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

8181

I N S E N A T E

August 26, 2016

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

AN ACT to amend the administrative code of the city of New York, in relation to the licensing of cabarets

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

Section 1. Subdivision a of section 20-360 of the administrative code of the city of New York is amended to read as follows:

a. It shall be unlawful for any person to conduct, maintain or operate, or engage in the business of conducting, maintaining or operating, a public dance hall, cabaret or catering establishment unless the premises wherein the same is conducted, maintained or operated are licensed in the manner prescribed herein. THE COMMISSIONER SHALL IMPOSE A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS FOR EACH VIOLATION OF THIS SUBDIVISION FOR THE MAINTENANCE OR OPERATION OF A CABARET, AND HE OR SHE SHALL CONSIDER EACH SUCH VIOLATION WHEN DETERMINING WHETHER TO ISSUE OR RENEW A LICENSE PURSUANT TO THIS SUBCHAPTER.

S 2. Paragraph 7 of subdivision a of section 20-361 of the administrative code of the city of New York, as renumbered by local law number 34 of the city of New York for the year 1986, is amended and a new paragraph 8 is added to read as follows:

7. the applicant, its officers, principals, directors, stockholders owning more than ten percent of the outstanding stock of the corporation and employees thereof at the premises on which the licensed business is to be conducted have at least three times been proven to be in violation of the provisions of subchapter one of chapter five of this title of this code or of any regulations promulgated thereunder[.];

8. IN THE CASE OF AN APPLICATION FOR A LICENSE TO MAINTAIN AND OPERATE A CABARET AND UPON THIRTY DAYS NOTICE TO THE COMMUNITY BOARD FOR THE COMMUNITY IN WHICH THE LICENSED PREMISES IS TO EXIST OR EXISTS, SUCH COMMUNITY BOARD DETERMINES THAT THE ISSUANCE OR RENEWAL OF SUCH LICENSE WOULD HAVE A NEGATIVE IMPACT UPON THE SURROUNDING COMMUNITY.

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

LBD16022-02-6

S 3. Subdivision a of section 20-369 of the administrative code of the city of New York, as amended by local law number 34 of the city of New York for the year 1986, is amended to read as follows:

a. The commissioner may suspend or revoke a license for conduct of the licensee, its officers, principals, directors, agents or employees or in a closely held corporation, stockholders that would constitute grounds for denying the issuance of renewal of a license pursuant to section 20-361 of this [code] SUBCHAPTER. PROVIDED, HOWEVER, THAT IN THE CASE OF A CABARET LICENSE, THE COMMISSIONER SHALL SUSPEND OR REVOKE SUCH LICENSE FOR A PERIOD OF NOT LESS THAN SIXTY DAYS AND IMPOSE A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS FOR EACH INSTANCE OF CONDUCT OF THE LICENSEE, ITS OFFICERS, PRINCIPALS, DIRECTORS, AGENTS OR EMPLOYEES, OR IN A CLOSELY HELD CORPORATION, STOCKHOLDERS, THAT WOULD CONSTITUTE GROUNDS FOR DENYING THE ISSUANCE OR RENEWAL OF SUCH LICENSE PURSUANT TO SECTION 20-361 OF THIS SUBCHAPTER.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.