, environmental legislation was passed that for the first time would prohibit restaurants with french doors or enclosed sidewalk café spaces from operating while the air conditioning unit was on in the main restaurant. This was an unintended consequence of broader legislation and we are seeking to correct that. This proposed bill (Int. 1503) would build in an exemption for restaurants which allow them to operate as intended without hurting the customer experience.

The restaurant industry as a whole often survives on razor thin profit margins where every dollar is meaningful. Often these margins fall between three to five percent and change any can have devastating effects on an establishment’s ability to survive. As New York City prepares for what is sure to be another hot summer, it is imperative that restaurants can provide an experience that customers will enjoy. Having these french doors and enclosed sidewalk cafes open are an attractive feature for the eateries that dot this City, and may be the needed hook to attract the needed customers to stay in business.

In conclusion, the New York State Restaurant Association encourages the New York City Council to pass Intro. 1503 and allow these affected restaurants to operate as intended without facing the crippling fines associated with violating these air conditioning laws. We look forward to working with the Council on further legislation that helps protect the restaurant and hospitality industry in the City of New York.

Respectfully Submitted,

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