

NYC Charter Ballot Questions: November 3, 2026

Analysis by Bill Bruno

Question 1

Proposed Charter Amendment: Speed Up Process for Granting a Revocable Consent to Use Public Space

Simplify process to use public space for uses such as ramps, planters and cafes, by removing mandatory hearings and Council disapproval of sidewalk cafes, while maintaining community and Council input.

“Yes” speeds up process to use public space while maintaining community input. “No” maintains longer process with mandatory public hearing to use public space and Council review of sidewalk cafes.

Technology and Innovation (OTI), for telecommunications) to use city-controlled space, such as a sidewalk or roadway, for private purposes. Cafés are the best-known example. The category also covers benches, planters, ramps, stoops, and similar items.

Under current law, Charter §371 requires a public hearing on every revocable consent except sidewalk cafés. A long-standing carve-out in §364(e) sends cafés through a separate process in the administrative code (§19-160.2)¹. That process includes a community board hearing and a written recommendation. DOT holds its own hearing if the board recommends denial or recommends changes the petitioner rejects. DOT may also hold one by choice. The Council may review the application, but it does not have to.

Question 1 removes that carve-out from the approval process. Licensing, design standards, hours, and fees do not change. Sidewalk cafés would follow the same Chapter 14 rules as every other revocable consent. Those rules change too. The agency hearing becomes optional instead of mandatory. The community board, council member, and borough president get notice at least 15 days before approval. Their comment period starts on the date of that notice and lasts at least 15 days. Any of them may waive notice for a whole category of consents. They may revoke that waiver at any time. The board no longer must hold a hearing and vote. The agency must make “best efforts” to gather wider public input, such as posting the petition on its website and social media accounts and accepting comments from the public.

The ballot question speaks of sidewalk cafés. The amendment, however, applies to all revocable consents.

Also, the requirement that the applicant provide public notice in a newspaper for any hearing that is held would be revoked.

On fees, the amended §364(b) leaves café fees in §§19-160 to 19-160.6. For sidewalk cafés, the fee is an annual charge per square foot that depends on the sector. It runs from \$6 in the lowest-cost sector to \$31 (§19-160.2(h)).

Related: Intro 655-A (Local Law 2026/135, signed Aug. 31, 2026) allows year-round roadway cafés. DOT sets rules for winterization and snow removal. The Sanitation Department (DSNY) may set cleanliness rules. Cafés must be open-air, with furniture that is easy to remove. A 15-foot emergency lane is the default. DOT may narrow it when that is consistent with public safety. Operation after 11 p.m. is capped. For sidewalk cafés, Int. 655-A also amended §19-160.2(b). It now says the “community board shall not

¹ The charter is the city’s constitution, and the administrative code holds ordinary laws the Council passes.

require the petitioner to submit or provide the community board with any written materials other than the petition and any such agreed upon modifications.”

The final charter report estimates that the change will cut the time for the current process by 75%. It also estimates that small businesses will save thousands of dollars on each application.

Question 2

Proposed Charter Amendment: Reduce City Contractor Paperwork; Require Regular Meetings of Procurement Policy Board

Reduce paperwork for City contractors by authorizing Procurement Policy Board to simplify contractor questionnaire. Require quarterly meetings of the Procurement Policy Board. Remove mandatory hearing for required client services report.

“Yes” amends Procurement Policy Board authority, including to simplify contractor questionnaire; authorizes Mayor to delegate certain contract approvals. “No” leaves laws unchanged, with Mayor and Comptroller maintaining longer questionnaire.

These changes simplify some procurement rules and delegate some approvals.

One change requires the Procurement Policy Board (PPB) to meet every quarter. The PPB has three mayoral appointees and two appointed by the comptroller. It issues rules on how contracts are awarded and run.

The PPB would also set the contract value above which the public may comment. This covers contracts awarded in any way other than competitive sealed bidding², up to \$10 million. The charter now sets that amount at \$100,000. The language requiring notice and comment for such contracts above \$10 million is left intact. Logically, then, the threshold cannot exceed that amount.

