
DEPARTMENT OF SMALL BUSINESS SERVICES

NYC OFFICE OF NIGHTLIFE

ANNUAL REPORT
2023-2024



Small Business Services
Office of Nightlife

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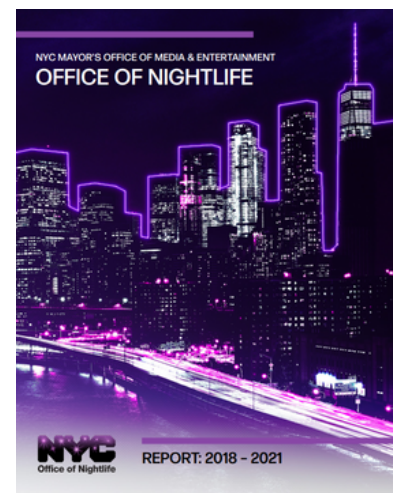
Eric Adams, Mayor

NYC Department of Small Business Services
Office of Nightlife
August 2024

BACKGROUND

The **Office of Nightlife** (ONL) is a dedicated, non-enforcement liaison between city agencies and the nightlife industry and community, serving business owners, workers, performers, patrons and residents in New York City's more than 25,000 bars, nightclubs, venues, and restaurants.

ONL was created through Local Law 178 of 2017, following legislation written by former Council Member Rafael Espinal and signed by former Mayor Bill de Blasio. That law requires ONL to conduct outreach, review information on complaints and violations, and issue a report of recommendations for policies and initiatives to strengthen the nightlife industry. **ONL released a comprehensive report in 2021** describing how the office was formed, new programs and initiatives, and detailed recommendations. These recommendations represent a series of policy ideas and programmatic initiatives to improve nightlife in NYC and are the result of stakeholder engagement, collaboration with agency partners through the Nightlife Interagency Working Group, and lessons learned from constituent casework. That report was intended as a road map for the future, and the Office continues to work with its partner agencies to advance many of these initiatives.



Above: NYC Office of Nightlife 2018-2021 Recommendation Report, cover image

This report is intended to serve as an update on the status of and progress toward the implementation of new initiatives and policy changes recommended by ONL. Acknowledging the nightlife sector’s various points of intersection with economic, social, cultural, and community issues, **ONL’s overall agenda spans four principal areas of focus:**

1.0
SUPPORT BUSINESS
DEVELOPMENT
& RECOVERY



2.0
IMPROVE
QUALITY OF LIFE



3.0
PROMOTE SAFETY,
EQUITY, AND HARM
REDUCTION



4.0
ELEVATE NIGHTLIFE
CULTURE



INTRODUCTION

The COVID-19 pandemic revealed to New Yorkers that nightlife is a necessity. The industry is essential not only to our culture and economy, but also our identity to the world and our collective well-being, providing us places to gather, and to share in the rich cultural experiences that make New York City the greatest city in the world.

Since the ONL's formation, New York City has become a global leader in the growing movement of urban nightlife advocacy, spearheading life-saving programs like **NARCAN® Behind Every Bar** and launching **NITE School**, a collection of workshops focused on business operations, best practices, and workplace rights. Through the city's **MEND** program, ONL has also mediated conflict between venue operators and local communities, which allows complainants and business owners to find common ground. ONL programming helps nightlife businesses open, operate, and navigate city regulations, improves quality of life, promotes safety, and elevates nightlife culture.



