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August 10, 2017

The Hon. Rafael L. Espinal, Jr.,  
Chair, Committee on Consumer Affairs  
New York City Council  
250 Broadway, Suite 1880  
New York, NY 1007

Dear Chair Espinal:

Re: Supplemental Submission  
Repeal of Cabaret Law Int 1652-2017

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I wish to supplement my submission of June 19, 2017 at the cabaret law hearing and address statements made in the Committee's Brief and at the hearing as to the alleged racist basis of the Cabaret Law as enacted in 1926 and to statements made at the hearing and subsequently by other opponents of the cabaret law.

As you know from my testimony, I fully support repeal of the Cabaret Law and thank you for proposing 1652-2017 to repeal the cabaret law. The law should be repealed among other reasons because of its unfair and inconsistent application; those desiring regulation of congestion and noise and safety should have the burden of creating legislation which fairly treats all parties and only addresses impacts arising out of the act of dancing and not rely upon an antiquated law amended over time and overruled in part by court decisions.

I will cover primarily here misstatements as to the origins of the cabaret law.

- Professor Michael Lerner, cited by many to support the assertion that the law was intended to prevent interracial mingling and was racist in its origin, in fact takes the opposite view. He states in his book "It has been argued that Walker's cabaret law was later used to regulate jazz clubs and, in particular, interracial dancing in Harlem clubs, but there is little evidence that this was the case during Walker's administration."
- Other assertions as to views of historian views are substantially distorted.
- There are no researched historical books that support this racist origin claim and the claim that books have been written to support the racists origins is just not true.

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- The *Chiasson* 1986 court did not find that the law had a racist origin but to the contrary stated: “However, it appears that cabaret licensing was introduced in the city in 1926, as part of an effort to control speakeasies.”
- It just is not true that the 1926 law allowed three non-jazz musicians to play without having a need for a cabaret license. This provision was not added until 1961, and using this assertion to support a claim of racist intent in 1926 is plainly false.
- Interpretation of the Alderman’s statement of 1926 is an exercise of projection where some place their preconceived notions upon a 90-year old text, with no discussion of the context and the political and musical history of the time.

I apologize for the length of the discussion, but, what I state will no doubt cause cognitive dissonance in many opponents of the law; I hope they will try to be objective.

Finally, I discuss a few other misunderstandings as to the cabaret law: there is no exception for hotels, there is no three-patron dancing rule in the cabaret law, and 60% of so of the current licenses are not located in Use Group 12, which raises interesting issues.

### **The Origins of the Cabaret Law**

I am concerned as to statements made at the hearing concerning racism – statements that are counter-productive and in many ways make assumptions as to history which are not supportable, conflate events subsequent to adoption with the 1926 period, and ignore historical fact. The 1926 law needs to be seen in the context of Prohibition and the context of the 1925 Charleston Craze as well as the flowering of the Harlem Renaissance, which continued beyond 1926 until World War II.

I do not believe that those with good faith reasons to support the regulation of dancing should be insulted by calling them racists, as did the Committee-sponsored lead-off witness at the June 19, 2017 hearing: “any law founded in such explicit racist language of this nature has no place in our society, and to argue otherwise posits you as complicit in this country’s history of racism.” (emphasis supplied)

I argue otherwise that there is little evidence for this assertion, and **I am personally offended by this language** and approach: I am not complicit in this country’s history of racism and this is no way to win a battle.

Taken in context, reasonable people could arrive at different conclusion as to the Alderman’s statement – the full quotation refers to “strangers” from outside the city. Reasonable people

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could conclude that the “foolish native” phrase refers to those people who are not “strangers”, i.e. from outside the city. The word “native” may not have the pejorative meaning as ascribed by the witness nor does it necessarily have the same pejorative meaning as it has come be used in certain contexts today.

The racist origin claim is politically destructive to the cause of reforming the laws regulating dancing. Many oppose the change in the cabaret law for reasons relating to congestion and noise, and to suggest that opponents are racists is inflammatory. Moreover, I know there are some who do not wish to associate their names with this approach.

I ask that you counsel supporters of reform to cease inferring or stating that historians have concluded and agree that the 1926 Cabaret Law was directed at the black music and dances that were performed in the Harlem clubs and at the social mixing of races, that it was intended to deter interracial sexual relations, or that the discriminatory intent behind the Cabaret Law is established by several books written about the Cabaret Law.

Next, I am asking you to remove the underlined assertion in your Committee’s brief that:

“The Cabaret Law was first introduced in 1926, during the Prohibition era, to crack down on establishments run by racketeers. Historians argue that the law's true aim was to prevent interracial mingling in Harlem jazz clubs.<sup>1</sup>”

Clearly, the Committee’s brief should not rely upon the citation to historian Michael Lerner’s book, *Dry Prohibition*. Professor Lerner does not argue that the law’s true aim was to prevent interracial mingling in Harlem jazz clubs and the citation is completely incorrect and must be removed.

The City Council Briefing Paper cites as authority Paul Chevigny, *Gigs: Jazz and the Cabaret Laws in New York City*, 2d ed., (2005) and Michael A. Lerner, *Dry Manhattan: Prohibition in New York City*, Harvard University Press (2007). With all due respects to Professor Chevigny (and I hold him in the highest regard as an attorney,) he is not a historian of the 1920s. His books cites only post-1960 resources, except for a single citation to a 1926 Alderman’s statement. His “conclusion” is more of hypothesis, with no substantiation other than in the Alderman’s statement and with no supporting research or citation. I discuss his “hypothesis” below.

In his *Dry Manhattan* book, Professor Lerner rejects definitively the “hypothesis” of Professor Chevigny. *Dry Manhattan* is heavily researched and supported by citations to a multitude of contemporaneous sources of the 1920s. Professor Lerner has been misquoted several times and he has e-mailed me in recent weeks to state that he stands by the conclusion in his book – there is little evidence to support the racist origin allegation: “It has been argued that Walker's cabaret law was later used to regulate jazz clubs and, in particular, interracial dancing in Harlem

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clubs, but there is little evidence that this was the case during Walker's administration." Those wishing to cite to Professor Lerner should read the relevant sections of the book and his well-researched discussion of the political background and the subsequent enforcement immediately after adoption of the law.

To be clear, anyone who cites to Professor Lerner for the racist intent proposition is acting in a questionable manner. Any academic relying upon Professor Lerner for the racist intent proposition could be academically questioned. The only historian as to which I am aware to address the Cabaret Law adoption in 1926 in published form, and at any depth, is Professor Lerner.<sup>1</sup>

Perhaps for some the 1926 Law may have been based partly upon racist intent, but, there is little evidence, and I am waiting for the scholarly research, published in peer reviewable form, to show such evidence. The only evidence relied upon is the Alderman's 1926 statement, which reasonable objective people may disagree as to its meaning, as did the court in the Chiasson case (see discussion below.)

But, this meme continues on and on, as writers quote each other without verifying original sources, especially as to the position of the only academic to have researched this area with a published book (published by Harvard University, incidentally.)

### **Muchmore Briefs**

Next I wish to discuss memoranda filed in the Muchmore Eastern District of New York case challenging the Cabaret Law.

I do appreciate the initiation of the Muchmore litigation and I hope that Muchmore prevails based upon the vagueness of the definition of dancing, its erratic enforcement, the impact upon performers, the lack of connection between dancing and the law, however defined, and the regulations which are part of the cabaret law (as well as the Zoning Resolution). Those who file impact litigation represent not only themselves, but the broader community impacted by the litigation.

As has been previously brought to the attention of the attorneys in Muchmore, there are issues as to the support for certain statements made in the Muchmore briefs, which, unfortunately

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<sup>1</sup> Another historian Professor Sally Summers' testimony and statement was submitted at the hearing. The testimony and statement filed with the Council made no reference to the alleged racist origins of the Cabaret Law. Other statements bear her name and have been circulated by opponents to the law, but it is not clear that she signed those statements or agrees with them. I have written her three times to verify that she made these assertions. And I asked her for any research to back up the racist intent assertion, and after an initial response, she has not responded with any substantiation.

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have now being treated as statements of fact by those not understanding the way in which many attorneys argue and stretch the facts. Unfortunately, what I believe are misstatements have not been corrected, but in fact perpetuated. Indeed, these briefs appear to form the basis of the presentation of the Committee's lead-off witness at the hearing mentioned above and to be the basis for various articles.

Following are statement made in the memoranda (briefs), which may be questioned.