Another change gives the rulemaking body some discretion over the pre-contracting questionnaire (the VENDEX/PASSPort questionnaire). That covers what must be submitted and the deadlines. For most contracts that body is the PPB. For franchises and concessions, it is the Franchise and Concession Review Committee. A franchise is a right for a private actor to use city property to provide a public service. A concession is a right to use city property privately. The rules may vary by dollar amount, industry, or small-business status. They may also vary by any other suitable factor. This ends the one-size-fits-all process and allows simpler filings from smaller businesses. As the report states, “As a result, a hot dog vendor and a large commercial bank must answer the same questions.” The Commission proposes to let the PPB vary the information required by category, including the dollar amount of the contract and whether the contractor is a small business.³

The third change widens the contracting powers the mayor may delegate. Under the current charter, some contracts over \$5 million are not awarded by competitive sealed bidding. The mayor may delegate approval of those only to the Chief Procurement Officer. With this change, the mayor could delegate it to an agency’s chief contracting officer, if the agency head approves. The final report suggests that more than 120 contracts a year would be affected.

² The default way the city buys things, with sealed bids and a win to the lowest responsible bidder.

³Commission on Government Efficiency Proposed Final Report, p. 19.

Question 3

Proposed Charter Amendment: Speed Up Street Safety Projects, Disposition of Unused City Property, Office Leasing

Simplify review of street safety projects to reduce construction timelines. Fast track disposition of unused City property with approval from City Planning Commission. Expedite leasing offices used for City workforce.

“Yes” simplifies street project approval, City property disposition and office leasing. “No” maintains intra-agency consultation for road projects, Council approval for City property dispositions and Council disapproval of office leases.

This one is a catch-all.

The first set of changes covers notification and consultation rules for street safety projects. The main change overrides a recently passed law. That law required DOT to consult with local firehouses on street safety projects. Under the proposal, consulting the head of the Fire Department (FDNY) would be enough. The change as written sets that standard for every agency DOT must consult on these projects. This is presumably meant to guard against further such laws. Another change says that failure to consult does not invalidate a project. That appears to respond to the recent lawsuit over the 31st Street bike lane. There, a judge blocked the project for failure to provide certification of that consultation.

The second change lets the DOT commissioner determine that if a project requires immediate implementation, because there is a risk of significant injury, based on crash rates or any other public-safety consideration, then the project may go forward even without the required notices. Existing law already excuses advance notification for such projects. The amendment puts a similar rule in the charter. It adds a defined trigger and requires best efforts to notify and present afterward.

Next, the expedited ELURP⁴ review created last year would cover more sales of city land: (1) property that can't be developed on its own and planned to be sold to adjacent owners; (2) lots of 10,000 square feet or less that aren't individual landmarks; and (3) development rights (air rights)⁵ from a landmark site.

When the buyer is an adjacent owner and the property can't be developed on its own, a public auction or sealed bids would no longer be needed. A separate change also ends the requirement for a second hearing. That hearing is now required if more than two years pass between approval of a sale, lease, exchange or other transfer of city property.

The rules for acquiring office space would also change. Today there is a public hearing before the City Planning Commission. The City Council may then disapprove by a two-thirds vote within twenty days. Instead, the Department of Citywide Administrative Services (DCAS) would give notice to the relevant councilmember, community board, and borough president. The notice must describe the agency's need and the alternatives considered. It must also say whether the site meets the relevant location criteria⁶. DCAS would also have to file notice with the Comptroller and the Council once there was a lease or acquisition.

⁴Expedited Land Use and Review Process, created in the 2025 charter revisions. 60-day concurrent deadline for community board and borough president approval and 30-day deadline with the City Planning Commission—no council vote. The baseline is Uniform Land Use and Review Process (ULURP) which has longer time frames and the City Council having the final word.

⁵ Unused building capacity that can be sold or transferred.

⁶ Covered in Section 203 of the Charter.

Question 4

Proposed Charter Amendment: Simplify Building Permitting and Move Waterfront Permitting to Department of Buildings

Create centralized construction permits hub to simplify permitting. Move waterfront permitting from Department of Small Business Services to Department of Buildings. Allow construction approval by additional Department of Buildings officials.