NYC Office of Nightlife programs and Initiatives: NARCAN® Behind Every Bar, MEND NYC. NITE School



September 2017

Mayor de Blasio signed Local Law 178, establishing the Office of Nightlife under the NYC Mayor's Office of Media and Entertainment



November 2023

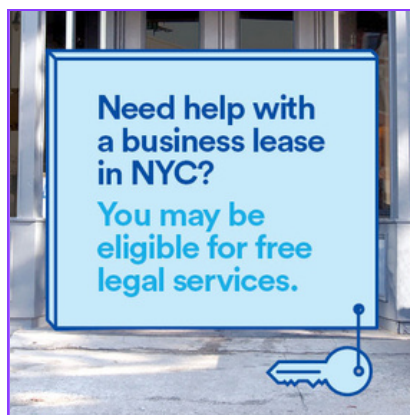
Mayor Adams signed Executive Order 37, for the Office of Nightlife to be reestablished within the NYC Department of Small Business Services



In November 2023, **Mayor Adams announced the transfer of ONL to the NYC Department of Small Business Services**, blending SBS' expertise in business programs and workforce services with ONL's deep industry ties to better serve a critical sector.

By enabling ONL's transfer to SBS, the city has been able to reduce redundancies, expand service delivery to businesses, and uplift the nightlife industry and the city's economy by directly connecting nightlife businesses to additional services like:

- **NYC Business Express Service Team** (NYC BEST), which save business owners time and money by providing one-on-one assistance to avoid violations and quickly obtain permits and licenses
- **Commercial Lease Assistance program**, which provides pro-bono legal services to businesses signing a new lease, navigating their rights within an existing lease, or with landlord negotiations
- **NYC Food & Beverage Industry Partnership**, a public-private partnership team fostering the growth and resiliency of New York City's food and beverage industry
- **Workforce1 Career Centers**, located in each borough, which work daily to connect New Yorkers to new employment and job training opportunities



NYC Small Business Services programs and Initiatives: NYC BEST, Commercial Lease Assistance, NYC Food & Beverage Industry Partnership

Concurrently with this transfer, Mayor Adams also appointed entrepreneur and advocate **Jeffrey Garcia as ONL's new executive director**. Prior to joining ONL, Jeffrey Garcia had been an entrepreneur and business owner in Washington Heights and Kingsbridge for decades. A retired New York City Police Department (NYPD) first grade detective of the Organized Crime Control Bureau, Garcia previously served as president of the New York State Latino Restaurant, Bar, and Lounge Association, working to bring equity and inclusion to the industry and working through the challenges of the COVID-19 pandemic. He also served on the New York City Small Business Advisory Commission. As an accomplished entrepreneur, Garcia additionally served as a board member at the New York City Hospitality Alliance and helped found the Latino Cannabis Association.



Jeffrey Garcia
Executive Director
Office of Nightlife, NYC Department
of Small Business Services



Mayor Eric Adams announces the appointment of Jeffrey Garcia as new Executive Director of the Office of Nightlife at City Hall on November 17, 2023.

INTRODUCTION

Garcia has brought a strong focus on outreach to marginalized communities to ONL, expanding the team's reach to neighborhoods across every corner of New York City and ensuring that business owners know that the city is working for them. In less than one year since taking the role, Garcia has visited every borough, meeting with businesses as well as community boards, chambers of commerce, police precincts, advocacy organizations, neighborhood associations, and other civic leaders in:

- **Manhattan:** Chelsea, Chinatown, East Harlem, Greenwich Village, Inwood, Lower East Side, Midtown, SoHo, Sugar Hill, Upper East Side, Upper West Side, Washington Heights
- **Staten Island:** Great Kills and New Dorp
- **Bronx:** Highbridge, Morris Park, Morrisania, Mott Haven, Parkchester, Pelham Bay, Tremont
- **Brooklyn:** Bay Ridge, Bedford-Stuyvesant, Bushwick, Coney Island, Crown Heights, East New York, Flatbush, Fort Greene, Greenpoint, Sunset Park, Williamsburg
- **Queens:** Astoria, College Point, Corona, Elmhurst, Forest Hills, Jackson Heights, Jamaica, Long Island City, Ozone Park, Ridgewood

ONL continues to work closely with industry partners, advocates, and local communities to support nightlife businesses and balance quality of life.



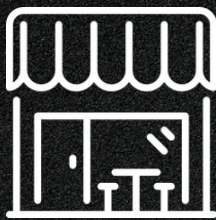
Above: ONL's visits nightlife venues, NYPD Nightlife Quarterly Meetings, NYPD CompStat meetings, participates in business corridor walks with elected officials, and hosts presentations with chambers of commerce, community members and stakeholders across all five boroughs.



