



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, NY 10007

**FOR IMMEDIATE RELEASE:** August 18, 2022, 11:00 AM  
**CONTACT:** [pressoffice@cityhall.nyc.gov](mailto:pressoffice@cityhall.nyc.gov), (212) 788-2958

**TRANSCRIPT: MAYOR ERIC ADAMS ANNOUNCES REMOVAL OF ABANDONED  
OUTDOOR DINING SHEDS, COMPLETING INITIAL BLITZ DEMOLISHING 24  
NEGLECTED SHEDS**

**Deputy Mayor Meera Joshi, Operations:** I'm Meera Joshi, deputy mayor for operations. And today we're here to talk about the Open Restaurant Program. We've proven as a city, throughout the pandemic, that we're nimble, and we're determined, and we like to eat. So we stood up and continued today, a robust program that allows people to socialize and patronize small business in pandemic conditions. A program that provides residents and tourists, al fresco immersion into the diversity that makes New York City the center of the world.

**Deputy Mayor Joshi:** And on a daily basis, the Open Restaurant Program allows 10,000 restaurants across the city to provide safe and additional eating spaces and provides work for tens of thousands of New Yorkers. It's proof that we, as a city, work every day to thrive and strive under the continued storm cloud of COVID. That means we can't let a few bad apples in the Open Restaurant Program ruin it for all. And today we want to ensure that they don't.

**Deputy Mayor Joshi:** Today we have a cross section of city agencies and citizens of New York standing together in support of ensuring that the vital cleanliness and safety standards of the Open Restaurant Program are maintained. So our entire city can benefit.

**Deputy Mayor Joshi:** Today the Adams administration is taking important strides towards that goal. And now, Mayor Adams, a mayor who's deeply and personally committed to making every street in New York, safe, clean, and vibrant, including those with open restaurants.  
Mayor Adams?

**Mayor Eric Adams:** Thank you. Thank you. Thank you so much for this. This is so important. I'm happy to be joined here with my colleagues in government because they too understand the challenges that many of our restaurants have experienced during COVID and how we must ensure to give them the support that they deserve. And my men and women of DOT and the Department of Sanitation, and just a team that is really cross-pollinating ideas in ways of listening to New Yorkers and moving initiatives forward.

**Mayor Adams:** We can say it, if we want to acknowledge it or not, open restaurants, they have transformed New York City. I was out last night and enjoying a meal with Jimmy Oddo, the former borough president, now chief of staff for the deputy mayor of operations. And it clearly

sends a strong signal that New Yorkers love dining out and we need to do it in the right way to make sure that it's safe, clean, and respectable to our neighbors and those who live in the communities where we have these structures.

**Mayor Adams:** And this initiative, it gave the entire industry a boost. It saved 100,000 jobs. And sometimes we focus on the owners of restaurants, but it's more than that. The cook, the waitress and waitress, the bartenders, the bus boys and girls, those who are earning a living for their families. When I was out there during COVID, they said, thank God that this industry through was given a lifeline with this important initiative. And those 100,000 jobs are real New Yorkers attempting to struggle and put food not only on the table of those who are dining out, but food on the table of their families.

**Mayor Adams:** And so we are really proud of this initiative. And as long as I have something to say about it, this initiative will be here. It will be here, but we will get it right. We know that nightlife is a multi-billion dollar industry. This city does not close down at 5:00 PM. There's an entire industry from 5:00 PM to 5:00 AM and everything in between. And I think for far too long, leaders of the city have only acknowledged that 9:00 to 5:00 operation. I don't believe that. I see throughout the night how we are a thriving city. In fact, if we close down at 5:00 PM, we should be Portland. We're not Portland. We're New York. We keep it going. The city that never sleeps. In fact, we don't even take a nap.

**Mayor Adams:** And so we have to have that mindset when we think about this city. Nightlife is a key indicator of our city's economic health, and we must keep it strong. And we have to get it right and we have to do better to making sure structures like these are not existing in our community. When a dining shed is no longer in use and if it's abandoned and it's a safety hazard, we have to tear it down. It can't be a safe haven for rats. It can't be a safe haven for illegal behavior. It has to be a place to allow people to enjoy dining.