Muchmore Litigation Brief of March 27, 2015

Page 1

The Cabaret Law was passed in 1926, at the height of the Harlem Renaissance. History leaves no room for ambiguity as to its purpose: to clamp down on inter-racial dancing and inter-racial mingling in Harlem jazz clubs. (emphasis supplied)

Page 20

The Cabaret Law was a direct response to the Harlem Renaissance, and its original text and legislative history make clear that it was targeted at black musicians and inter-racial association. The original text of the law targeted wind, brass and percussion instruments, commonly used in jazz music, while permitting piano, organ, accordion, guitar and stringed instruments. (emphasis supplied)

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In striking down this aspect of the law, the Chiasson Court also noted the racially-tinged language of the legislative history, which described the purpose of the Cabaret Law as follows:

... there has been altogether too much running 'wild' in some of these night clubs and, in the judgment of your committee, the 'wild' stranger and the foolish native should have the checkrein applied a little bit.

It should be clear to this Court, as it was to the Court in Chaisson, that a law passed in 1926, at the peak of the Harlem Renaissance, targeting instruments used in jazz music, and justified by a desire to apply the "check-rein" to "wild stranger[s]" and "foolish native[s]", is not motivated by a substantial governmental interest, but by an invidious discriminatory purpose.<sup>2</sup> (emphasis supplied)

Page 21

The discriminatory intent behind the Cabaret Law is so well established that entire books have been written about it. (emphasis supplied)

Page 21 Footnote 9

See Adam Janos, For Nightclubs, Life is No Cabaret Without a License, Wall St. J., Sept. 29, 2014, at A17 ("According to historian Michael A. Lerner, the law was 'really a response to interracial mixing.' During Prohibition, 'the police didn't care so much about drinking. What they cared about was white women dancing with black men,' said Mr. Lerner, who wrote Dry Manhattan: Prohibition in New York City.); see also Laam Hae, The Gentrification of Nightlife and the Right to the City: Regulating Spaces of Social Dancing in New York (2012), p. 27 ("the NYC cabaret zoning laws in the pre- 1985 era that isolated the location of black and Latino live music venues had their roots in long-standing militancy against the expressive cultures of racial others, and the

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<sup>2</sup> As explained below, the *Chiasson* court did not at all make this finding of "invidious discriminatory purpose, rather stating:

"However, it appears that cabaret licensing was introduced in the city in 1926, as part of an effort to control speakeasies."

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fear of inter-racial mingling."); see also Paul Chevigny, *Gigs: Jazz and the Cabaret Laws in New York City* (2004), p. 40 ("The ordinance must have been directed at the black music and dance that was performed in the Harlem clubs, as well as the social mixing of races that was part of 'running wild,' because in 1926, the 'jazz' about which the alderman complained was being played mostly in Harlem. The alderman were legislating in the shadow of the view, then widely held throughout the country, that the origin of jazz music and dance in black culture was a source of moral degradation."); see also Gena Caboni-Tabery, *Jazz, Basketball, and Black Culture in 1930s America* (2008), p. 8 ("African American 'third places' were places of contestation (of racism) as much as celebration (of race). But with regard to black-white relations in the 1930s, African American night clubs and dance halls functioned as national 'third places', democratic islands of neutrality where ordinary social restrictions - such as segregation - were occasionally and temporarily laid aside.")

Reply of June 8, 2015, Page 12

The City passed the Cabaret Law to keep African Americans and white people from socializing and dancing together in Harlem jazz clubs. It is a shameful vestige of laws used to keep African Americans subordinated and separate even after the Civil War and the passage of the Fourteenth Amendment. (emphasis supplied)

These litigation assertions are not supported by the authorities cited in the briefs, and indeed in some instances contradict the authorities.

### **The Three-Musician exception was NOT in the original statute, nor was it ever a “Banning of Jazz Instruments”**

The latest version of Cabaret Law “history”, which I have read in a blog in recent weeks, is now that:

“The law was passed in 1926, a prohibition-era tool for the city to go after mostly-black jazz clubs during the Harlem Renaissance. The language of the law has been amended over time, but in its original form it specifically banned instruments that jazz musicians tended to play, like brass, wind and percussion, while allowing instruments like strings, keyboards and disco sound systems.” (emphasis supplied)

The statement that the initial law included the three-musician exception is intended to buttress the false point that the text of the 1926 law showed racial bias. This is plainly and unequivocally not correct.

This is pretty easy to refute by merely reading the Cabaret Law as enacted in 1926, which is attached. There is no reference to banning jazz instruments – this is an over the top misstatement. I do not blame the author of the blog – for he appears to have been relying upon misstatements by others.

The first *Chiasson* decision states that the exception to the application of the cabaret law to music by three musicians was enacted in 1961 by Local Law No. 95. 132 Misc. 2d, 640 at 642. Professor Chevigny was clear that this provision was adopted in 1961. [And, of course, the cabaret law even in 1961 never “banned instruments” at all.] This false statement unfortunately was repeated by a “journalist” in the New Yorker magazine, for some that means it must be true.

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I have traced these false assertions to the Muchmore March 27, 2015 memorandum (brief) to the United States District Court for the Eastern District of New York. The Muchmore brief states as quoted above that: “The original text of the law targeted wind, brass and percussion instruments, commonly used in jazz music, while permitting piano, organ, accordion, guitar and stringed instruments.” Page 20 of March 27, 2015 Memorandum. This is a totally incorrect statement in the brief. Similarly, no one has pointed to a provision of the text of the original law evidencing racial discrimination.

**There is NO evidence that “The law was passed in 1926, a prohibition-era tool for the city to go after mostly-black jazz clubs during the Harlem Renaissance.”**

The second assertion made in the Muchmore’s brief, now taken as truth by virtue of repetition, is that the law is “not motivated by a substantial governmental interest, but by an invidious discriminatory purpose.”

The Muchmore brief states misleadingly that

“The discriminatory intent behind the Cabaret Law is so well established that entire books have been written about it.”

This statement is misleading, if not false. Only one book has devoted any substantial discussion of the origins of the Cabaret Law – not “books”, and that book refutes the assertion in the Muchmore briefs.

The Muchmore brief cites to four books in the supporting footnote: Professor Michael A. Lerner’s, *Dry Manhattan: Prohibition in New York City*, Harvard University Press (2007). Professor Lamm Hae’s *The Gentrification of Night Life*”, Constitutional Law Professor Paul Chevigny’s *Gigs: Jazz and the Cabaret Laws in New York City*, 2d ed., (2005); Gena Caboni-Tabery’s, *Jazz, Basketball, and Black Culture in 1930s America* (2008). The brief also cites to a Wall Street Journal article, Adam Janos, *For Nightclubs, Life Is No Cabaret Without a License*, Wall Street Journal, September 29, 2014, which misquotes Professor Lerner and demonstrates that the author Adam Janos never bother to check authority by reading the relevant portions of Lerner’s book.

Professor Hae’s book did not even address the issue. Her book is about zoning and gentrification and does not address the 1920s at all. She has confirmed to me in recent weeks that she has no position on the rationale for the 1926 law.

The Gena Caboni-Tabery’s book does not cover the 1920s, and the quotation cited in the Muchmore brief does not address the Cabaret Law at all.

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So, these two books cannot be the entire books written about the “the discriminatory intent behind the Cabaret Law.”

That leaves the Lerner book and the Chevigny book.

Professor Lerner’s book, *Dry Manhattan: Prohibition in New York City*, is a scholarly historical book, published by Harvard University, and citing scores of contemporaneous publications.<sup>3</sup> Professor Lerner disagrees with the racist origin claims of the Muchmore briefs, as Professor Lerner confirmed in a recent e-mail to me. Professor Lerner stands by the position in his book:

It has been argued that Walker's cabaret law was later used to regulate jazz clubs and, in particular, interracial dancing in Harlem clubs, but there is little evidence that this was the case during Walker's administration. Though Police Commissioner Joseph Warren and other city officials would express concern over racial mixing in nightclubs later during the Prohibition era, the cabaret law was enforced so sporadically and imprecisely under Walker that it served almost no purpose other than to encourage a modicum of self-restraint in the nightclub trade. In many regards, the law was Walker's way of taking back the regulation of city nightlife from the Bureau of Prohibition and allowing the city to set its own priorities rather than follow the federal agenda.

Thus, Professor Lerner not only does not support Mr. Muchmore’s claim, but directly contradicts the assertion. This is one of the two books cited by the Council Committee for its assertions of racial origin.