Ribbon cutting event celebrating a new performance venue in Brooklyn that used ONL and SBS services before opening in December 2023.

1.0

SUPPORT BUSINESS DEVELOPMENT & RECOVERY



6,000+
new nightlife
businesses opened
since pre-pandemic

The Adams administration is working hard to support businesses, especially those in the nightlife industry, with new policies and initiatives to reduce fines and improve the ways that business operators interact with city processes.

Following the challenges wrought by the pandemic, New Yorkers have returned to nightlife. There is still no substitute for a night out in New York City. New business formation in the nightlife sector is strong, with entrepreneurs betting on the future of New York City.

New data from SBS shows that the industry has welcomed more than 6,000 new nightlife businesses since the pandemic. This comes as New York City celebrates a record number of small businesses, with jobs returned to pre-pandemic levels.

ONL continues to support the industry through policy advocacy and problem solving. The transfer of ONL to SBS has further connected the city's nightlife and hospitality industries to additional resources to take NYC's world-renowned nightlife to the next level.

Coordinating a United Resolution with Establishments (CURE) Initiative

Since the establishment of ONL, we heard from numerous voices across the nightlife community that the approach to Multi-Agency Response to Community Hotspots (MARCH) operations had not been effective at solving problems. Mayor Adams and Chief Advisor Ingrid-Lewis Martin directed ONL to work with NYPD and other regulatory agencies to identify potential reforms. Over the last year, ONL has been working tirelessly to plan and implement these changes, taking an even more active role in assisting businesses with compliance issues to give them additional opportunities to correct the issues before enforcement becomes necessary.

In December 2023, **Mayor Eric Adams announced a new procedure to address issues and incidents at nightlife establishments** and replace MARCH operations. The new initiative, Coordinating a United Resolution with Establishments (CURE), requires city regulatory agencies, such as NYPD, FDNY, Buildings, Health, Environmental Protection, to engage in direct, in-person communication with business owners and managers, in collaboration with ONL, before taking enforcement actions.

During the 1990s, the city initiated the MARCH enforcement protocol for bars, restaurants, music venues, and dance clubs. Under the former MARCH program, nightlife establishments could have faced unannounced, nighttime, multi-agency inspections led by the NYPD, and supported by a broad array of inspectors.

The goal of CURE is to inform businesses about community concerns, complaints, and potential violations. By educating venue owners about how to address these issues, ONL helps them develop solutions and provides multiple opportunities to resolve problems. Businesses are also warned about potential additional multi-agency enforcement actions if improvements are not made. This approach helps businesses avoid unnecessary fines, violations, or liquor license suspensions or revocations.



Left: ONL Executive Director Jeffrey Garcia and Mayor Eric Adams introduced CURE, focusing on education and compliance, to replace MARCH enforcement, at Paragon nightclub in Brooklyn on December 28, 2023.

CURE ensures that only venues which have shown a clear and intentional disregard for community concerns — by failing to cooperate with agency inspectors and ONL non-enforcement personnel — will be subject to significant enforcement action. The new initiative requires a series of steps to be taken in coordination with ONL before multi-agency inspections or additional referrals can be implemented.

These steps may include:

- **One-on-one business support and case management**
- **In-person daytime visits**
- **Written documentation of incidents of concern**
- **In-person meetings between business owners, ONL, and agency officials**

As part of the new procedure, agencies will not initiate City or State interagency inspections outside of the new CURE process. Only agencies relevant to issues observed at CURE-involved establishments may be included in joint inspection operations, and only on an “as-needed” basis. This procedure does not limit NYPD from any necessary real-time response to address immediate public safety concerns. Additionally, agencies that have previously participated in MARCH operations, such as the FDNY, DOB, DOHMH, DEP, and SLA, will continue to conduct their regular independent inspection processes to maintain compliance and ensure safety. City law also continues to require that nightlife establishments must receive written notification at least 30 days prior to any CURE inspection unless such notice would “compromise an active criminal investigation” or would pose a “serious risk...to health and safety.”

