



How to Comply with NYC pedestrian right of way rules (and avoid penalties or a lawsuit)

The city has grown 72% adding 3.4 millions of residents since 1911, but the sidewalks width has not changed. In our district they are often narrower to allow for more automotive traffic or subway construction. Our own district's population has grown 18% since the year 2000. More than ever it is critically important to keep the pedestrian right of way (a minimum of 8' or 9.6') clear of sidewalk obstructions to allow everyone, including retail and restaurants' patrons to circulate.

According to the NYC Department of Sanitation, "sidewalk areas must be kept free from any obstruction that could impede pedestrian traffic. Obstructions may include, but are not limited to, refuse, refuse containers, merchandise, bins, racks, coin-operated rides, sandwich or A-frame signs, over-extended sidewalk displays/stands, ATMs, ice machines and acrylic enclosures, etc."



SANDWICH BOARDS (a.k.a. A FRAMES) **are not permitted**, however the NYC Department of Sanitation tolerates them at their discretion if the A frames extend no more than 3 feet into the sidewalk from the building line, leaning against the building and are no higher than 5 feet. ¹



STORM ENCLOSURES (a.k.a. Door vestibules) projecting more than 18 inches from the building line **are prohibited**. ² Other enclosures projecting less than 18 inches are permitted during the period of November 15 to May 15, however such enclosures are not ADA compliant and the business could be sued under the Barrier Removal Act. Compliance is enforced by the NYC Department of Buildings.

¹ NYC Administrative Code – Title 16 - 118 (2) (a) – Fines \$ 100-300

² NYC Administrative Code – Title 27 – 313 (c) and NYC Building Code 3202 .4.2