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<sup>3</sup> In *Dry Prohibition*, Professor Lerner uses the following 1920-1934 contemporary sources (none of which are referred to by Professor Chevigny who provides no similar authority):

- Amsterdam News
- New York Times
- The Messenger
- New York Age
- American Mercury
- Variety
- Committee of Fourteen Papers (New York Public Library) (Records of a citizens’ association dedicated to the abolition of commercialized vice in New York City)
- James J. Walker Papers (MANY-Municipal Archives of New York)
- Stanley Walker, *The Night Club Era*, 1933
- NYPD Annual Report 1926
- The New Yorker
- Vanity Fair



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Moreover, Professor Lerner's clear position in his book, and confirmed in a recent letter to me, should not be confused with the inaccurate citation to him in several "journalistic" articles.<sup>4</sup>

That leaves as the Muchmore brief's sole authority for the racist origins claim - the book of Constitutional Law Professor Paul Chevigny's, *Gigs: Jazz and the Cabaret Laws in New York City*. Professors Chevigny argues that the "law must have been directed at black music and dance" and relies solely upon the short 1926 Alderman's statement. Professor Chevigny pulls his punches by stating "must have been" rather than "was", perhaps not believing his own assertion. Elsewhere in his book, Chevigny cites Elmer Rogers, author of the 1926 bill who was interviewed in 1960 and said:

He told how Texas Guinan, a famous proprietor of speakeasies, had opened one next to a church, forcing the outraged parishioners to encounter revellers leaving the place on Sunday morning. When the City could not get the owners of nightclubs to police themselves, the ordinance was drafted.

Without any discussion of the musical, dance, political, and cultural history of the 20s, Professor Chevigny then rejects the statement he just quoted by Rogers, focusing solely on the Alderman's statement. Chevigny cites no history of the 20s, as contrasted with the well-researched work of the historian Professor Lerner. Indeed, the only citation in the Chevigny book that is earlier than 1960 is the Alderman's statement.

### **The 1986 Chiasson Court Did not Find Racism**

The 1986 *Chiasson* court did not find that the 1926 Cabaret Law was "motivated ... by an invidious discriminatory purpose" as inaccurately claimed in the Muchmore brief. The court made no such finding. Indeed, the court found to the contrary: "However, it appears that cabaret licensing was introduced in the city in 1926, as part of an effort to control speakeasies." The full context of the Chiasson Court is as follows, at 500:

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<sup>4</sup> The Muchmore brief also relies upon the Wall Street Journal article about his case, Adam Janos, *For Nightclubs, Life is No Cabaret Without a License*, Wall St. J., Sept. 29, 2014, at A17 ("According to historian Michael A. Lerner, the law was 'really a response to interracial mixing.'")? This of course contradicts Lerner's clear statement in his book. As confirmed by Lerner in a recent e-mail to me, Janos distorts his position. The Wall Street Journal article is about the Muchmore case and expresses the litigation's point of view.

Another example of inaccurate research by blog posters is a June 30, 2015 Huffington Post article, *A Constitutional Challenge to NYC's Ban on Dancing*, by Sonja West, which attributes views to Professor Lerner of Edgar Grey, one of the Black Victorians opposing inter-racial mixing, when in fact, Professor Lerner was merely summarizing the views of an African-American opponent to racial mixing, *Dry Prohibition*, 206-208. Clearly, opposition to racial mixing came from both African-Americans and non-African-Americans, a fact not understood at all by those raising the racist-origin flag.

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The plaintiffs contend that there is no statement of legislative intent which adequately explains this distinction. However, it appears that cabaret licensing was introduced in the city in 1926, as part of an effort to control speakeasies (Recommendation No. 10, Proceedings of Board of Alderman and Municipal Assembly of City of New York [Dec. 7, 1926], at 577). The report of the Committee on Local Laws stated the purpose of the bill: "there has been altogether too much running 'wild' in some of these night clubs and, in the judgment of your committee, the 'wild' stranger and the foolish native should have the check-rein applied a little bit" (ibid.). Proceedings of Board of Alderman and Municipal Assembly of City of New York [Dec. 7, 1926], at 577).

### **The 1926 Alderman's Statement May Be Interpreted Differently by Reasonable People**

It seems the arguments for the alleged racism in the Alderman's statement is based upon the following:

#### 1. The Alderman's reference "tune of jazz" Does Not Necessarily Refer Only to Music In Harlem

Professor Chevigny asserts that "in 1926, the "jazz" about which the aldermen complained was being played mostly in Harlem." Chevigny provides no authority for this assertion. In the 1920s, Jazz was played all over New York City and indeed throughout the country, by both white and African-American musicians. The earliest jazz recordings were made by white musicians. Roseland hosted all white dances in mid-town to frequently all white bands. Surely, Professor Chevigny knows of the white jazz musicians of the 20s such as the Coon Sanders Nighthawk Orchestra (a name used today by Vince Giordano's Nighthawks), Paul Whiteman, Bix Beiderbecke, Jean Goldkette, and Tommy Dorsey. Surely Professor Chevigny would have known about the Charleston Craze of 1925 and the Foxtrot and One-Step, dances not particularly African-American. Just how does Professor Chevigny know about the intent of the Alderman as to the use of the word "jazz"? This seems to be conjecture by a litigation advocate attempting to create a racial discrimination claim. I am not a cultural historian and await full analysis by someone with in-depth knowledge.

#### 2. The Word "Native" as used by the Alderman Does Not Necessarily Mean African-Americans

The next apparent assumption by some in 2017 reading this 1926 statement is that any reference to "natives" means "African-Americans." Yet, a careful reading of the statement shows that at one point, the Alderman is contrasting out-of-towners ("strangers") with New York City residents ("natives") but then changes usage of the word "native" by speaking of the out-of-towners returning to their "native" haunts. Yes, "native" used as a noun, does have an undesirable connotation today, but no proof is meant as to the Alderman's meaning – just the projection of the reader.

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### 3. No Text in the 1926 Law Cannot Be Shown to Focus on Harlem or African-Americans

There is nothing in the provisions of the 1926 law that would apply singularly to Harlem or to African-Americans. There was a 50 dollar a year fee. There was a requirement that the venues comply with the existing building laws (which had been in effect for years) as they applied to venues for dancing. And, consistent with the Alderman's statement, there were provisions establishing closing times. There is nothing in the definitions that seem to indicate a bias against Harlem or African-Americans. In addition, saloons had been licensed prior to Prohibition. With Prohibition, perhaps there was a perception of a need for licensing venues that theoretically did not sell liquor. I am not a historian, and leave these issues to historians who follow the facts without trying to prove a point.

### 4. Running Wild was more likely a reference to White Female Flappers.

The term "Running Wild" is better known as the title of a 1923 Ziegfeld Follies show, which featured the Charleston. Although the show had an all African-American cast, the Charleston dances of the show was picked up by the Flappers, which, I understand, consisted generally of white young women who described their dancing as "running wild." I leave it to true historians of the period to explore this meaning. But, I suggest that the reference by the Alderman to "running wild" was to white female Flappers doing the Charleston. I suggest that readers view YouTube videos of the Charleston in the 20s.

### **Use Group 12 – Most Licenses Not in Use Group 12**

Another clarification which I would hope that the professional herein should express is that although the Zoning Law allows cabaret licenses/dancing in Use Group 12, the fact is that 60% of the licensees are not in Use Group 12, and appear to have been issued perhaps in a preferential or discretionary manner.

I do not understand why attorneys would continue to make assertions about Use Group 12, when the facts undercut their statements. I believe that this misunderstanding may come back if reflected in reform legislation.

I urge the professionals who make these statements to take care.

### **One Patron Dancing invokes the Cabaret Law, not Three Patrons**

Many articles and commentaries mistakenly state that the current law requires a cabaret license only where three or more patrons are dancing. This mistaken statement misreads the current definition of a "cabaret." Indeed, one patron dancing would require a cabaret license.

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*Any room, place or space in the city in which any musical entertainment, singing, dancing or other form of amusement is permitted in connection with the restaurant business or the business of directly or indirectly selling to the public food or drink, except eating or drinking places, which provide incidental musical entertainment, without dancing either by mechanical devices, or by not more than three persons.*

Separating this definition into phrases allows it to be interpreted:

Any room, place or space in the city

in which any musical entertainment, singing, dancing or other form of amusement is permitted in connection with the restaurant business or the business of directly or indirectly selling to the public food or drink,

except eating or drinking places, which provide

incidental musical entertainment, without dancing,

either by mechanical devices, or by not more than three persons.

The key to interpreting the meaning of the definition is to focus on the either/or in the last phrase. The either/or phrase is clearly modifying “musical entertainment”, especially because musical entertainment may be provided by mechanical means rather than live musicians. Clearly, dancing cannot be provided by mechanical means.

This is the interpretation used in the *Chiasson* cases which struck down the exception to three musicians or as to certain instruments.

It should also be noted that the current law requires cabaret licenses not only for a “Cabaret” but also for Public Dance Halls and Catering Establishments, where there is no mention of three musicians.

So, in point of fact, the Cabaret Law is more onerous than depicted by those who repeat the so-called three-dancer rule, and I do not understand why opponents to the law would understate the severity (or ambiguity) of the law.

### **The Current Cabaret Law Does not Exempt Hotels**

Although the 1926 law exempted hotels having “upwards of 50 bedrooms” from obtaining a cabaret license (§12), some mistakenly believe that such an exemption exists in the current law. But, at some point, the exemption was removed and such exemption does not exist in current

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law. In other words, a large hotel holding a benefit gala event with tickets sold to the public is required to obtain a cabaret license, though almost none do. Outrageous.