**Mayor Adams:** And we still have a COVID issue. We're doing a great job so you don't acknowledge it, that it still exists, but the team is doing right. And some people are still comfortable with dining outside. And we say we want to make sure they have a safe place to do it. The blight and disorder that we are witnessing at some of our sites is unacceptable, and it will not be how we do business in the city. So if you see an abandoned shed, we are asking the public to participate with us. We want you to call 311, or as you love to do, take a photo. Take a photo and send it via text or email to 311 so that we can immediately respond. We'll check it out. And if necessary, we're going to do what we're doing today and that's taking it down.

**Mayor Adams:** We are going to take the steps to improve the situation that we are witnessing over our city. We heard the public, and this is an administration that when good ideas are presented to us, we like to respond immediately. And at the same time, we're working towards a permanent open restaurant solution. And we really want to thank the Councilwoman for her, just vision on making sure that this takes place. I sat down with Councilwoman Velasquez earlier in the year in the Bronx at a restaurant with outdoor dining, and they talked about how much it really saved their entire business. Open restaurants that... Open seating that all New Yorkers could be proud of is what we are moving towards. We're developing carefully and a very thought out process to make sure we have guidelines that will take consideration like design, pest control, and public health into account.

**Mayor Adams:** And we know we can get it right. As other cities are struggling with this issue, New York is going to show those cities how to get it right. The guidelines will be clear so restaurant owners know exactly what we expect. We're aware that in the past, unclear and changing guidelines, they have caused problems. But remember, this was done immediately. It was done under emergency. It was about how do we keep the industries open and safe at the same time? And we want to build out what we are learning, what we have learned from previous mistakes and make sure we get it right this time.

**Mayor Adams:** We want also to improve enforcement so that restaurants are as successful as possible. And unfortunately, there's a minority who don't like outdoor dining at all. We're clear on that. New Yorkers have a lot of different opinions, and we understand that. And their lawsuit against the city is actually slowing the process of making the program permanent.

**Mayor Adams:** What I want to say, loud and clear, as much as I can have a hand in it, outdoor dining is here to stay. And we want to make sure while it's here, we get it right. We see it all over, those of us who travel. We see what they're doing in Paris and Rome. And New Yorkers like to dine fresco too. This is who we are. And we long for that experience of being outdoors.

**Mayor Adams:** New Yorkers, we were handed lemons during the COVID crisis. We turned it to lemonade, and we are going to tweak the recipe to make sure that it is a lemonade that's palatable to all of our palates to make sure that we can enjoy the outdoor dining.

**Mayor Adams:** And we're showing that we can enjoy the outdoor dining. And we're saying no to rats, no to loitering, no to illegal activities. Making sure the enforcement is in place, that it's done right. And we're going to make sure that this procedure is a correct one. And today, that's the symbol that we're showing. The dismantling of this abandoned shed is not a dismantling of what we believe is a successful program. We are strongly in support of the outdoor dining program. We want to be clear. The visualization of taking down this shed is not removing the program. It is a symbol that we must get it right. So again, deputy mayor, thank you. And all of my colleagues in government, my City Council members who have been part of this conversation, and my agency heads. From Parks, to the Department of Transportation and others, thank you for ensuring that we're going to get this program right. Thank you very much. Deputy mayor?

**Deputy Mayor Joshi:** Thank you, mayor. A little bit on enforcement. So we have formed a task force to address quality of life issues in the Open Restaurant Program. That's a task force. That's a collaboration between DOT, our Department of Sanitation, our Parks Department, and with assistance from the NYPD. So I'd like to thank all of those agencies, their commissioners, and the leaders in the task force that participate, for their hard work, their determination, and their thoroughness.

**Deputy Mayor Joshi:** Poorly maintained and abandoned sheds are a blight on our streetscape. So we're focused on stepping up enforcement on the abandoned and the most egregious non-compliant sheds. They're not serving their purpose, and they're creating an environment that fosters illegal activity. They represent a dark spot on an otherwise popular and successful program. According to a recent survey from the Regional Planning Association, 86% of New Yorkers are strongly in support of the Open Restaurant Program. But as the mayor noted, there is a small minority that has filed litigation trying to stall that program. And unfortunately, that has

put a paralysis on our plans to create a permanent program. So bear with us as we work through the litigation. We're confident we'll be victorious, and then we'll have a permanent program. And I'll be the leader in the nation on how to get this right.

**Deputy Mayor Joshi:** This week, this task force is taking down 25 abandoned sheds. That's sheds where the operating restaurant that originally put up the shed is no longer there. The operators should have taken it down themselves, but they didn't, so now we are. There's another category of sheds we're focused on. Those are the ones that are the egregious violators. They have egregious violations for cleanliness. That's things like signs of infestation of vermin. And they have egregious violations for safety. That's things like blocking access to FDNY. These are sheds where we've given them multiple warnings to comply, they failed to comply, and then they're given a notice that they're going to be removed.