Common reasons ONL may contact venues include compliance issues with licensing and permits, noise complaints, safety and security protocols, health and sanitation standards, and other regulatory matters affecting business operations. ONL works to identify these issues, provide recommendations, explore ways to mitigate them, and share information about available city resources, additional training, programs, and initiatives to enhance safety and compliance. Failure to address any issues or resources of incidents even after taking steps to improve conditions at your location can still result in actions being taken by various enforcement agencies.

ONL has worked with the NYPD Chief of Department and Chief of Patrol’s offices to ensure that precinct commanders and officers across all boroughs are aware of the new protocol, presenting at numerous CompStat meetings, Borough Command quarterly nightlife meetings, and other precinct-level engagements.

Since the initiative was implemented in January 2024 until the end of FY24 on June 30, 2024, ONL was engaged in CURE referrals at over 123 businesses across all five boroughs, with one business facing multi-agency inspection operations as a result of failure to comply with recommended steps.

First-Ever Mayoral Roundtable with Nightlife Leaders

ONL continues to fulfill its mandate to serve as a liaison between the nightlife community and city government, providing information through email newsletters, social media, and webinars, and advocating the concerns and needs of the industry to policy makers. In June 2024, ONL convened a Nightlife Industry Mayoral Roundtable at City Hall with more than 30 venue owners, promoters, advocates, and other industry leaders from across the city. The conversation between industry leaders and administration officials was an opportunity to share the administration's work on behalf of the industry and hear important feedback on issues and challenges still facing the community.

Issues raised by the group included:

- Ideas to reduce the length of processing time to obtain all the necessary permits to open a nightlife business
- Suggestions to widen the availability of Temporary Place of Assembly (TPA) process, which is used for temporary events and pop-up activations
- Proposals to improve the 311 complaint process to protect businesses from false complaints made anonymously
- Promoting an “agent of change” policy for sound mitigation to help protect incumbent venues from the complaints that can result from new development
- Creating historical markers or plaques for legacy nightlife businesses, like at the former locations of notable historic venues
- Proposals to trial expanded hours of operation past 4 a.m. closing times
- Creating a partnership to develop apprenticeship programs for nightlife workers to develop new skills and transition into leadership positions or even ownership roles
- Reforming loopholes in the hookah permit process, which currently allows landlords to take advantage of licensees because their license is not transferable
- Working with promoters and DJs and other nightlife community members to communicate to their patrons the importance of de-escalation, conflict resolution, and other safety tips



Left: First-ever Nightlife Industry Mayoral Roundtable at City Hall with over 30 venue owners, promoters, and industry leaders meeting with Mayor Eric Adams and City agencies on June 6, 2024.

Shop Your City - Nightlife

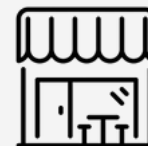
In May 2024, ONL joined SBS colleagues at the first-ever NYC Small Business Month Expo for small business owners and aspiring entrepreneurs from across NYC.

ONL introduced a new **"nightlife" map** on the Shop Your City site created by SBS, featuring the location of all the bars, nightclubs, music venues, restaurants, and more across the five boroughs. This tool was created through the city's partnership with Live XYZ, which provides a comprehensive database and live, searchable map of small businesses in NYC.



Above: ONL hosted 'All Things Nightlife' workshop and table at the first-ever NYC Small Business Month Expo held on May 30, 2024.

Recommendations and Status Updates



The following table is a status update on progress toward implementation of recommendations to Improve Quality of Life in ONL's 2021 report.