It is true that under the Zoning Resolution, hotels in some districts outside of Use Group 12 may allow dancing e.g., Use Group 10. Zoning Resolution, §32-19.

Why is this important? The hotel industry has much influence and many of their activities such as balls and benefit galas would require cabaret licenses. The hotels may be willing to push a repeal of a law which they violate regularly and, if enforced, would create major problems.

Just as an example, the New Yorker Hotel this weekend is hosting a WW2 dance open to the public, which clearly would require a cabaret license, a license not held by the Hotel.

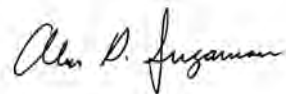
### **Conclusion**

I fully understand the statements often made in the heat of litigation and advocacy, but what has happened here has gone too far and may back-fire.

The Cabaret Law may have well been based in part on racism – but there is no evidence of such that has been presented. Everyone is just blindly repeating assertions of attorneys making litigation arguments, without any evidence.

Finally, I would like to offer help in obtaining the witness statements/testimony of Grammy award winning jazz musicians negatively affected by the law, as well as performing dancers who are also negatively affected. Please let me know how that can be arranged.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Sugarman". The signature is fluid and cursive, with a large initial "A".

Alan D. Sugarman

## The 1926 Alderman's Statement

Your committee gave two public hearings on this bill and its adoption was urged by the police and license commissioners, by clergymen of various denominations and citizens interested in social and recreational work. It was opposed by licensees and owners of cabarets, personally and by their attorneys, and by representatives of musical organizations. These night clubs or cabarets are simply dance halls, where food is served at exorbitant prices to the tune of jazz and tabloid entertainment. A very frank opposition was voiced by one of the licensees, on the ground that when strangers came to New York they wanted to 'run Wild. ' Well, there has been altogether too much running 'wild' in some of these nightclubs and in the judgment of your committee the 'wild' stranger and the foolish native should have the check-rein applied a little bit. It is well known that the 'wild' strangers are not at all interested in our great museums of art and history, in our magnificent churches and public libraries, our splendid parks and public monuments. They are interested in speakeasies and dance halls and return to their native heaths to slander New York. Your committee believes that those 'wild' people should not be tumbling out of these resorts at six or seven o'clock in the morning to the scandal and annoyance of decent residents on their way to daily employment. Favorable action is recommended.

Proceedings of Board of Alderman, City of New York, Dec. 7, 1926, p. 572

See attached photocopy of this statement and the text of the 1926 Law as Adopted.

# THE MUNICIPAL ASSEMBLY OF THE CITY OF NEW YORK.

## ALDERMANIC BRANCH.

Aldermanic Chamber, City Hall, Tuesday, December 7, 1926, 1.15 o'Clock P. M.  
The Board met in the Aldermanic Chamber, City Hall.

Present:

Joseph V. McKee, Chairman

### Aldermen

Charles A. McManus,  
Vice-Chairman

James B. Allen  
John J. Barrett, Jr.  
Samuel J. Burden  
John J. Campbell  
John Cashmore  
Edward Cassidy  
John J. Connolly  
Dennis Corcoran  
Thomas J. Cox  
Frank A. Cunningham  
Edward W. Curley  
John R. Dalton  
Peter Donovan  
Frank J. Dotzler  
Patrick S. Dowd  
Howard Fenn  
George W. Friel  
Moritz Graubard  
Walter F. Hagan

Rudolph Hannoeh  
Walter R. Hart  
John B. Henrich  
George Hilkemeier  
Reinhard E. Kaltenmeier  
John J. Keller  
Edward T. Kelly  
James F. Kiernan  
John J. Lenihan  
William J. McAuliffe  
Patrick J. McCann  
John J. McCusker  
Francis D. McGarey  
Charles J. McGillick  
Peter J. McGuinness  
Thomas F. McNamara  
Dennis J. Mahon  
Hugh H. Masterson  
James J. Molen  
James J. Morris  
James M. Murtha

Jeremiah R. O'Leary  
Thomas O'Reilly  
Ruth Pratt  
Joseph Reich  
Stephen A. Rudd  
Bernhard Schwab  
Henri W. Shields  
Joseph R. Smith  
William Solomon  
Murray W. Stand  
Edward J. Sullivan  
Joseph W. Sullivan  
Timothy J. Sullivan  
William P. Sullivan  
Martin F. Tanahey  
Arthur Twombly  
Edward J. Walsh  
William L. Weber  
Alford J. Williams  
Louis J. Wronker  
Louis J. Zettler

The minutes of the proceedings of November 30, 1926, were approved.

The session was opened with an invocation by the Reverend Prior Bernard, Rector of St. Anselm's Church and Chaplain of the Bronx County Prison.

### REPORTS OF COMMITTEES.

No. 66.

B. of A. 65.

#### **Report of the Committee on Local Laws in Favor of Adopting a Local Law in Relation to the Membership of Marine Stokers in the Uniformed Force of the Fire Department.**

The Committee on Local Laws, to which was referred on October 26, 1926 (Minutes, page 137), the annexed Local Law in relation to the membership of Marine Stokers in the uniformed force of the Fire Department, respectfully

### REPORTS:

That this bill empowers the Fire Commissioner, in his discretion, to reward the services rendered by Marine Stokers in civilian duty attached to the Fire Department, by appointment to the uniformed force.

Your Committee believes that members of the firefighting force should be uniformed and the civilian division absorbed into that body in so far as this may be done to insure efficient administration.

Favorable action is recommended.

A LOCAL LAW in relation to the membership of marine stokers in the uniformed force of the fire department.

*Be it enacted by the Municipal Assembly of The City of New York as follows:*

Section 1. The fire commissioner is hereby authorized and empowered, in his discretion, to appoint as a member of the uniformed force of the fire department any person who is attached to the civilian force of such department as a marine stoker and hereafter all persons appointed to the position of marine stoker shall be members of the uniformed force. All such persons shall have the title and shall be known as uniformed marine stokers and shall receive the salary now paid to marine stokers, unless such salary be otherwise fixed in accordance with the law. The time served by any such appointee in the civilian force as a marine stoker shall count as time served in the uniformed force of such department for the purpose of determining pension and all other rights of such appointee.

Sec. 2. This local law shall take effect immediately.

WILLIAM SOLOMON, FRANCIS D. MCGAREY, FRANK A. CUNNINGHAM, EDWARD W. CURLEY, R. E. KALTENMEIER, JAMES J. MOLEN, P. S. DOWD, RUTH PRATT, EDWARD J. WALSH, Committee on Local Laws.

Report agreed with and the local law, as recommended, passed by vote indicated under:

Affirmative—Aldermen Allen, Barrett, Burden, Campbell, Cashmore, Cassidy, Corcoran, Cox, Cunningham, Curley, Dalton, Dotzler, Fenn, Friel, Graubard, Hagan, Hart, Henrich, Keller, Kelly, Kiernan, Lenihan, McAuliffe, McCann, McCusker, McGarey, McGuinness, McNamara, Mahon, Masterson, Molen, Morris, O'Leary, O'Reilly, Pratt, Rudd, Schwab, Shields, Smith, Solomon, Stand, Sullivan (E. J.), Sullivan (T. J.), Sullivan (W. P.), Tanahey, Twombly, Walsh, Weber, Williams, Zettler; the Vice-Chairman—51.

Rec. No. 10.

**Report of the Committee on Local Laws in Favor of Adopting a Local Law to Regulate Dance Halls and Cabarets and Providing for Licensing the Same.**

The Committee on Local Laws, to which was referred on October 26, 1926 (Minutes, page 137), the annexed Local Law to regulate dance halls and cabarets, and providing for licensing the same, respectfully

**REPORTS:**

Your Committee gave two public hearings on this bill and its adoption was urged by the Police and License Commissioners, by clergymen of various religious denominations and citizens interested in social and recreational work. It was opposed by licensees and owners of cabarets, personally and by their attorneys, and by representatives of musical organizations.

These night clubs or cabarets are simply dance halls, where food is served at exorbitant prices to the tune of jazz and tabloid entertainments. A very frank opposition was voiced by one of the licensees, on the ground that when strangers came to New York City they wanted to "run wild." Well, there has been altogether too much running "wild" in some of these night clubs and, in the judgment of your Committee, the "wild" stranger and the foolish native should have the check-rein applied a little bit. It is well known that the "wild" strangers are not all interested in our great museums of art and history, in our magnificent churches and public libraries, our splendid parks and public monuments. They are interested in speak-easies and dance halls and return to their native heaths to slander New York.

Your Committee believes that these "wild" people should not be tumbling out of these resorts at six or seven o'clock in the morning to the scandal and annoyance of decent residents on their way to daily employment.

Favorable action is recommended.