**Deputy Mayor Joshi:** We have dozens of sheds that fall in this category. But as the mayor noted, if you, as the public, see an egregious violation in an outdoor dining shed, please feel free to call 311, text, email, call, send those photographs and the location, and this task force will be right on it. The point is, we can't let a few bad apples be the standard for the reputation of a program that is overwhelmingly popular, overwhelmingly used, and is overwhelmingly stood up by the foundation of the good, hardworking, well-meaning restaurateurs throughout our city.

**Deputy Mayor Joshi:** Those that are removed because they're egregious violators are stored for 90 days. The owner can come back and claim the property. After 90 days, if no one claims the property, it is auctioned, donated, or disposed of. But I want to stress, the key to this effort is cleanliness and safety. It is not a ticket blitz. It's to ensure that the reputations of the thousands of clean and safe open restaurants are not tainted by the few that are just not fit for our streets. I'd like to now turn it over to Dan Biederman, president of the 34th BID Association, to provide us with a little bit of the business community's perspective on the open restaurant program and our enforcement actions.

**Dan Biederman, President, 34th Street Partnership:** Thank you, deputy mayor. I'm the president of 34th Street Partnership, and the other Midtown BIDs talk a lot and complain a lot, and we've noticed a great pattern this week. We complain, we complain to the mayor. And this week, illegal weed trucks, which is not the legal cannabis program. But the program involving selling cannabis illegally on the streets from trucks. A lot of complaints from weed BIDs. The mayors took them off the street the other day, 20 of them. Couldn't be happier. This is just a day or two later. So a lot of what used to be complaints that fell on deaf ears are getting taken care of by this administration. We could not be happier. I speak for all the other Midtown BIDs, Times Square, Garment District, Fifth Avenue, in saying thank you, Mr. Mayor for doing this. This is great.

**Biederman:** And in addition to that, the subways are better. We're grateful for that too. We've noticed that in the efforts they've made, and this has been a very responsive administration. So it was time for this. We're honored to be able to speak today, and again, thank the mayor and deputy mayor for taking care of what was becoming a big problem. Thanks very much.

**Mayor Adams:** Thank you. Thank you. Thank you for that, Dan, and you're right. Illegal bikes, weed trucks, noise. This was a city just out of control, and we have normalized the dysfunctionality of this city, and our administration is just not going to be an administration

that's going to walk past encampments, walk past a dirty city. We deserve better as New Yorkers, and we're going to get it done and make it happen immediately. And if people want to come here and benefit from this amazing place, then we welcome you. If you want to come here and bring about disorder, it's not going to happen. I'm clear on that. So I think it's just imperative to have our council persons who are here, Councilwoman Velasquez, and Councilwoman Menin. They both have been looking at these ideas and issues. Do you want to come up to say a few words. Councilperson?

[...]

**Mayor Adams:** Thank you. Thank you. Thank you. And I think what Councilwoman Velasquez stated is so crucial. Outdoor dining was not in the four other boroughs, and folks in the other boroughs, they wanted dining outside also. They know that...

[...]

**Mayor Adams:** I love New York. They realize that outdoor dining should be in our other boroughs. So we want to end with my good friend from Brooklyn who has really been a voice from the Chamber of Commerce in Brooklyn, Randy Peers.

[...]

**Mayor Adams:** Thank you. Thank you. I appreciate you, man. Opening it up, we want these sheds to be restaurants, not restrooms. That's the goal. So opening up to a few on topic questions.

**Question:** Mr. Mayor, would you say to the restaurant owner that yes, you're saying be patient, the litigation is going through. They're heading into the winter. Do I invest more in my shed? Do I take it down? We're kind of in limbo, we get that, but what would you tell the restaurant owner who is using it and it is successful?

**Mayor Adams:** Well, number one, we're sending a very loud and clear voice, we support this. And I think that as the mayor, if I'm sending the lack of clarity, then it's difficult to make those decisions should we invest in this. Our tweaking or getting the program right with the Council members is not to say we're not supporting this. And we're hoping those who have the lawsuit understand to get the goal we're looking for, we don't want to tie up the process even longer. But we support this system, we want to make sure it's right and that's what I would say to those owners.