1.0 SUPPORT BUSINESS DEVELOPMENT & RECOVERY			
#	2021 Recommendation	Description	2024 Status Update
1.1	Streamline processes through one-stop for multi-agency permitting, inspections, and support	Create a single, centralized location to coordinate multi-agency plan review, permitting, inspections, and related processes for hospitality and nightlife businesses	The city launched the MyCity Business site to serve as an easily accessible, all-in-one resource for applications, permits, licenses, and related information needed to open and operate a business in New York City.
1.2	Launch "NITE School" workshops for business operations, best practices, and workplace rights	Create training sessions offering information about rights and agency procedures	ONL continues to work with industry advocates, agency partners, and other experts to offer a webinar series called Nightlife Industry Training and Education, or NITE School .
1.3	Establish process to evaluate and address complaints about venues	Enhance protocol to address chronic quality of life complaints and encourage participation in MEND NYC mediation services	311 provides referrals to MEND NYC to New Yorkers with complaints related to nightlife establishments. The administration is also reviewing additional legislation that has been introduced this year to propose alternative reforms to the 311 complaint process.
1.4	Reduce impact of "curable" violations and redundant penalties	Work with enforcement agencies to expand "cure periods" for minor violations and reduce rules that discourage businesses from self-reporting emergency incidents	The Small Business Forward initiative established by Executive Order 2 outlines reforms for 118 business violations to be repealed, reduced, or allowed to be "cured" prior to violations.
1.5	Study effects of commercial rent and long-term vacancies on businesses	Ensure nightlife businesses are represented in efforts to study and implement commercial rent control; consider measures to prevent vacancies	Since 2023, ONL and other city agencies have worked with storefront survey data provider LiveXYZ to evaluate trends in business growth and storefront vacancies.
1.6	Encourage standard community board processes and applications for liquor licensing	Develop standardized questionnaires and processes for liquor licensing review and advocate for expanded participation of nightlife operators on community board licensing committees	SBS is supporting efforts led by community board leaders to develop universal processes, questionnaires, and resolutions for liquor license review to make the application process quicker and more fair.
1.7	Advocate for amended "tied house" law in New York State	Help change state law to allow greater flexibility for manufacturers and distributors to offer financial contributions to licensed establishments	Governor Hochul's Commission to Study Reform of the Alcoholic Beverage Control Law recommended changes to loosen the "tied house" laws in New York state in 2023.



ONL Executive Director Jeffrey Garcia, New York City Councilmember Jennifer Gutierrez, and NYPD hosted a Nightlife Safety Summit for Bushwick and East Williamsburg nightlife operators and community members to address safety, quality of life concerns, and available city resources on May 18, 2024.

2.0

IMPROVE QUALITY OF LIFE



In a city of more than eight million people, New Yorkers experience the benefits and challenges of sharing space with friends, neighbors, and visitors on a daily basis. Sometimes, that proximity can lead to issues or conflicts between various parties – including, but not limited to nightlife venues.

ONL is committed to ensuring that all New Yorkers can have good quality of life, and has implemented new programs and initiatives to help resolve issues between nightlife establishments and their neighbors before those concerns escalate to enforcement.

Mediating Establishment Neighborhood Disputes (MEND NYC)

ONL partnered with the Office of Administrative Trials and Hearings (OATH)'s Center for Creative Conflict Resolution to launch **Mediating Establishment and Neighborhood Disputes** (MEND NYC) to provide free mediation for nightlife venues and their neighbors. MEND NYC is an alternative approach to quality-of-life disputes involving nightlife establishments, bringing together both parties with a neutral, third-party mediator to resolve disputes through direct communication and compromise. The objective of MEND NYC is for venues and residents to establish long-term relationships, helping New Yorkers co-exist, before issues escalate to the need for enforcement. The program addresses quality of life while also ensuring that small businesses are supported and can thrive.

As of the conclusion of FY24 on June 30, 2024, MEND NYC had completed 81 successful mediations that moved to the mediation process.