A LOCAL LAW to regulate dance halls and cabarets, and providing for licensing the same.

*Be it enacted by the Municipal Assembly of the City of New York as follows:*

Section 1. Definition. When used in this local law:

1. The words "public dance hall" shall mean any room, place or space in the city of New York in which dancing is carried on and to which the public may gain admission, either with or without the payment of a fee.

2. The words "public dance or ball" shall mean any dance or ball of any nature or description to which the public may gain admission.



3. The word "cabaret" shall mean any room, place or space in the city in which any musical entertainment, singing, dancing or other similar amusement is permitted in connection with the restaurant business or the business of directly or indirectly selling the public food or drink.

§ 2. Public Dance Halls and Cabarets; License. No person, firm or corporation shall conduct, maintain or operate, or engage in the business of conducting, maintaining or operating, in the city of New York, a public dance hall or a cabaret unless the premises wherein the same is conducted, maintained or operated are licensed in the manner prescribed by this local law.

§ 3. Membership Corporations; Clubs; Associations and Societies. A membership corporation, club, association or society which permits musical entertainment, singing, dancing or other form of amusement in premises wherein food or drink is directly or indirectly sold to its members, or their guests, or to the public, shall be deemed to be conducting a cabaret within the meaning of this local law.

§ 4. Licenses; Application. The license prescribed by this local law shall be issued by the commissioner of licenses. Application for such license shall be made on a form containing such information, as may be determined by the commissioner of licenses. The fee for each such license shall be fifty dollars for each year or fraction thereof. All licenses issued between the first day of April and the thirtieth day of September, inclusive, of any year shall expire on the thirty-first day of March of the succeeding year; and all licenses issued between the first day of October and the thirty-first day of March, inclusive, shall expire on the thirtieth day of September following. There shall be kept posted at the main entrance of every place licensed pursuant to this local law a certificate of such license. No such license shall be issued unless the place for which it is issued complies with all laws and ordinances and with the rules and regulations of the building department, the license department and the health department, and, in the opinion of the commissioner of licenses, is a safe and proper place to be used as a public dance hall or a cabaret.

§ 5. Places Not to be Open to Public Within Certain Hours. Premises licensed pursuant to this local law shall not be kept open for business, nor shall the public be permitted to enter or to remain therein, between the hours of three o'clock a. m. and eight o'clock a. m.; and if the occupant be a membership corporation, club, association or society, its members or their guests shall not be permitted to enter or to remain therein between such hours. The commissioner of licenses, in his discretion, may permit any premises licensed pursuant to this local law to be open to the public between such hours on special occasions. If it appear to the commissioner of licenses that the place for which a license is sought will be frequented by minors, or if there be in the opinion of the commissioner any other good and sufficient reason therefor, the commissioner may grant a license upon the condition that the licensed premises shall not be open for business between the hours of one a. m. and eight a. m.

§ 6. Revocation of License. A license may be revoked by the commissioner of licenses for any violation of law or upon the ground that disorderly, obscene or immoral conduct is permitted on the licensed premises. The commissioner of licenses shall cause to be served upon such parties as he may deem to be interested therein such reasonable notice as he may determine to be proper of his intention to revoke such license. There shall be included in or attached to such a statement of the facts constituting the violation charged. Such parties shall be entitled to a hearing before the commissioner. If the license of any place be twice revoked within a period of one year, no new license shall be granted to such place for a period of at least one year from the date of the second revocation.

§ 7. Inspection Before and After Issuing License. No license shall be issued until the commissioner of licenses shall have caused an inspection to be made of the premises to be licensed and until the commissioner is satisfied that such place complies with all laws and ordinances and the rules and regulations of the building department, the license department and the health department in so far as the same are applicable thereto. The commissioner of licenses shall also cause to be made such inspections as may be necessary to ascertain whether the places licensed are maintained in compliance with law. For the purpose of facilitating the inspections prescribed by this section, the commissioner of licenses is authorized to call upon the head of any other department of the city and such department and its employees shall make such inspections as may be required. The inspectors of the department of licenses, and the inspectors of any other department whose duty it is to make such inspections, shall file with the commissioner of licenses a written report of inspections made by them and the same shall be filed in the office of the commissioner of licenses and shall constitute public records. The inspectors of the department of licenses, and the inspectors of any other city depart-

ment whose duty it is to make inspections under this local law, shall be permitted to have access to all public halls and cabarets at all reasonable times.

§ 8. Inspectors of Dance Halls and Cabarets; Appointment. The commissioner of licenses of the city of New York may appoint such inspectors and other officials as shall be necessary to carry out the provisions of this local law and as may be authorized by the board of estimate and apportionment.

§ 9. License for a Public Dance. No public dance hall shall be leased or hired out, and used, for the purpose of holding a public dance or ball unless the person, association or corporation intending to hold such public dance or ball shall apply for and receive from the commissioner of licenses a permit to hold same. Such permit shall be issued only upon condition that the dance or ball shall be held in accordance with the rules and regulations adopted by the commissioner. Such commissioner is authorized to adopt reasonable rules and regulations for the holding of such public dances and balls and for the purpose of preventing thereat any disorderly or immoral behavior or conduct calculated to disturb the public peace or safety. Application for such permit shall be made to the commissioner upon such forms as he may prescribe. A fee of five dollars shall be paid for each such permit. Such permit may at any time be revoked by the commissioner in case it appears probable that the public dance or ball for which permit has been issued will not be conducted in accordance with such rules and regulations. A permit issued pursuant to this section, in the discretion of the commissioner, may provide that such public dance or ball may be continued between the hours of three o'clock a. m. and eight o'clock a. m.; and in such case the license issued for the premises in which such public dance or ball is to be conducted shall not be deemed violated by reason of the fact that such premises are open to the public between such hours.

§ 10. Existing Licenses. Licenses granted under sections one thousand four hundred and eighty-eight to one thousand four hundred and ninety-four inclusive of the Greater New York Charter, if still in force when this local law takes effect shall continue in force and effect until the date of their expiration; but the provisions of section five of this local law shall apply to such premises.

§ 11. Violations. Any person, firm or corporation conducting, maintaining or operating a public dance hall or a cabaret in violation of this local law shall be guilty of a misdemeanor. Any person, firm or corporation using or occupying premises licensed pursuant to this local law in violation of section five shall be guilty of a misdemeanor. The officers, directors and trustees of a corporation, club, association or society aiding, consenting to or permitting the violation by such corporation, club, association or society of any provision of this local law shall be guilty of a misdemeanor.

§ 12. Application of Local Law. This local law shall not apply to:

1. A hotel having upwards of fifty bedrooms.
2. Premises owned and used by a membership corporation, club, society or association.
3. Premises owned, occupied or used by a religious, charitable, eleemosynary or educational corporation or institution.
4. Premises licensed pursuant to chapter three of the code of ordinances.

Sec. Two. Section one thousand four hundred and eighty-eight to section one thousand four hundred and ninety-four inclusive of the Greater New York Charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one, insofar as such sections are in conflict with this local law, are hereby superseded.

Sec. Three. This local law shall take effect January first, 1927.

WILLIAM SOLOMON, FRANCIS D. McGAREY, FRANK A. CUNNINGHAM, EDWARD J. WALSH, EDWARD W. CURLEY, R. E. KALTENMEIER, JAMES J. MOLEN, RUTH PRATT, Committee on Local Laws.

The Vice-Chairman moved acceptance of the foregoing report and passage of the local law.

Following discussion, Mr. Rudd moved the previous question.

The Chairman put the question, "Shall the main question be now put?"

Which was adopted.

Whereupon the report was agreed with and the local law, as recommended, passed by vote indicated under:

Affirmative—Aldermen Allen, Barrett, Burden, Campbell, Cashmore, Cassidy, Corcoran, Cox, Cunningham, Curley, Dalton, Donovan, Dotzler, Dowd, Fenn, Friel, Graubard, Hagan, Hanoeh, Hart, Henrich, Hilkemeier Kaltenmeier, Keller, Kelly, Kiernan, Lenihan, McAuliffe, McCann, McCusker, McGarey, McGillick, McGuinness,

McNamara, Mahon, Masterson, Morris, Murtha, O'Leary, O'Reilly, Pratt, Reich, Rudd, Schwab, Shields, Smith, Solomon, Sullivan (E. J.), Sullivan (J. W.), Sullivan (T. J.), Sullivan (W. P.), Twombly, Walsh, Weber, Williams, Wronker, Zettler; the Vice-Chairman—58.

Negative—Alderman Stand and Tanahey—2.

#### A MOTION.

Mr. Barrett moved to discharge the Committee on Local Laws from further consideration of his bill, Print No. 63, B. of A. 62, entitled "A Local Law in relation to the reinstatement of certain persons dismissed from the police department in the year nineteen hundred and twenty-five," for the purpose of amendment, reprint and recommittal, as follows:

Page 1—Strike out words "*rehear the charges upon*" and insert the words "*review the action by.*"

Adopted, bill amended and recommitted.

