S T A T E O F N E W Y O R K

4606

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. LATIMER, LAVINE, BENEDETTO, LUPARDO, GALEF, QUINN, ROBINSON -- Multi-Sponsored by -- M. of A. BARRA, BENJAMIN, BRENNAN, COLTON, DelMONTE, DIAZ, EDDINGTON, FIELDS, GREENE, MAGEE, MAYERSOHN, PEOPLES, PHEFFER, REILLY, TITUS -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general municipal law, in relation to prohibiting the location of an adult entertainment business within one thousand feet of certain public places

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general municipal law is amended by adding a new article 13-E to read as follows:

ARTICLE 13-E

ADULT ENTERTAINMENT BUSINESSES; LOCATION

SECTION 300. ADULT ENTERTAINMENT BUSINESSES; LOCATION.

S 300. ADULT ENTERTAINMENT BUSINESSES; LOCATION. THE OPERATION OF AN ADULT ENTERTAINMENT BUSINESS WITHIN ONE THOUSAND FEET OF ANY PUBLIC PLACE OF WORSHIP, ANY SCHOOL OR BUS STOP, ANY MUNICIPAL OR COUNTY PLAYGROUND OR PLACE DESIGNATED FOR PUBLIC RECREATION, OR ANY AREA ZONED FOR RESIDENTIAL USE IS PROHIBITED, UNLESS EXPRESSLY PERMITTED BY ORDINANCE OF THE GOVERNING BODY OF THE MUNICIPALITY EXERCISING ZONING JURISDICTION OVER THE GEOGRAPHIC AREA. FOR THE PURPOSE OF THIS SECTION, "ADULT ENTERTAINMENT BUSINESS" SHALL INCLUDE BUT NOT BE LIMITED TO ADULT ARCADES, ADULT BOOKSTORES OR VIDEO STORES, ADULT PARAPHERNALIA STORES, ADULT CABARETS, ADULT LIVE ENTERTAINMENT ESTABLISHMENTS, ADULT MOTION PICTURE THEATERS, ADULT THEATERS, MASSAGE ESTABLISHMENTS THAT OFFER ADULT SERVICE OR NUDE MODEL STUDIOS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD01099-01-9