The following table shows additional detail for MEND NYC inquiries, cases, and resolution:

STATUS	NUMBER
Total inquiries	1106
Ineligible and referred to other services	397
Eligible inquiries	709
One or both parties declined to proceed / No contact info	587
Total cases currently open	27
Open for intake (no parties have yet agreed to mediate)	13
Seeking second party's agreement (one party has agreed to mediate)	4
In mediation (including cases already scheduled and in process of being scheduled)	10
Mediation unsuccessful	13
Successfully resolved	81

The program now has multiple avenues for New Yorkers to make a referral. New Yorkers who contact 311 with complaints related to a nightlife establishment are informed about the option of the MEND NYC program, and if they choose to proceed, they will be contacted by a MEND NYC representative for case development and intake. An inquiry form is also available on the MEND NYC website. The program also regularly receives referrals and works in partnership with NYPD officers, community board members and district managers, State Liquor Authority inspectors, and elected officials, and ONL regularly conducts outreach to these groups to make them aware of the MEND NYC program's offerings.

Recommendations and Status Updates



The following table is a status update on progress toward implementation of recommendations to Improve Quality of Life in ONL's 2021 report.

2.0 IMPROVE QUALITY OF LIFE			
#	2021 Recommendation	Description	2024 Status Update
2.1	Implement street ambassadors program	City to introduce supplemental non-enforcement hospitality personnel to welcome, educate, and monitor patrons in high-traffic entertainment areas	Action toward implementing this recommendation is currently on hold.
2.2	Implement policy to improve conditions that cause complaints from new residential developments near existing venues	Support "Agent of Change" policies that would require improved soundproofing and other measures within new developments near existing nightlife venues	A bill that would implement the "Agent of Change" principle was introduced in 2018. Intro 1119-2018 would amend the building code by establishing soundproofing requirements. Although no subsequent legislation has been introduced, ONL will continue to support this principle going forward.
2.3	Create incentives for soundproofing	Develop financing mechanisms to support nightlife businesses to improve soundproofing measures to mitigate sound disturbances between nightlife venues and neighbors	ONL continues to evaluate this proposal for viability.
2.4	Introduce Sunday waste removal services to address Saturday nightlife activity	Increase sanitation services such as street sweepers and litter removal in concentrated nightlife areas on Sunday mornings	Beginning in March 2024, DSNY required all businesses to containerize commercial waste , dramatically reducing on-street litter and rodent sightings.
2.5	Coordinate for-hire vehicle pickups in nightlife areas	Explore a curb space management system to better coordinate vehicle pickups in areas with dense nightlife activity	ONL continues to assist venues with improving pick-up options.



5th Annual EARTH LOVE FEST at House of Yes in Brooklyn featuring sustainability presentations, fashion shows, and eco-action inspiration on April 21, 2024.

3.0

PROMOTE SAFETY, EQUITY, & HARM REDUCTION

The safety and well-being of the nightlife community is a top priority for ONL. We know that nightlife venues are places where people look out for each other, and everyone can do their part to help create safer spaces in our city's world-class nightlife venues. ONL works with partners inside and outside government to promote trainings and advance policies that take a harm reduction approach to ensuring public health and safety for the people who work at and patronize New York City nightlife.



Many venues and promoters are continuing to take steps to enact “safer space” policies to prevent harassment and discrimination, promote consent awareness, and step in when they observe behavior that might be unsafe or unwanted. ONL continues to partner with OutSmart NYC through NITE School training opportunities and other engagement events, offering free bystander intervention training for nightlife venues and their staff to learn how to recognize and prevent incidents of sexual violence and sexual harassment.

NARCAN® Behind Every Bar

The use of alcohol and other drugs in nightlife spaces increase risks in some areas, but there are many harm reduction strategies and best practices available for venue staff to enact to keep patrons safe. With the increasing presence of fentanyl being found in other substances, the opioid overdose epidemic has continued to harm thousands in New York City and across the United States. While less than 1% of overdose deaths are known to occur in bars, clubs, or other nightlife venues, nightlife venues are well positioned as partners in New Yorkers' efforts to defeat the crisis.

