



Legislation Details (With Text)

**File #:** Int 0440-2006 **Version:** A **Name:** Requiring independent monitoring for clubs with multiple or serious violations of the cabaret licensing law or of the rules promulgated thereunder.

**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Public Safety

**On agenda:** 9/27/2006

**Enactment date:** 3/14/2007 **Enactment #:** 2007/006

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to independent monitors for clubs with multiple or serious violations of the cabaret licensing law or of the rules promulgated thereunder and the reporting of adjudicated violations.

**Sponsors:** Christine C. Quinn, Leroy G. Comrie, Jr., Peter F. Vallone, Jr., Melinda R. Katz, Gale A. Brewer, Alan J. Gerson, Domenic M. Recchia, Jr., Simcha Felder, Lewis A. Fidler, Vincent J. Gentile, Sara M. Gonzalez, Letitia James, G. Oliver Koppell, John C. Liu, Miguel Martinez, Michael E. McMahon, Darlene Mealy, Michael C. Nelson, Annabel Palma, James Sanders, Jr., Helen Sears, Kendall Stewart, David I. Weprin, Thomas White, Jr., Melissa Mark-Viverito, Helen D. Foster, Dennis P. Gallagher, Jessica S. Lappin, Daniel R. Garodnick, James S. Oddo

**Indexes:**

**Attachments:** 1. Int. No. 440 - 9/27/06, 2. Press Release, 3. Committee Report 10/18/06, 4. Hearing Transcript 10/18/06, 5. Committee Report 2/28/07 - Consumer Affairs, 6. Hearing Transcript 2/28/07 - Consumer Affairs, 7. Committee Report 2/28/07 - Public Safety, 8. Hearing Transcript 2/28/07 - Public Safety, 9. Hearing Transcript - Stated Meeting 2/28/07, 10. Fiscal Impact Statement, 11. Local Law

| Date       | Ver. | Action By                     | Action                      | Result |
|------------|------|-------------------------------|-----------------------------|--------|
| 9/27/2006  | *    | City Council                  | Introduced by Council       |        |
| 9/27/2006  | *    | City Council                  | Referred to Comm by Council |        |
| 9/27/2006  | *    | City Council                  | Referred to Comm by Council |        |
| 10/18/2006 | *    | Committee on Public Safety    | Hearing Held by Committee   |        |
| 10/18/2006 | *    | Committee on Public Safety    | Laid Over by Committee      |        |
| 10/18/2006 | *    | Committee on Consumer Affairs | Hearing Held by Committee   |        |
| 10/18/2006 | *    | Committee on Consumer Affairs | Laid Over by Committee      |        |
| 2/28/2007  | *    | Committee on Consumer Affairs | Hearing Held by Committee   |        |
| 2/28/2007  | *    | Committee on Consumer Affairs | Amendment Proposed by Comm  |        |
| 2/28/2007  | *    | Committee on Consumer Affairs | Amended by Committee        |        |
| 2/28/2007  | A    | Committee on Consumer Affairs | Approved by Committee       | Pass   |
| 2/28/2007  | *    | Committee on Public Safety    | Hearing Held by Committee   |        |
| 2/28/2007  | *    | Committee on Public Safety    | Amendment Proposed by Comm  |        |
| 2/28/2007  | *    | Committee on Public Safety    | Amended by Committee        |        |
| 2/28/2007  | A    | Committee on Public Safety    | Approved by Committee       | Pass   |
| 2/28/2007  | A    | City Council                  | Approved by Council         | Pass   |
| 2/28/2007  | A    | City Council                  | Sent to Mayor by Council    |        |

|           |   |              |                              |
|-----------|---|--------------|------------------------------|
| 3/14/2007 | A | Mayor        | Hearing Held by Mayor        |
| 3/14/2007 | A | Mayor        | Signed Into Law by Mayor     |
| 3/15/2007 | A | City Council | Recved from Mayor by Council |

Int. No. 440-A

By The Speaker (Council Member Quinn) and Council Members Comrie, Vallone Jr., Katz, Brewer, Gerson, Recchia Jr., Felder, Fidler, Gentile, Gonzalez, James, Koppell, Liu, Martinez, McMahon, Mealy, Nelson, Palma, Sanders Jr., Sears, Stewart, Weprin, White Jr., Mark-Viverito, Foster, Gallagher, Lappin, Garodnick and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to independent monitors for clubs with multiple or serious violations of the cabaret licensing law or of the rules promulgated thereunder and the reporting of adjudicated violations.

*Be it enacted by the Council as follows:*

Section 1. Subchapter 20 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-370 to read as follows:

§20-370. Independent monitoring required. The commissioner may, with the consent of the licensee, require in lieu of suspension or revocation of a license pursuant to section 20-369 of this code upon the grounds delineated in sections 20-361, 20-360.1 or 20-360.2 of this code, or as a condition of license renewal upon the occurrence of one or more of the conditions provided in section 20-361 of this code, that the licensee enter into a contract with an independent monitor approved or selected by the police commissioner. Such contract, the cost of which shall be paid by the licensee, shall provide that the monitor review the activities of the licensee with respect to the licensee's compliance with the provisions of this subchapter, other applicable federal, state and local laws and such other matters as the department shall determine by rule, and shall recommend to the licensee steps it can take and practices it can implement to ensure compliance with such provisions, rules and laws, which may include, but need not be limited to, the use of identification scanners at all entrances and additional training for employees concerning safety issues, conflict management and/or laws and liabilities associated with the illegal service of alcoholic beverages. The contract shall provide further that the monitor report the findings of such monitoring, including the extent to which the cabaret or public dance hall has complied with the monitor's recommendations, to the department and to the police commissioner on a regular

basis, as determined by rule of the commissioner.

§2. Subchapter 20 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-370.1 to read as follows:

§20-370.1. Reporting by the department regarding monitoring contracts. The department shall submit to the city council on an annual basis a report listing all monitoring contracts entered into pursuant to section 20-370 of the administrative code of the city of New York, which report shall include: (1) the reason for each monitoring agreement; (2) the length of the initial monitoring period in each monitoring agreement; and (3) the length of any extension of a monitoring agreement and the reasons for such extension.

§3. Subchapter 20 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-370.2 to read as follows:

§20-370.2. Reporting by licensees of substantiated violations against cabarets and public dance halls. Licensees who are convicted or otherwise found liable for violation of any of the provisions of sections 20-361, 20-360.1 or 20-360.2 that would constitute grounds for denying the issuance or renewal of a license shall within ten days of such conviction or finding report such conviction or finding to the department in a form and manner and containing such information as shall be provided by rule of the commissioner.

§4. This local law shall take effect ninety days after its enactment.