

compromise) and the venue closes. These "gotcha" enforcements hit establishments operated and utilized by people of color and by the poor the hardest, as they are both statistically more likely to be targeted, and have less access to the legal resources necessary to defend.

While we in nightlife respect the authority and prerogative of law enforcement to shutter problem operators, "dancing" is not a problem, and Cabaret violations are an illegitimate reason to shutter a cultural space.

We welcome the safety regulations that the Cabaret law stipulates -- fire alarms, fire sprinklers, lit exit signs, emergency lighting, video camera systems, etc.. But we believe that these requirements should be limited to those establishments that exceed a reasonable level of capacity and pose a realistic increased risk to safety. The New York City Department of Buildings and the FDNY already have a process for determining buildings to require more safety measures, called the Public Assembly System. Any space housing more than 74 people must follow Public Assembly safety regulations. A second tier of more stringent rules is triggered above 274 people.

Any safety necessity the Cabaret Law's defenders cite is superfluous -- the City has effective regulation for high capacity spaces and dancing is not an unsafe activity. However, as the safety stipulations of Cabaret largely overlap with those of the "over 274" tier of Public Assembly, a simple reform of the existing Cabaret Law to exempt venues under 275 persons would be a reasonable step forward. Another alternative compromise would be to repeal the odious zoning requirements of the existing Cabaret statute, which exempt all but a very few scraps of the geography of NYC from eligibility for a Cabaret License under the law.

However, I come before you today not to recommend a compromise measure but instead to urge full repeal of the New York City Cabaret law. The Cabaret Law is an international embarrassment to New York City. This law makes New York City look foolish -- we are not a small rural town, we are the cultural capital of the Western world. This is not Footloose.

You can see by our presence here today that we in the nightlife community are committed to overturning this antiquated, racist, and embarrassing local law. We will make sure this issue stays in the media, and you can be assured that the national and international press will report that dancing is remains illegal in New York City, and not in flattering terms -- as they have already begun to do. The time to act is now.

New York City has an opportunity to counter 100 years of racist, misguided law, and to reaffirm our place on the World cultural stage. I urge the committee to vote to pursue a full repeal of the Cabaret Law, and to establish a robust Night Mayor to cement our City's place as a leader in arts, culture, and nightlife in the World.

Thank You.