December 2021, ONL launched the **NARCAN® Behind Every Bar campaign** with the Department of Health and Mental Hygiene (DOHMH), providing free in-person or virtual training webinars for nightlife venues, staff, promoters, and security to get trained in overdose response and receive free naloxone kits via mail to help combat the opioid crisis. In 2022, as a result of a bill written by **NYC Council Member Chi Ossé and passed into law by NYC Council**, the initiative to provide New York City nightlife venues with naloxone training and access to kits is now permanent.

The campaign has helped prevent further stigmatization of the nightlife industry, promoting instead the widespread availability of NARCAN® as provided by the City. Part of this campaign involves helping to educate venue operators and staff that harm reduction tools such as NARCAN® or fentanyl test strips are not considered drug paraphernalia under New York state law and therefore are legal to possess, use, and distribute.

There are currently many additional ways for venues and promoters to get access to NARCAN®, and many have been able to do it through the NYC Emergency Overdose Rescue Kit Program at participating pharmacies. More recently, the medication has moved to over-the-counter availability thanks to changes at the federal level.



Above: NARCAN® Behind Every Bar campaign to promote virtual trainings hosted by DOHMH.

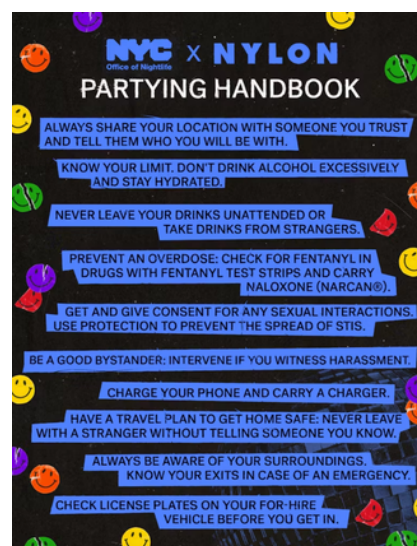


Above: ONL & NYC Department of Cultural Affairs (DCLA) hosted Public Safety Roundtable for Cultural Institutions and Nightlife Establishments on April 4, 2024.

Party Safety Tips

New Yorkers are known for their street smarts. But individuals may experience a night out differently, and everyone could use some common-sense, best practices for a safe night out. In 2023, ONL compiled a Party Safety 101 list of tips and reminders for patrons to stay safe when going out, working with organizations such as Anti-Violence Project and local media organizations to distribute these tips to New Yorkers young and old:

- Always share your location with someone you trust and tell them who you will be with.
- Know your limit. Don't drink alcohol excessively and stay hydrated.
- Never leave your drinks unattended or take drinks from strangers.
- Prevent an overdose: Check for fentanyl in drugs with fentanyl test strips and carry naloxone.
- Get and give consent for any sexual interactions. Use protection to prevent the spread of STIs.
- Be a good bystander: if you witness harassment intervene if you can, or call for help.
- Charge your phone and carry a charger.
- Have a travel plan to get home safe: Never leave with a stranger without telling someone you know.
- Always be aware of your surroundings. Know where exits are in case of an emergency.
- Check license plates on your for-hire vehicle before you get in.



Above: ONL collaborated with NYLON magazine 'Partying Handbook,' promoting tips for a safer night out in NYC.



Above: ONL collaborated with DOHMH on a campaign to warn partygoers about the harmful effects of 'Party Poppers'.

ELEVATE Nightlife Mental Health Initiative

Mental health struggles have long been prevalent in the nightlife industry, with late hours and high-volume, high-energy environments. Working at night or in entertainment industries can present unique health challenges for individuals, making it crucial for workers to prioritize their well-being. **ONL has worked with partner organizations and agencies to compile a list of mental health and wellness resources** that are accessible to all New Yorkers, including some tailored specifically for individuals in the nightlife, hospitality, entertainment, and music industries.

