§ 35.07. Unlawful exhibitions. 1. It shall be unlawful for any person to employ, use, or exhibit any child under sixteen years of age, or for a parent, guardian or employer to consent to or to refuse to restrain such child in engaging or acting:

a. As a rope or wire walker, gymnast (except in a non-professional capacity or activity), rider upon a horse or other animal (except in a non-professional horse show), or as an acrobat, or upon any bicycle or other mechanical vehicle or contrivance unless a child performer permit is issued pursuant to the provisions of section one hundred fifty-one of the labor law, and the child is protected by the use of safety devices or protective equipment which comply with the provisions of the Federal Occupational Safety and Health Act provided, however, that where an activity is exempt from the permit requirement of this paragraph because the activity is non-professional, the activity shall still be required to comply with the requirement of this paragraph relating to safety devices and protective equipment; or

(b) As a wrestler, boxer, or contortionist; or

(c) In begging or receiving or soliciting alms in any manner or under any pretense, or in any mendicant occupation; or in gathering or picking rags, or collecting cigar stumps; or collecting bones or refuse from markets or streets; or in peddling; or

(d) In any illegal, indecent, or immoral exhibition or practice; or in the exhibition of any such child when mentally ill, developmentally disabled, or when presenting the appearance of any deformity or unnatural physical formation or development; or

(e) In any practice or exhibition or place dangerous or injurious to the life, limb, health or morals of such child provided, however, that the provisions of this paragraph shall not apply to service as a member of a certified volunteer ambulance service under the supervision of an emergency medical technician as provided in article thirty of the public health law by youthful volunteers at least fifteen years of age who hold a current American Red Cross advanced first aid and emergency care card.

2. It shall be unlawful for any person to employ, use or exhibit any person under eighteen years of age as a dancer or performer in any portion of a facility open to the public wherein performers appear and

dance or otherwise perform unclothed, under circumstances in which such employment would be harmful to such person in the manner defined in subdivision six of section 235.20 of the penal law.

3. Violation of this section shall be a misdemeanor.