Whereupon adjournment was taken to Tuesday, December 14, 1926, at 1.15 o'clock p. m.

MICHAEL J. CRUISE, Clerk.

To view all locations on ZOLA: <https://tinyurl.com/cabaret-zola>

To Show Zoning Districts, Select Link in Lower Right Corner of ZOLA

License Number DCA	Business Name DCA	Borough	Capacity	Address	DBA Name - Not DCA Need to Vet	Assumed Category - Need to Vet	Zoning Disc	Special District	Use Group	Zola Link
0550888-DCA	LIGRECI'S STAATEN RESTAURANT, INC.	STATEN-ISLAND	296	697 FOREST AVE, STATEN ISLAND, NY 10310 2506	Li Grecis	Catering Hall	R3-2, R3A C1-1			<a href="#">Link To ZOLA</a>
0551111-DCA	GOTTSCHEER CENTRAL HOLDING CO. INC.	Queens	500	657 FAIRVIEW AVE, RIDGEWOOD, NY 11385 2447	Go cheer Hall	Catering Hall	R6B, R5B			<a href="#">Link To ZOLA</a>
0551482-DCA	178 7TH AVENUE SOUTH CORPORATION	Manha an	123	178 7TH AVE S, NEW YORK, NY 10014 2740	Village Vanguard	Live Music	C2-6			<a href="#">Link To ZOLA</a>
0551633-DCA	MANHATTAN MONSTER, INC.	Manha an	127	80 GROVE ST, NEW YORK, NY 10014 3546	Manha an Monster	Bar	R6			<a href="#">Link To ZOLA</a>
0551893-DCA	DONSEL'S BAR & GRILL, INC.	Brooklyn	60	2602 E 15TH ST, BROOKLYN, NY 11235 3802	Towne Café		M1-2			<a href="#">Link To ZOLA</a>
0552561-DCA	LILLY'S RESTAURANT, INC.	Staten Island	240	67 OLYMPIA BLVD, STATEN ISLAND, NY 10305 4311	Crystal Room		R3X			<a href="#">Link To ZOLA</a>
0553169-DCA	RODNEY DANGERFIELD INC.	Manha an	300	1118 1ST AVE, NEW YORK, NY 10065 8339	DANGERFIELD5	Adult	C8-4		USE GROUP 12	<a href="#">Link To ZOLA</a>
0553540-DCA	DOUBLES INTERNATIONAL CLUB ENTERPRISES, INC.	Manha an	228	783 5TH AVE, NEW YORK, NY 10022 1012	Doubles Club		R10H SPECIAL PARK IMPROVEME	SPECIAL PARK IMPROVEMENT		<a href="#">Link To ZOLA</a>
0554168-DCA	H.J.H. RESTAURANT INC.	Queens	74	9402 SUTPHIN BLVD, JAMAICA, NY 11435 4504	EUROPA BAR GENTLEMAN'S CLUB	Adult	C6-3 SPECIAL DOWNTOWN JAM	SPECIAL DOWNTOWN JAMAIC	USE GROUP 12	<a href="#">Link To ZOLA</a>
0554333-DCA	81-22 BAXTER AVENUE LOUNGE INC.	Queens	74	8122 BAXTER AVE, ELMHURST, NY 11373 1336	ILDA'S PLACE II	Adult	R7B			<a href="#">Link To ZOLA</a>
0554339-DCA	A.M.D RESTAURANT CORP.	Queens	73	9310 WOODHAVEN BLVD, WOODHAVEN, NY 11421 2758	Port O Call	Adult	R3-1			<a href="#">Link To ZOLA</a>
0554492-DCA	JNS VENTURES LTD.	Queens	74	6007 METROPOUTAN AVE, RIDGEWOOD, NY 11385 2038	Vixen	Adult	R6B, R4 C2-4			<a href="#">Link To ZOLA</a>
0909440-DCA	PEREGRINE ENTERPRISES, INC.	Manha an	159	50 W 33RD ST, NEW YORK, NY 10001 3302	Rick's Cabaret		C6-6 SPECIAL MIDTOWN	SPECIAL MIDTOWN	USE GROUP 12	<a href="#">Link To ZOLA</a>
0948448-DCA	RICCARDO'S CATERING INC.	Queens	700	2101 24TH AVE, ASTORIA, NY 11102 3431	Ricardo's Restaurant	Catering Hall	C1-3			<a href="#">Link To ZOLA</a>
0950474-DCA	SAFF, INC.	Manha an	74	249 ELDRIDGE ST, NEW YORK, NY 10002 1382	Sapphire Lounge	Adult	C6-2A		USE GROUP 12	<a href="#">Link To ZOLA</a>
0950900-DCA	MOON WALKERS RESTAURANT CORP.	Manha an	197	101 AVENUE A, NEW YORK, NY 10009 6103	Moonwalkers?	Adult	R7-A C2-5			<a href="#">Link To ZOLA</a>
0956191-DCA	CLARO DE LUNA INC	Queens	72	5215 ROOSEVELT AVE, WOODSIDE, NY 11377 8015	Claro De Luna	Night Club	R6 C1-4			<a href="#">Link To ZOLA</a>
0956913-DCA	S.W. MONTE INC.	Manha an	197	217 E HOUSTON ST, NEW YORK, NY 10002 1021	Mercury Lounge	Live Music	C6-2A		USE GROUP 12	<a href="#">Link To ZOLA</a>
0970906-DCA	T.C.K. MANAGEMENT INC.	Brooklyn	60	1077 GRAND ST, BROOKLYN, NY 11211 1702	Pumps Exotic Dancing	Adult	????			<a href="#">Link To ZOLA</a>
0989137-DCA	COCKTAIL BLUE LLC	Manha an	498	6 DELANCEY ST, NEW YORK, NY 10002 2804	Bowery Ballroom	Live Music	C6-1		USE GROUP 12	<a href="#">Link To ZOLA</a>
1013370-DCA	GUSTO REST. INC.	Bronx	299	1625 E 233RD ST, BRONX, NY 10466 3324	Gustos	Adult	M1-1			<a href="#">Link To ZOLA</a>
1060380-DCA	AAM HOLDING CORP.	Manha an	300	320 W 45TH ST, NEW YORK, NY 10036 8344	Private Eyes	Adult	C6-2 SPECIAL CLINTON DISTRICT	SPECIAL CLINTON DISTRICT	USE GROUP 12	<a href="#">Link To ZOLA</a>
1070012-DCA	IGUANA NEW YORK, LTD.	Manha an	171	240 W 54TH ST, NEW YORK, NY 10019 5502	Iguana	Restaurant, Live Music, D	C6-7		USE GROUP 12	<a href="#">Link To ZOLA</a>
1094186-DCA	59 MURRAY ENTERPRISES, INC.	Manha an	167	59 MURRAY ST, NEW YORK, NY 10007 2201	New York Dolls	Adult	C6-2A		USE GROUP 12	<a href="#">Link To ZOLA</a>
1097240-DCA	TSE GROUP LLC	Manha an	680	243 W 42ND ST, NEW YORK, NY 10036 7297	B.B. Kings	Live Music	C6-7 SPECIAL MIDTOWN DISTRICT	SPECIAL MIDTOWN DISTRICT	USE GROUP 12	<a href="#">Link To ZOLA</a>
1098304-DCA	PRP RESTAURANT, INC.	Queens	418	4319 37TH ST, LONG IS CITY, NY 11101 1706	GALLAGHER'S 2000	Adult	M1-4			<a href="#">Link To ZOLA</a>
1099020-DCA	SALTY DOG REST. LTD.	Brooklyn	200	7509 3RD AVE, BROOKLYN, NY 11209 3103	Salty Dog		R6B C1-3 SPECIAL BAY RIDGE DIS	SPECIAL BAY RIDGE DISTRICT		<a href="#">Link To ZOLA</a>
1114539-DCA	EDITA'S BAR & RESTAURANT, INC.	Queens	190	8512 ROOSEVELT AVE, JACKSON HTS, NY 11372 7343	Flamingos	Adult	R6 C3-3			<a href="#">Link To ZOLA</a>
1138962-DCA	PEN ENTERTAINMENT, LLC	Manha an	300	18 LITTLE WEST 12TH ST, NEW YORK, NY 10014 1303	Cielo	Dance Club	M1-5			<a href="#">Link To ZOLA</a>
1140792-DCA	CMSG RESTAURANT GROUP, LLC	Manha an	260	639 W 51ST ST, NEW YORK, NY 10019 5008	Hustler	Adult	M2-4 SPECIAL CLINTON DISTRICT	SPECIAL CLINTON DISTRICT		<a href="#">Link To ZOLA</a>
1141325-DCA	KAZ ENTERPRISES INC	Queens	200	7619 ROOSEVELT AVE, JACKSON HTS, NY 11372 6635	Unknown		R6 C2-3			<a href="#">Link To ZOLA</a>
1154219-DCA	SWAY LOUNGE, LLC	Manha an	225	305 SPRING ST, NEW YORK, NY 10013 1336	Sway Lounge	Dance Club	M1-6 SPECIAL HUDSON SQUARE	SPECIAL HUDSON SQUARE DIS		<a href="#">Link To ZOLA</a>
1163331-DCA	158 LUDLOW REST, LLC	Manha an	229	158 LUDLOW ST, NEW YORK, NY 10002 2377	Pianos	Live Music and Dance	C4-4A		USE GROUP 12	<a href="#">Link To ZOLA</a>
1223689-DCA	HARD ROCK CAFE INTERNATIONAL (USA), INC.	Manha an	700	1501 BROADWAY, NEW YORK, NY 10036 5601	Hard Rock Café	Live Music	C6-77,C6-5 SPECIAL MIDTOWN	SPECIAL MIDTOWN	USE GROUP 12	<a href="#">Link To ZOLA</a>
