

NYC ARTIST COALITION

DANCE PARADE · DANCE LIBERATION NETWORK · PEOPLE'S CULTURAL PLAN HOUSE
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WHAT IS THE CABARET LAW?

In New York City, there is a de facto ban on social dancing because of the Cabaret Law. The Cabaret Law requires that all public venues where social dancing occurs obtain a cabaret license. This license is nearly impossible to get for small businesses and nonprofits, like a corner bar or a cultural community space. From over 25,000 eating and drinking establishments in NYC, less than 100 have a cabaret license due to out-of-scale and onerous permitting requirements and zoning restrictions.

There are no legal spaces to dance in most NYC neighborhoods. The NYC Artist Coalition has mapped the data available on the scarcity of cabaret licenses and the zoning requirements that make it illegal to dance in most neighborhoods (attached).

Beyond denying all New Yorkers a fundamental right of cultural expression, this law also affects the livelihood of many when it becomes the means to closing down a venue. Most importantly, today, the City does not enforce the Cabaret Law across the board. This arbitrary enforcement leads to discriminatory practices by the NYPD and City/State task-forces such as MARCH (Multi-Agency Response to Community Hotspots). Reportedly, for example, they systematically target hip-hop shows which are predominantly frequented by African American youth.

RACIST, HOMOPHOBIC AND DISCRIMINATORY LEGACY OF THE CABARET LAW

The Cabaret Law was created in 1926 to halt interracial dancing in African American jazz clubs. In the 1990s, it was redeployed by Mayor Giuliani against New York City's thriving nightlife culture and to target gay and lesbian communities. For almost a century this law is being used to intimidate marginalized groups and to stamp out locations where culture thrives.

HOW DOES THE CABARET LAW AFFECT CULTURE IN NEW YORK CITY TODAY?

- Fewer than 100 licensed spaces where people can legally dance in all five boroughs.
- Social dancing, a fundamental cultural expression, is treated like a crime.
- The arbitrary enforcement of the Cabaret Law targets vulnerable communities.
- Every time it is used to shutter a venue it directly affects the livelihood of many.
- It leads to the loss of vital community and cultural spaces and pushes anyone who desires to express themselves through dance 'underground' into unsafe environments.

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CABARET LICENSE OVERLAPS WITH OTHER CITY LAWS AND REQUIREMENTS

There is a lot of confusion on what the Cabaret Law actually regulates beyond social dancing. Some fear that repealing it will increase noise and unsafe nightlife environments. However current building, fire and noise codes, as well as other requirements such as certificates of occupancy, public assembly permits and State Liquor Authority licensing ensure the safety of all and protect the public from disturbance. Many requirements that are already covered by other City laws must be met by an establishment that seeks a cabaret license, such as:

- Cabarets need inspections and approvals from the Fire Department, the Department of Buildings, and an electrical inspection demonstrating that their premises are up to code and safe. These requirements include installing fire alarms, automatic sprinkler systems, and having appropriate entrances and exits, but depending on capacity, elements of these things are already required to obtain a certificate of occupancy, liquor license and/or public assembly permit.
- Cabarets must also install surveillance cameras and go through a process for vetting any bouncers or security guards they employ, which is also a requirement for commercial insurance carriers and public assembly permits.
- Applications for a cabaret license are also reviewed by the Community Board, in the same manner whether it is a small local community space or a giant club. This review duplicates the review that the same Community Board does for the liquor license.

HOW THE NYC COUNCIL MUST ACT

New Yorkers love to dance and should not be criminals for it. A repeal of the Cabaret Law will decriminalize social dancing and right a historic wrong. It will also increase safety and transparency for all.

The law needs to be the same for all, no matter what is their skin color, sexual orientation, income or music taste. A law that is not enforced across the board should not be on the books.

Safety and noise requirements included in the Cabaret Law are covered by other City laws and requirements. In the future, if the City needs to adopt any new such measures they should be associated to a venue's capacity and not to social dancing.

