

7261

I N S E N A T E

May 8, 2014

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to the licensing of establishments providing adult entertainment

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

1 Section 1. Subdivision 3 of section 20-359 of the administrative code
2 of the city of New York, as amended by local law number 34 of the city
3 of New York for the year 1986, is amended to read as follows:
4 3. "Cabaret." (A) CLASS A CABARET: Any room, place or space in the
5 city in which any musical entertainment, singing, dancing or other form
6 of amusement is permitted in connection with the restaurant business or
7 the business of directly or indirectly selling to the public food or
8 drink, except eating or drinking places, which provide incidental
9 musical entertainment, without dancing, either by mechanical devices, or
10 by not more than three persons.
11 (B) CLASS B CABARET: ANY ROOM, PLACE OR SPACE IN THE CITY, WHICH IS
12 NOT LICENSED TO SELL ALCOHOLIC BEVERAGES, IN WHICH ANY ENTERTAINMENT OR
13 OTHER FORM OF AMUSEMENT IS PERMITTED IN CONNECTION WITH A BUSINESS WHEN
14 SUCH ENTERTAINMENT OR AMUSEMENT INCLUDES (I) ANY LEWD OR INDECENT
15 CONDUCT PERFORMED BY ANY PERSON EMPLOYED BY, INDEPENDENT CONTRACTOR OF
16 OR PATRON OF SUCH BUSINESS, OR (II) ANY PERSON EMPLOYED BY, INDEPENDENT
17 CONTRACTOR OF OR PATRON OF SUCH BUSINESS APPEARING UNCLOTHED OR IN SUCH
18 MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY PORTION OF THE PUBIC HAIR,
19 ANUS, VULVA, GENITALS, AREOLA OR ANY SIMULATION THEREOF.
20 S 2. The administrative code of the city of New York is amended by
21 adding a new section 20-359.1 to read as follows:
22 S 20-359.1 CLASS B CABARETS. THE DEPARTMENT SHALL ESTABLISH A SPECIFIC
23 LICENSE FOR CLASS B CABARETS, WHICH SHALL BE ISSUED PURSUANT TO THIS
24 SUBCHAPTER. EVERY CLASS B CABARET SHALL BE SUBJECT TO ALL PROVISIONS OF
25 THIS SUBCHAPTER, ANY OTHER PROVISIONS OF THIS CODE RELATING TO CABARETS
26 AND THE RULES AND REGULATIONS OF THE DEPARTMENT ESTABLISHED IN SUBCHAP-
27 TER T OF CHAPTER TWO OF TITLE SIX OF THE RULES OF THE CITY OF NEW YORK.

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

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1 FURTHERMORE, EVERY APPLICATION FOR ISSUANCE OR RENEWAL OF A LICENSE FOR
2 A CLASS B CABARET SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 2-204 OF
3 SUCH SUBCHAPTER T.

4 S 3. This act shall take effect on the ninetieth day after it shall
5 have become a law; provided, however, that effective immediately, the
6 addition, amendment and/or repeal of any rule or regulation necessary
7 for the implementation of this act on its effective date are authorized
8 and directed to be made and completed on or before such effective date.