



Monday, June 19, 2017 at 1:00 P.M.
Council Chambers, City Hall, New York, NY

**Comments of Andrew Rigue, Executive Director, New York City Hospitality Alliance
on Preconsidered Int. No.: In relation to establishing an office of nightlife and a nightlife task force.**

My name is Andrew Rigue and I am the Executive Director of the New York City Hospitality Alliance ("The Alliance"), a not-for-profit trade association that represents restaurants, bars, lounges and clubs throughout the five boroughs.

The Alliance believes that it is vital for the city of New York to allocate significant resources to supporting the nightlife industry, or more aptly referred to as the nighttime economy. According to the last study conducted, the city's nighttime industry generated an economic impact of more than \$9.7 billion. Annual attendance at nightlife venues totaled more than three times the attendance of all New York City's sports teams combined. The industry provides good paying jobs and opportunity. Our industry's influence on the local economy, culture, soul, music, art and social fabric of our city is undeniable.

That's why my colleagues and I have been calling on the city of New York to create an office to support our city's nighttime economy for many years. So we are thankful to Council Member Espinal for recognizing the need, and taking action by introducing legislation that would create an office of nightlife. We are also happy that Mayor de Blasio's administration has seemed to embrace the concept of this office.

Today I am testifying in support of the legislation that will create an office of nightlife within the city of New York. As proposed, the legislation would also create a task force that will make recommendations to the mayor and the council on ways to improve laws and policies that impact nightlife. After careful consideration, instead of creating a task force separate from the office of nightlife, which as drafted, would be dissolved after submitting its recommendations, The Alliance suggests establishing a standing advisory board to the nightlife office with a similar mission. We believe the ongoing collaboration between the office and advisory board will allow for more informed and impactful outcomes for all stakeholders.

Today our organization's Vice President Paul Seres will also testify on this matter. Mr. Seres has extensive experience in the operations of nightlife establishments and first hand knowledge of how other cities across the globe have created nightlife offices to plan for and manage their nighttime economies. Before we hear from Mr. Seres, I would like to address the oversight of New York City's cabaret law.

The history of the cabaret law and its enforcement is controversial. Over the years, the courts have rightfully struck down provisions of the law as unconstitutional. Today, we have a skeleton of the original cabaret law. It does less to prohibit various activities related to dancing and acts more as a license ensuring that other zoning and public safety laws are adhered to before patron dancing is authorized in a commercial establishment. As such, by eliminating the Cabaret Law, all bars, clubs and restaurants will not be allowed to permit patron dancing. To allow patron dancing the businesses would still have to be located in a zone that allows dancing, and they must install the public safety systems required by the Building and Fire Departments. Therefore, while repeal of the law may satisfy those who are understandably



concerned with its history and the application of enforcement, it will not effectively create new locations and new businesses where patron dancing may be permitted.

Because of the controversial history of the cabaret law and the complexity of zoning laws and public safety requirements, we believe this important matter should be addressed in a thoughtful and constructive manner by an advisory board to the Nightlife Office, which today's proposed legislation seeks to create. There is certainly a balance to be found among nightlife, dancing, safety, community and regulation.

In addition to myself, our organization has countless connections to owners and operators of nightlife establishments, academics, lawmakers, regulators and community leaders who can help inform our work. For example, our counsel Rob Bookman who was counsel to the Department of Consumer Affairs and since has more than 30 year's experience in matters related to nightlife and permitting and licensing would be at our service to help ensure such initiatives are informed and conducted in a meaningful way. We believe that when industry and government work cooperatively together the results can be impactful. An example of this is the incredible success we had co-developing the Best Practices for Nightlife Establishments guide with the NYPD, which is a roadmap of how to develop a safe nightlife atmosphere. Therefore, we would be honored to serve on the nightlife task force, advisory board and work with the nightlife office.

Thank you for your interest in supporting our industry and consideration of my comments. If we want to remain the City that Never Sleeps, the city must support the nighttime economy. Now I'd now like to introduce my colleague, Paul Seres, who will share some of his experience and expertise on nightlife task forces and offices.

Respectfully submitted,

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