



September 28, 2023

Letter re Intros 0160-2022 and 1194-2023  
increasing commercial noise

Dear Council members,

CHEKPEDS is a non-profit organization that has been advocating for pedestrian safety and rights for residents of New York City for the past 15 years. Commuters and pedestrians should not have to experience commercial music blasting from every illegal weed shop or restaurant just 5 ft from their ears.

No matter what the hospitality industry will tell you, such music is overwhelming to neighbors, customers and passers-by. On West 46<sup>th</sup> street, it is nearly impossible to enjoy outdoor dining because other establishments on the street blast their speakers, causing all of Restaurant Row to lose revenue. And it is not just outside: can you imagine living upstairs or next door to such bad operators?

These two bills of Councilmembers Holden and Gennaro combined will remove any chance of enforcement by citizens, who are filling a vacuum left by DEP and its inadequate resources and NYPD which has shown zero interest in quality of life issues.

By making the violations described in section 24-244 inapplicable to commercial music that “originates” indoors but is directed through an open door or window to the public sidewalk, Intro 0160-2022 removes such music from citizen enforcement, a process included in the law since 1972.

By vastly reducing the rewards granted to Citizens enforcers, Intro 1194-2023 makes it not worth their considerable expenditure of time and money to pursue scofflaws.

In the last nine months, twice as many noise complaints were lodged in Manhattan as were in Queens. There are three times more complaints per 1,000 residents in Manhattan as there are in Queens. And the problem is much more acute in districts with many restaurants. Anyone living in Queens probably does not grasp the impact of these bills on Manhattan residents.



Passing these two bills will make life even more miserable for five million of pedestrians in the city. It will also show laxity towards unlicensed weed stores and restaurants who are bad operators, purposely directing their music to public space to steal attention from pedestrians and from their law-abiding competition.

Please contact us if you have any additional questions.

Very truly yours,

C. Berthet, co-founder, M. Treat, co-founder,