1228839-DCA	TCK, LLC	Brooklyn	70	3901 2ND AVE, BROOKLYN, NY 11232 2707	Peyton's Playpen	Adult	M1-2			<a href="#">Link To ZOLA</a>
1244274-DCA	ARS NOVA THEATER, INC.	Manha an	100	511 W 54TH ST, NEW YORK, NY 10019 5014	Ars Nova	Comedy Club	M1-5 SPECIAL CLINTON DISTRICT	SPECIAL CLINTON DISTRICT		<a href="#">Link To ZOLA</a>
1246705-DCA	SILK CORP	Manha an	525	550 W 38TH ST, NEW YORK, NY 10018 1104	Headquarters	Adult	C6-4		USE GROUP 12	<a href="#">Link To ZOLA</a>
1268288-DCA	ASPL CAFE, INC.	Queens	600	3448 STEINWAY ST, LONG IS CITY, NY 11101 1306	As PL Cafe/Riviera	Adult	C4-2A		USE GROUP 12	<a href="#">Link To ZOLA</a>
1269967-DCA	SOEL LOUNGE INC.	Queens	299	3302 QUEENS BLVD, LONG IS CITY, NY 11101 2327	Soel Lounge		M1-4			<a href="#">Link To ZOLA</a>
1276075-DCA	THE MANHATTAN MUSIC GROUP LLC	Manha an	2436	610 W 56TH ST, NEW YORK, NY 10019 3512	Terminal 5	Live Music	M2-3 SPECIAL CLINTON DISTRICT	SPECIAL CLINTON DISTRICT		<a href="#">Link To ZOLA</a>
1277862-DCA	MUSIC HALL OF WILLIAMSBURG LLC	Brooklyn	498	66 N 6TH ST, BROOKLYN, NY 11211 3009	MUSIC HALL OF WILLIAMSBURG	Live Music	M1-2/R6A SPECIAL PURPOSE MI	SPECIAL PURPOSE MIXED USE		<a href="#">Link To ZOLA</a>
1302936-DCA	WEBSTER HALL ENTERTAINMENT CORP.	Manha an	495	119 E 11TH ST, NEW YORK, NY 10003 5301	Webster Hall	Live Music	C6-2A		USE GROUP 12	<a href="#">Link To ZOLA</a>
1306582-DCA	PEARL LOUNGE INC.	Brooklyn	145	1201 SURF AVE, BROOKLYN, NY 11224 2815	Foxy Club	Adult	C7 SPECIAL CONEY ISLAND DISTRI	SPECIAL CONEY ISLAND DISTRI	USE GROUP 12	<a href="#">Link To ZOLA</a>
1307164-DCA	CLAY FARM, LLC	Brooklyn	430	149 7TH ST, BROOKLYN, NY 11215 3106	THE BELL HOUSE		M2-1			<a href="#">Link To ZOLA</a>
1313273-DCA	CARIBBEAN SPOTLIGHT INC.	Brooklyn	288	103 EMPIRE BLVD, BROOKLYN, NY 11225 3317	The Buzz Nightclub	Club	R6, C8-2 C1-3			<a href="#">Link To ZOLA</a>
1313396-DCA	HARD ROCK STADIUM TENANT, INC.	Bronx	263	1 E 161ST ST, BRONX, NY 10451 2100	HARD ROCK CAFE	Restaurant	PARK			<a href="#">Link To ZOLA</a>
1313400-DCA	NY STEAK LLC	Bronx	215	1 E 161ST ST, BRONX, NY 10451 2100	NY STEAK	Restaurant	PARK			<a href="#">Link To ZOLA</a>
1335017-DCA	LA AGUACATALA LOUNGE INC.	Queens	166	7903 ROOSEVELT AVE, JACKSON HTS, NY 11372 6716	EL ABUELO GOZON		R6 C2-3			<a href="#">Link To ZOLA</a>
1344198-DCA	CIRCLE NYC INC	Manha an	448	135 W 41ST ST, NEW YORK, NY 10036 7303	Arena Event Space	Catering Hall	C6-7, C5-2.5 SPECIAL MIDTOWN	SPECIAL MIDTOWN DISTRICT	USE GROUP 12	<a href="#">Link To ZOLA</a>
1359506-DCA	GRECOLATINO ENTERPRISES INC.	Brooklyn	140	1541 MYRTLE AVE, BROOKLYN, NY 11237 5709	VAQUEROS	Restaurant	R6 C2-3			<a href="#">Link To ZOLA</a>
1367422-DCA	ABG STANDARD OPERATOR LLC	Manha an	267	848 WASHINGTON ST, NEW YORK, NY 10014 1308	Standard Hotel Le Bain	Club	M1-5			<a href="#">Link To ZOLA</a>
1369278-DCA	HUDSON LEASCO LLC	Manha an	253	353 W 57TH ST, NEW YORK, NY 10019 3100	Good Units	Catering Hall	C6-4, C1-8 SPECIAL CLINTON DIS	SPECIAL CLINTON DISTRICT	USE GROUP 12	<a href="#">Link To ZOLA</a>
1376994-DCA	MADISON ENTERTAINMENT ASSOCIATES LLC	Manha an	282	625 MADISON AVE, NEW YORK, NY 10022 1801	Lavo		C5-3, C5-2.5			<a href="#">Link To ZOLA</a>
1415820-DCA	Z1 GROUP INC.	Queens	250	4250 21ST ST, LONG IS CITY, NY 11101 4907	Show Palace	Adult	M1-4			<a href="#">Link To ZOLA</a>
1418235-DCA	SRB BROOKLYN LLC	Brooklyn	400	177 2ND AVE, BROOKLYN, NY 11215 4616	SRB	Dance Club	M2-1			<a href="#">Link To ZOLA</a>
1420144-DCA	XL DANCE BAR, LLC	Manha an	650	512 W 42ND ST, NEW YORK, NY 10036 6204		Adult Gay	C6-4		USE GROUP 12	<a href="#">Link To ZOLA</a>
1426948-DCA	CAPITOL INTERNATIONAL CORP.	Bronx	253	590 GRAND CONCOURSE, BRONX, NY 10451 5204	CAPITOL INTERNATIONAL CORP.		C4-4		USE GROUP 12	<a href="#">Link To ZOLA</a>
1450463-DCA	SCF CEDAR LLC	Bronx	722	2297 CEDAR AVE, BRONX, NY 10468 5562	SALSA CON FUEGO	Dance, Live Music, Etc.	C8-3		USE GROUP 12	<a href="#">Link To ZOLA</a>
1456130-DCA	289 HOSPITALITY, LLC	Manha an	504	289 10TH AVE, NEW YORK, NY 10001 7003	MARQUEE	Night Club	C6-3 SPECIAL WEST CHELSEA	SPECIAL WEST CHELSEA	USE GROUP 12	<a href="#">Link To ZOLA</a>
1456740-DCA	CHARI CORP	Queens	69	3106 31ST ST, ASTORIA, NY 11106 2531	Mermaids	Adult	C4-3		USE GROUP 12	<a href="#">Link To ZOLA</a>
1460587-DCA	BURKINABE ENTERTAINMENT LLC	Manha an	74	2271 ADAM CLAYTON POWELL JR BLVD, NEW YORK, NY 10030 300	Shrine/Yatenga		R7-2			<a href="#">Link To ZOLA</a>
1461828-DCA	SIDETRACKS NYC LLC	Queens	299	4508 QUEENS BLVD, SUNNYSIDE, NY 11104 2304	SIDETRACKS RESTAURANT		C4-4A, R6A		USE GROUP 12	<a href="#">Link To ZOLA</a>
1462052-DCA	BG BAR, INC.	Manha an	229	113 LUDLOW ST, NEW YORK, NY 10002			C4-4A		USE GROUP 12	<a href="#">Link To ZOLA</a>
1462087-DCA	GBND ENTERPRISES INC.	Manha an	200	130 W 3RD ST, NEW YORK, NY 10012 1296	Village Underground	Live Music	R7-2 C1-5			<a href="#">Link To ZOLA</a>
1465854-DCA	74 WYTHE RESTAURANT COMPANY LLC	Brooklyn	262	74 WYTHE AVE, BROOKLYN, NY 11249 1026	Output	Dance Club	M1-2			<a href="#">Link To ZOLA</a>
1466718-DCA	HAIRO'S PLACE INC.	Queens	130	8109 ROOSEVELT AVE, JACKSON HTS, NY 11372 6723	HAIRO'S PLACE INC.		C4-3		USE GROUP 12	<a href="#">Link To ZOLA</a>
2000499-DCA	WEMBLEY ATHLETIC CLUB, INC.	Bronx	227	550 E 239TH ST, BRONX, NY 10470 1448	WEMBLEY ATHLETIC CLUB	Adult	M1-1			<a href="#">Link To ZOLA</a>
2001020-DCA	Z LIVE INC	Manha an	513	605 W 48TH ST, NEW YORK, NY 10036 1124	Z Bar	Club?	M2-4			<a href="#">Link To ZOLA</a>
2004385-DCA	HARAMA ENTERTAINMENT CORP	Queens	798	3608 33RD ST, ASTORIA, NY 11106 2327	Melrose Ballroom	Live Music	M1-2/R5B			<a href="#">Link To ZOLA</a>
2007090-DCA	RCI DINING SERVICES 37TH STREET INC	Manha an	120	61 W 37TH ST, NEW YORK, NY 10018 6215	Vivid Cabaret	Adult	C6-6		USE GROUP 12	<a href="#">Link To ZOLA</a>
2007374-DCA	Y&B ENTERTAINMENT MANOR INC	Queens	56	3509 PRINCE ST, FLUSHING, NY 11354 2732	Y&B ENTERTAINMENT MANOR INC		M1-1			<a href="#">Link To ZOLA</a>