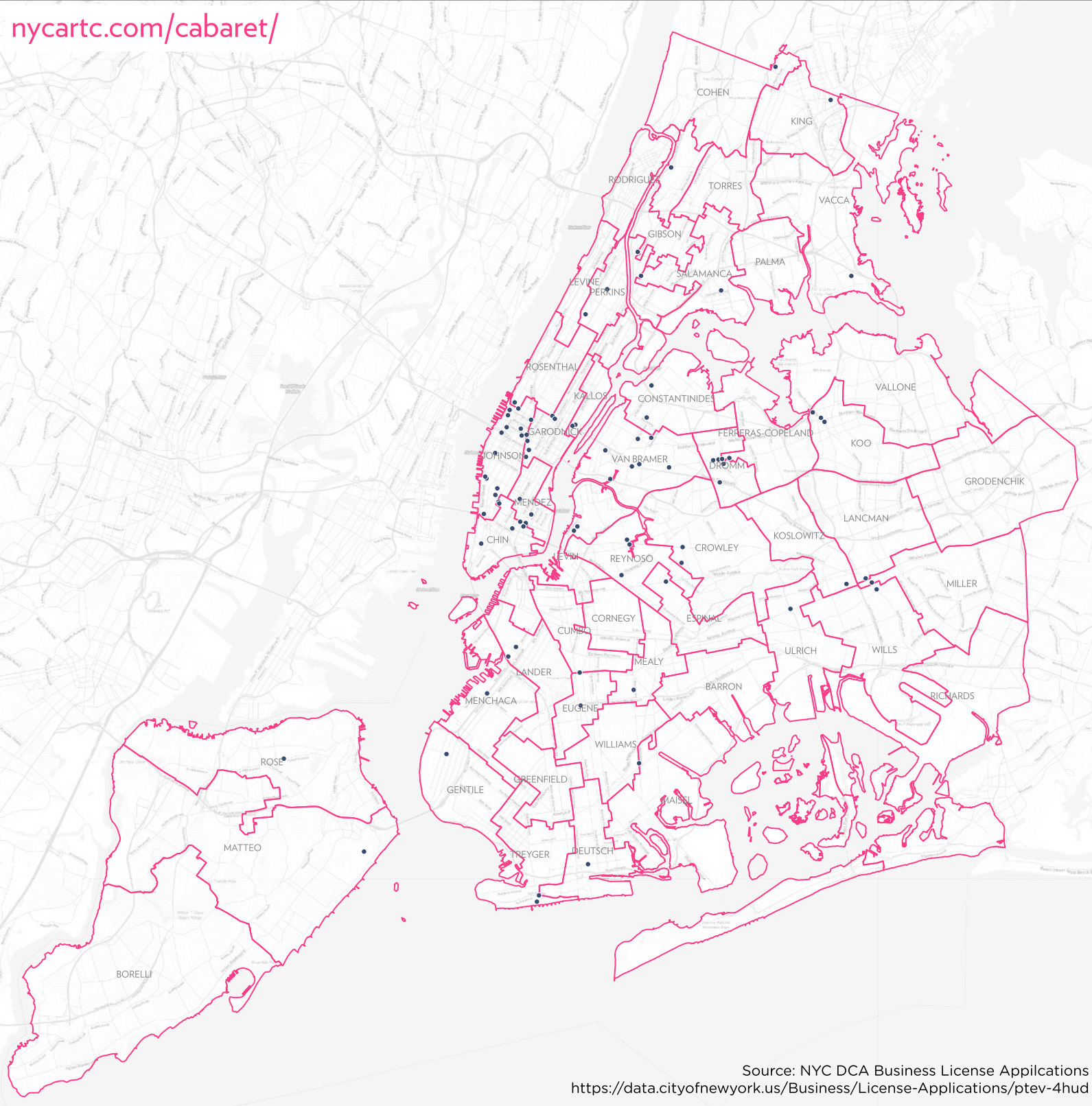
There is no place for the Cabaret Law in any contemporary civil society and certainly not in the 2017 New York governed by a progressive Mayor and City Council. The NYC Council needs to pass bill Int. No. 1652 and work to amend the Zoning text so that social dancing is not banned from most NYC neighborhoods.