**Question:** Sir, this is a follow up to that. When Mayor Bloomberg introduced the alphabet grading system for the Health Department, there was criticism that the Bs and the Cs went to the smallest restaurants in the outer boroughs. A lot of them owned by immigrants and they had to pay the steepest fines. So how do you avoid a similar situation here where you're cracking down on establishments that don't know what's in violation and then you're targeting the smallest restaurants?

**Mayor Adams:** Well, I think it's extremely impressive what Deputy Mayor Maria Torres-Springer and Commissioner Kim, what we did in the first few months. We went into all of our agencies and said, "Listen, we're not going to be barriers to our small businesses in general, but

specifically restaurants." We reimagined many of the fines, we put in place a system of correcting actions and not penalizing actions. We're not using citations as taxation, and we're going to do that with education with those small restaurants. Because the goal is not to hurt you. The goal is not to have you lose revenue because of a slight error. It is to help you, and we started out with that. Our message has been clear with the number of fines. We changed, we altered and we changed the entire process and it's really impressive what they did in the first few months.

**Question:** Mr. Mayor, so the topic of weed trucks came up. Back earlier in the summer, [inaudible]. I'm wondering how you square that comment with what happened yesterday with the seizure of 19 trucks, which I assumed was [inaudible].

**Mayor Adams:** No, heavy handed is arrests. Heavy handed is not allowing someone to go against the law. This is not going to be a city where we openly snub our noses and break the law. That is not acceptable. And so we didn't walk in with SWAT teams. We came in with tow trucks. You can't sell weed on our streets. There's a law that's in place. You can't have an illegal market while you have a legal market and people coming from out of town thinking that New York is open season on any and everything goes. No. They better read the memo. Not while I am mayor, and those illegal trucks should not be on our streets selling marijuana and hurting our business district. They're not paying taxes. They're using up our services without paying taxes and it's hurting legal businesses.

**Question:** Mr. Mayor, going back to the sheds, who will be enforcing it? Is it the NYPD? And then also, when you're talking about the egregious violations, one of my colleagues at The Post reported on certain instances where there was sexual activity, urination, et cetera. What are some examples of those illegal activities and how many complaints has 311 received?

**Mayor Adams:** Well, let's peel that back in layers. One, enforcement. Every enforcement agency in this city is going to do its job. We've bred a city where people who are enforcers will walk by and say, "Well, that's someone else's job." No, it's not. If you are DOT, that's the primary agency that's going to review this, then you have to do your job. If you are NYPD and someone is doing illegal actions, you have to do your job. If you're DSNY and you notice that there's trash, you have to do your job. Everyone must do their job and not just state, "That's someone else's job," and then cross collaborate.

**Mayor Adams:** If you see a shed is abandoned and you're on routine patrol, you have to notify DOT. You have to notify the 301 system. This is the same thing we did with the encampments. You're seeing a city that is no longer siloed and everyone is being held accountable to working as a team, and that is who's going to do the enforcement. So it's crucial that we all must have a hand in making this happen. We'll get the 311 complaints numbers for you and let you know the exact number of complaints that we're receiving.

**Question:** What are some examples of those complaints that you've heard? Or have you witnessed anything, any illegal activity?

**Mayor Adams:** Well, I have a New York nose. And listen, someone has used this as a urinal because I can clearly smell it. And so people are tired of the trash, they're tired of the rats, they're tired of the abandoned outdoor dining sheds and they just don't want the garbage around it. And

so we need to make sure that we get it right. Andrew, you like that New York nose thing, right? I saw you took notes.

[Laughter]

**Question:** [Inaudible.]

**Mayor Adams:** Well I think that that's the job of the City Council and our office. We are open. We love opening the streets to pedestrians and I think that Councilwoman Velasquez is going to be really creative on how do we use the ones that we are dismantling, and how do we use and put in place some clear guidelines for the new ones? So, I'm excited about the opportunities, as we reimagine our streets. We reimagine our city every day.

**Question:** Mr. Mayor, I wanted to get an idea of what the vision is for the permanent program once we get there. I recall when the Council passed so many changes last winter, they were looking at getting rid of structures all together, putting in just tables and chairs, something that can be moved easily. Is that still the route you want to go here for the permanent program?

**Mayor Adams:** Councilwoman — her vision is going to lead it. We want to make sure that it is rat-proof. We want to make sure that it is clean, that it is safe. I believe we should standardize it. I like the idea of here are four different types. Pick one. Make sure the contractors are union contractors. Make sure that there's some clear guidelines. But it's going to be up to the Councilwoman to really lead us in this way, and we're going to collaborate with her as she continues to listen to the voice of everyday New Yorkers and restaurant owners combined.