“Yes” simplifies permitting by authorizing a centralized permitting hub, moving waterfront permitting to Department of Buildings, and allowing additional Department of Buildings officials to issue approvals. “No” leaves laws unchanged.

Expediting construction approval. The Department of Buildings (DOB) Commissioner may currently delegate plan approval, certificate-of-occupancy and zoning-lot⁷ subdivision⁸ authority to the First Deputy Commissioner. That person must be a registered architect or licensed professional engineer. The amendment would extend that to any deputy commissioner so qualified. Further, DOB would now regulate and permit construction and demolition on wharf and waterfront property. Permitting for maritime structures and City-owned waterfront property has been with Small Business Services (SBS). The transfer takes effect December 31, 2030. It takes effect sooner if a waterfront construction code does.

DOB must build a single system for applications and permits. The Department of Environmental Protection, FDNY, the Department of Transportation, and other agencies must cooperate and accept applications through it. The agencies keep their review authority. The system is due by 12/1/2029, or when DOB considers it feasible, subject to appropriations.

Borough superintendents would be replaced by borough commissioners, one for each borough. They would hold, within their borough or citywide, whatever powers the DOB commissioner specifies.

Question 5

Proposed Charter Amendment: Set Contribution Targets for Rainy Day Fund to Promote Sufficient Budgetary Reserves

Set target amount of money to hold in reserve funds, including rainy day fund, to address unexpected financial hardships in future years, and require development of methodology to calculate contributions.

“Yes” requires Mayor to develop methodology for calculating deposits to rainy day fund, with deposits subject to approval in the City budget. “No” leaves laws unchanged, with no reserves target,

⁷ The plot of land treated as one unit under zoning. See the Zoning and Land Use Map (ZoLa) to see individual lots. <https://zola.planning.nyc.gov/about#9.72/40.7125/-73.733>

⁸ Plan approval (§645(b)(1)): Reviewing the plans for constructing or altering a building and approving or rejecting them. It also covers directing inspections during construction.

Certificate of occupancy (§645(b)(3)): The document certifying that a building meets all applicable laws, so it can legally be occupied or used. It is required for new buildings and for alterations that change the number of apartments or living rooms, or the building's class. Temporary certificates are also possible.

Zoning-lot subdivision approval (§645(d)): Certifying that splitting a zoning lot that has a building on it won't create a zoning violation. The applicant files a map and a statement of compliance first.

A target applies each year to the revenue stabilization fund (“rainy day fund”) plus any other City reserve funds identified pursuant to the methodology created pursuant to this amendment⁹. The target is at least 12% of the tax revenue the city received in the prior year. The city must publish the methodology by May 1, 2027. The Office of Management and Budget must publish it, in consultation with the comptroller. Thirty days’ notice and a chance to comment at a public hearing must come first. The city must make an annual deposit when that methodology so determines, subject to appropriations.

No more than 50% of the fund may be withdrawn in any year unless the mayor certifies that there is a compelling fiscal need. Examples are a national or regional recession, a reduction in revenue from the preceding year, or a disaster.

APPENDIX

The ballot language is

https://www.nyc.gov/assets/charter/downloads/pdf/2026/appendix_a_proposed_ballot_questions_20260723.pdf

Abstracts of the ballot questions are at

https://www.nyc.gov/assets/charter/downloads/pdf/2026/appendix_b_proposed_abstracts_20260723.pdf

The changes in the city charter those questions would enact are listed at

https://www.nyc.gov/assets/charter/downloads/pdf/2026/appendix_c_proposed_charter_amendments_20260723.pdf

The charter commission’s final report

https://www.nyc.gov/assets/charter/downloads/pdf/2026/proposed_final_report_20260723.pdf

For further viewpoints, the reader is encouraged to check out these links

League of Women Voters

<https://lwvnyc.org/proposals-2026/>

Citizens Union

citizensunion.org/document/2026-10-01/citizens-union-announces-support-for-all-five-2026-ballot-questions/

Citizens Budget Commission

<https://cbcny.org/research/vote-yes-ballot-questions-1-3-and-4-vote-no-ballot-question-5>

⁹ This can include, but is not limited to, the General Reserve, the Retiree Health Benefit Trust and the Capital Stabilization Reserve.