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Active Cabaret Licenses

Of the thousands of places where New Yorkers may be dancing, only 88 have a Cabaret License, all other locations for dancing do so illegally.

nycartc.com/cabaret/



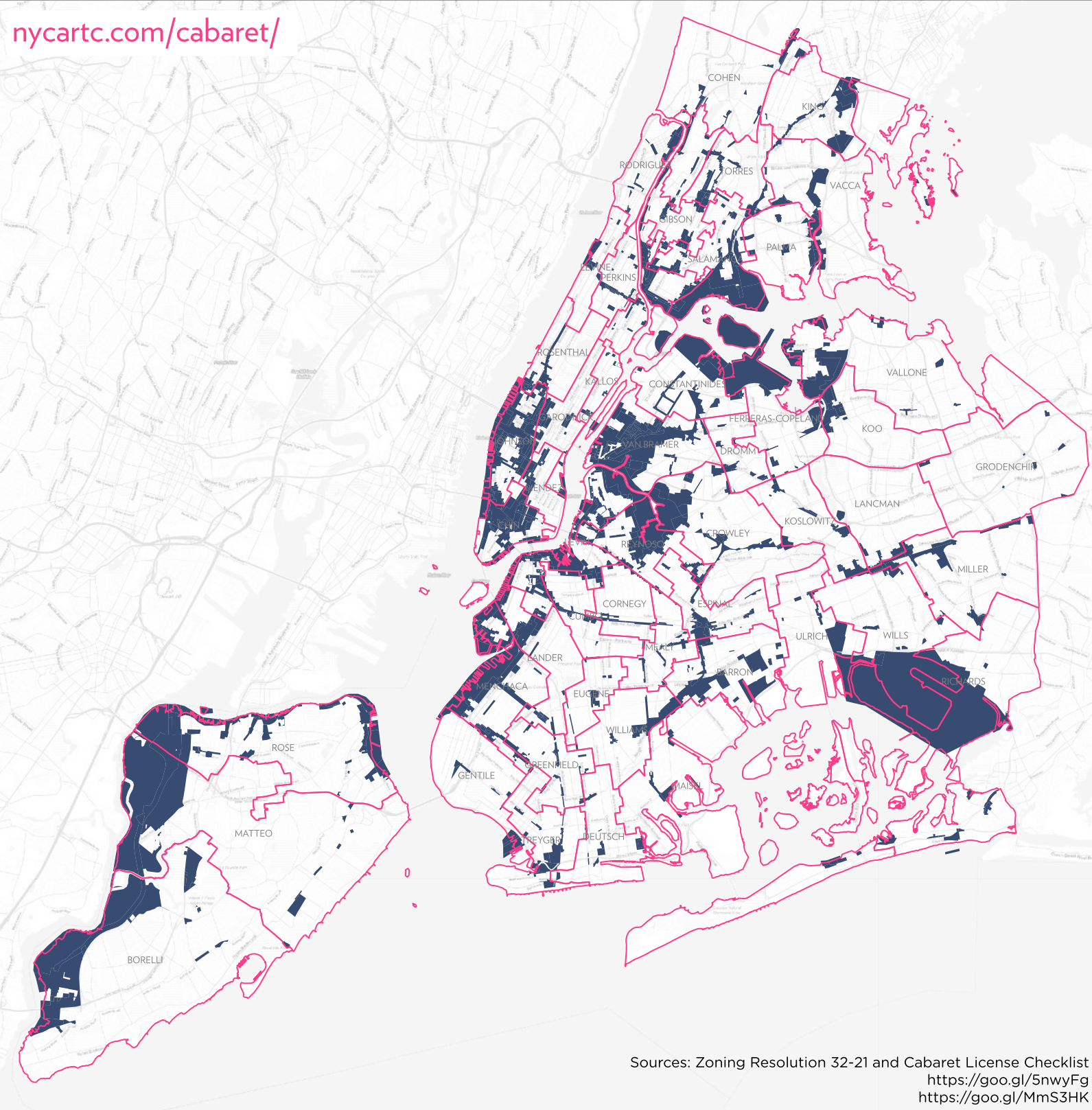
Source: NYC DCA Business License Applications
<https://data.cityofnewyork.us/Business/License-Applications/ptev-4hud>

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Zoned for Cabaret Licenses

Dancing socially is only allowed with a Cabaret License. Licenses are only granted in areas zoned C4, C6, C7, C8, M1, M2, & M3 for Use Group 12, the same as for arenas.

nycartc.com/cabaret/



Sources: Zoning Resolution 32-21 and Cabaret License Checklist
<https://goo.gl/5nwyFg>
<https://goo.gl/MmS3HK>