

DAILY NEWS



Street vendors fight super-sized penalties handed down by Bloomberg administration

ALBOR RUIZ

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In one of those contradictions New Yorkers have become used to in the last 10 years, the Bloomberg administration - in the midst of a terrible economy and high unemployment - has taken aim at the city's street vendors with a vengeance.

"Street vendors are hardworking, honest people for whom vending is the way to support their families," said [Sean Basinski](#), director of the Street Vendor Project, part of the [Urban Justice Center](#). "But the city only puts barriers in their path."

Indeed, it's hard to fathom the logic behind making it so difficult for street vendors to make an honest living.

[Mohammed Shafiqul Huda](#), 61, knows firsthand how hard it is.

A native of [Bangladesh](#) with three daughters, Huda has been selling hot dogs and pretzels for 12 years near 33rd St. and Sixth Ave., an area where vending is not permitted before 6p.m.

Last month, Huda says, he was setting up his cart at 5:50 p.m. and waiting for the street to open up to vendors. But the [NYPD](#) and Health Department agents - despite his protestations - decided he was vending before the legal time.

"I got there 10 minutes before 6 and was getting ready for opening," Huda said. "I was waiting, but they said I was vending."

Police confiscated his hot dog cart and threw away his merchandise. A distraught Huda rushed to court - he urgently needed his cart back to earn a living.

He said he thought the fine was going to be \$50, \$100 at the most.

"I wasn't vending, but I was willing to pay if I had to," Huda said.

It took a judge all of seven minutes to find him guilty and hit him with a \$750 fine. "That's abusive," Huda said.

Basinski agrees.

"The tickets these licensed, tax-paying workers have to pay are higher than what they can afford and what the seriousness of the violation deserves," he said.

"The system is unfairly stacked against them. Since 2005 vendors, can be fined up to \$1,000 - the maximum was \$250 before - for minor violations like having a cooler poking out from underneath your cart or placing your table more than 18 inches from the curb. Yet, no [Lehman](#), Bear Sterns or [AIG executive](#) has been fined one cent for their role in the financial crisis," Basinski said.

That's why Basinski and the 1,200 members of the Street Vendor Project are fighting to have those fines lowered.

"If you cannot pay the fine, you lose your license and your livelihood," Basinski added.

The Street Vendor Project estimates there are 10,000 vendors in the city, 85% of them immigrants.

"But their dreams are being crushed by these outrageous tickets," Basinski said.

[Amanda Konstam](#), a mayoral spokeswoman, said the higher fines were enacted as a result of community complaints, "as a way of balancing the protection of the community with the needs of the vendors."

City officials said the steep penalties were the only way to "send a signal to repeat violators."

If vendors were put out of business by the fines, that was their bad luck.

Yet there is hope that some fairness will be restored.

City Councilman Stephen Levin ([D-Brooklyn Heights](#)) has sponsored two bills that would reduce the vending fines to pre-2005 levels.

"We have 22 or 23 sponsors, and we feel there is a real chance the bills will pass," Basinski said.

Let's hope so for the sake of Mohammed Shafiqul Huda and his 10,000 hardworking colleagues.

aruiz@nbydailynews.com