2010076-DCA	JACARANDA CLUB, LLC	Manha an	523	333 E 60TH ST, NEW YORK, NY 10022 1505	Sapphire or Prime	Adult	C8-4		USE GROUP 12	<a href="#">Link To ZOLA</a>
2015016-DCA	THE BLEND CAFE LLC	Bronx	376	582 E FORDHAM RD, BRONX, NY 10458 5037	Blend Café		C2-4			<a href="#">Link To ZOLA</a>
2015452-DCA	EDEN BALLROOM LLC	Manha an	840	637 W 50TH ST, NEW YORK, NY 10019	Space NY	Dance Club				<a href="#">Link To ZOLA</a>
2016491-DCA	REVIEW ENTERTAINMENT, INC.	Queens	207	5561 58TH ST, MASPETH, NY 11378 1116	Rouge Gentlemans Club	Adult	M1-1			<a href="#">Link To ZOLA</a>
2017588-DCA	251 W 30TH ST LLC	Manha an	427	251 W 30TH ST, NEW YORK, NY 10001	Rebel?		M1-5			<a href="#">Link To ZOLA</a>
2017699-DCA	JOUVAY NY INC	Queens	300	14702 LIBERTY AVE, JAMAICA, NY 11435 4717	Jouvay	Dance Club	C6-3 SPECIAL DOWNTOWN JAM	SPECIAL DOWNTOWN JAMAIC	USE GROUP 12	<a href="#">Link To ZOLA</a>
2018241-DCA	BOWERY TECH RESTAURANT LLC	Manha an	198	327 BOWERY, NEW YORK, NY 10003	Bowery Electric	Live Music and Dance	C6-1		USE GROUP 12	<a href="#">Link To ZOLA</a>
2019178-DCA	WHANY LLC	Manha an	280	115 MACDOUGAL ST, NEW YORK, NY 10012 1202	Café Wha	Live Music	R7-2 C1-5			<a href="#">Link To ZOLA</a>
2025123-DCA	BowN9th LLC	Brooklyn	246	64 N 9TH ST, BROOKLYN, NY 11249	Rough Trade	Live Music	M1-2/R6A	Special Mixed Use District (MX)		<a href="#">Link To ZOLA</a>
2025885-DCA	STUDIO M, INC	Queens	149	3651 MAIN ST, FLUSHING, NY 11354	The Place at Main	Karoke	C 4-9		USE GROUP 12	<a href="#">Link To ZOLA</a>
2025954-DCA	TFS NY, INC	Queens	190	5107 27TH ST, LONG ISLAND CITY, NY 11101	Infinity of Sugardaddys	Club Closed	M-3-2			<a href="#">Link To ZOLA</a>
2028379-DCA	STUDIO 299 LLC	Brooklyn	320	299 VANDERVOORT AVE, BROOKLYN, NY 11211	Studio 299	Bar Club Salsa	M1-1			<a href="#">Link To ZOLA</a>
2028909-DCA	MAZI NIGHTCLUB INC	Queens	1280	13035 91ST AVE, RICHMOND HILL, NY 11418	Mazi Nightclub	Club	M1-1			<a href="#">Link To ZOLA</a>
2030735-DCA	HOWL NEW YORK LLC	Manha an	395	240 W 52ND ST, NEW YORK, NY 10019	Howl at the Moon/Touch	Closed	C6-5		USE GROUP 12	<a href="#">Link To ZOLA</a>
2031288-DCA	CAI FOODS LLC	Brooklyn	210	1301 BOARDWALK W, BROOKLYN, NY 11224	Place to Beach	Restaurant	C7	SPECIAL CONEY ISLAND DISTRI	USE GROUP 12	<a href="#">Link To ZOLA</a>
2033015-DCA	ANGELS OF THE WORLD INC	Queens	151	3217 COLLEGE POINT BLVD, FLUSHING, NY 11354	Roadhouse	Adult	M2-1			<a href="#">Link To ZOLA</a>
2038800-DCA	673 JRV CORP	Bronx	168	673 HUNTS POINT AVE, BRONX, NY 10474	Mr. Wedge	Adult/Club	M1-2	Special Hunts Point District		<a href="#">Link To ZOLA</a>
2040319-DCA	MEM REST CORP.	Bronx	200	4029 E TREMONT AVE, BRONX, NY 10465	Wicked Wolf		R3A			<a href="#">Link To ZOLA</a>
2041891-DCA	SUNSET DEN INC	Brooklyn	74	960 3RD AVE, BROOKLYN, NY 11232	Club 37 or Sunset Den	Adult/Club	M1-2			<a href="#">Link To ZOLA</a>
2042083-DCA	NYC EVENT SPACE LLC	Queens	1749	9112 144TH PL, JAMAICA, NY 11435	Amazura	Club	C4-4A	Special Downtown Jamaica Dis	USE GROUP 12	<a href="#">Link To ZOLA</a>
2044339-DCA	LEGENDS CAFE LLC	Brooklyn	351	2214 CHURCH AVE, BROOKLYN, NY 11226	Brooklyn Rocks	Dance Club	C4-4A		USE GROUP 12	<a href="#">Link To ZOLA</a>
2046100-DCA	SIVAN DESIGN LLC	Manha an	74	300 W 116TH ST, NEW YORK, NY 10026	Silvana		R8A			<a href="#">Link To ZOLA</a>
2046561-DCA	MAMA BELLA RESTAURANT LLC	Brooklyn	144	457 BUSHWICK AVE, BROOKLYN, NY 11206	Mama Bellas		R7A			<a href="#">Link To ZOLA</a>
2048451-DCA	CLUB AT 39TH, LLC	Manha an	150	20 W 39TH ST, NEW YORK, NY 10018	Sapphire 39	Adult	M1-6			<a href="#">Link To ZOLA</a>
2049643-DCA	GALLUS INC	Brooklyn	150	834 CLARKSON AVE, BROOKLYN, NY 11203	Gallis	Adult?Sports?Restauran	C8-1		USE GROUP 12	<a href="#">Link To ZOLA</a>
2052824-DCA	LA BOOM NYC INC	Queens	790	5615 NORTHERN BLVD, WOODSIDE, NY 11377	La Boom		M1-1			<a href="#">Link To ZOLA</a>
2053929-DCA	5AN11BK, LLC	Brooklyn	732	60 N 11TH ST, BROOKLYN, NY 11249	Verbo en or Schimanski	Dance Club Closed	M1-2			<a href="#">Link To ZOLA</a>
2054541-DCA	RJW RESTAURANT LLC	Manha an	298	151 E 50TH ST, NEW YORK, NY 10022	Empire Steak House	Restaurant	C6-4.5,C6-6	Special Midtown District	USE GROUP 12	<a href="#">Link To ZOLA</a>