**Question:** The structures themselves, should they stay or should they go for the permanent program?

**Mayor Adams:** Listen, I am so low-maintenance. I'm open. Whatever way they come out with, whatever decision is made, I'm open. I like the idea of outdoor dining. During the wintertime, I like the coverage, of covering part of it. I thought the heater system — I ate outdoors a lot during the winter — I thought the heaters were great. So, I am completely open. I'm a nightlife mayor, and I like to test the product.

[Crosstalk]

**Mayor Adams:** We're going to do a few off-topics and then we're going to tear down the shed.

**Question:** Hi. Can we go back to the weed?

**Mayor Adams:** Yes.

**Question:** So we've talked about the trucks, but recently I think it was like two weeks ago, we had a shooting at a smoke shop on the Upper West Side. A person who tried to intervene, it was an armed robbery, was shot. That store owner was very open, many cans of cannabis being sold. Still doing that today. A place where people on that Upper West Side neighborhood have complained about. So how are we able to say, we're not going to have any legal activity, but it was being sold all day in a store with policing, all day.

**Mayor Adams:** You know what's interesting — that's a great question. What happened, when the law passed, many people don't read the complete law. All they read is weed is legal and they just kick into gear. And so we have a due process here. And I had a conversation with several of the agencies. We have to now identify where people are reporting illegal weeds being sold, which is far more stores than we realize. And then there are steps to going in and confiscating those items. You have to go in with a warning. There are layers to it, and we are implementing those steps. We have to educate folks and understand, next to the canned soda can't be cannabis. But we are zeroing in on it, but they're layers. You can't just go in on the first brush and just take action. You have to do it in layers. And that's what we are doing.

**Question:** Hi, Mayor Adams.

**Mayor Adams:** How are you?

**Question:** I'm great. I wanted to ask you — Earlier this week, the Comptroller's Office denied every single claim for Hurricane Ida damage. 4,703 people. These are homeowners who have severe damage. Some blamed the city sewer system for this, for not being able to handle the water and backing up in their homes. They're still not at home. What do you say to these residents? To be clear, it was based off a 1907 ruling that allowed municipal governments to not be held responsible. But given the city's issues within sewers, particularly neighborhoods like in Southeast Queens, what do you say to these homeowners and what other recourse can they have to hopefully rebuild their homes or figure out another plan, if these homes are uninhabitable?

**Mayor Adams:** Yeah. Nothing's much more traumatic than losing your home to a flood or fire. I lost my — total destruction to my home through — I think it was a four alarm fire. So I know how hard that is. The comptroller makes that determination. That is his job to do the review.

**Mayor Adams:** We're going to continue to do everything we must do to build out our sewer system and deal with how we're dealing with floods and hurricanes like Ida. It's going to take many years to rebuild our sewer system, but we're going to continue to make those investments. But it's the controllers call. I don't write those checks. I don't do those reviews. I think that's something that the controller has to answer.

**Question:** Do you think that the city should revisit this ruling from more than a hundred years ago when obviously storms are very different, in order to better serve people who live here and then have homes here, and lets thousands of people be homeless?

**Mayor Adams:** Yes.

**Question:** Hi there.

**Mayor Adams:** How are you?

**Question:** I have a question about the primary next week.

**Mayor Adams:** Yes.



**Question:** Did you decide to endorse in some of these Senate and Assembly races because you're frustrated about your agenda in Albany this session? One of the lawmakers said that you were trying to find allies to be part of your tough on crime agenda.

**Mayor Adams:** No, I just want reasonable thinking lawmakers. I want people that are responding to the constituents. The people of this city, they want to support police, they want safe streets, they want to make sure people who are part of the catch, release, repeat system don't continue to hurt innocent New Yorkers. And I challenge lawmakers all over the country. What laws have we passed in the last 10 years that protected innocent New Yorkers? We passed a lot of laws for people who commit crimes, but I just want to see what are the list of laws we pass that deals with a New Yorker who was the victim of a crime? I want people in any lawmaking body to say, let's protect innocent New Yorkers again. Let's try that again. The people who don't commit robberies, but the people who are the victims of robberies. We seem to have forgotten them. I have not forgotten them. And that is what I need partners to help me in doing that.

###