The Elevate Nightlife Health & Well-being Initiative is an umbrella for all these services for people in the nightlife community to access and know what resources are there to help them. That includes partnering with NYC Health + Hospitals Express Care to help directly connect the nightlife community with 24/7 health and wellness resources and services. The initiative has also included partnership in public events and other engagement opportunities with SoundMind Live, a non-profit organization working to leverage the power of music and the arts to tackle issues such as anxiety, depression, socioeconomic disparities, and cultural displacement prevalent among music industry professionals.



Above: During Mental Health Awareness Month, SBS & ONL reveal new mascot 'Vibie,' spotlighting wellness resources for the nightlife industry on social media platforms.



Above: Future Meets Present earth day presentation at House of Yes on April 21, 2024.

Greening NYC Nightlife Initiative

The well-being of the nightlife community includes being mindful of the impacts that human activities can have on our environment. In April 2024, ONL worked with Future Meets Present, a non-profit organization working to design actionable interventions that guide society towards a net-zero future, to pilot an energy assessment and retrofit proposal for a nightclub in Brooklyn.



Above: ONL tabling at 7th annual Market Place of the Future on September 24, 2023.

Recommendations and Status Updates



The following table is a status update on progress toward implementation of recommendations to Improve Quality of Life in ONL's 2021 report.

3.0 PROMOTE SAFETY, EQUITY, & HARM REDUCTION			
#	2021 Recommendation	Description	2024 Status Update
3.1	Address concerns regarding inequities by race, gender, and sexual identity inequities in enforcement	Host roundtable discussions and facilitate implicit bias trainings to address concerns that enforcement actions disproportionately target marginalized groups	ONL implemented the CURE initiative in January 2024 and is working to support businesses in marginalized communities that might otherwise have faced multi-agency enforcement actions under previous policies
3.2	Promote equity and fairness through best practices, guidance, and campaigns for safer nightlife spaces	Work with advocates to develop programs that advance safe and fair nightlife spaces, including campaigns and bystander training to promote consent awareness, reduce harassment, and improve equity in booking, hiring, and guest accommodations	ONL is working with advocates and agency partners to update a best practices guidance document for nightlife businesses, including bystander intervention guidance, fairness in public accommodation for all identities, and other public safety tips for release in fall 2024.
3.3	Advance public health through a harm reduction approach to substance use	Host dedicated conversations and develop policies that bring harm reduction initiatives to the broader nightlife community, working with city agencies and advocates to implement training, testing, and distribution of educational materials	ONL and DOHMH continue to promote the NARCAN Behind Every Bar campaign, advancing harm reduction by connecting nightlife venues and staff to training in overdose prevention and response, where they can obtain free naloxone kits to use in their venues.
3.4	Promote mental health awareness in nightlife spaces through "ELEVATE Nightlife Health & Well-Being" Initiative	Expand 'ELEVATE Nightlife' programming to nightlife spaces	ONL continues to promote the ELEVATE Nightlife Health & Well-being Initiative , which provides nightlife workers with access to mental health and wellness resources specifically tailored to their needs and experiences.



People dancing at a nightclub.

4.0

ELEVATE NIGHTLIFE CULTURE



Nightlife is at the core of New York City's cultural identity, and ONL continues to work to establish new policies and programs to support creative spaces and the New Yorkers who work and perform in them.

City of Yes for Dancing

In 2021, ONL's report highlighted the “unfinished business” of the broad, grassroots efforts to repeal the antiquated Cabaret Law. New York City has a long history of discriminatory practices regulating dancing and nightlife. That law had banned nightlife establishments from hosting “musical entertainment, singing, dancing, and other forms of amusement,” without a formal license.

In 2017, while the City Council repealed the provisions of that law that required venues to obtain a Cabaret License, it was not able to address the confusing and complicated restrictions on nightlife that remained in the city's zoning, which limited social dancing and other kinds of live performance only to select districts. Zoning is a relic of that history and continued to restrict music, comedy, and dancing in many locations.

Beginning in 2023, ONL worked with City Planning to advance the **City of Yes for Economic Opportunity** (COYEO) rezoning initiative, which updated many aspects of the city's zoning code to support small business growth. One provision finally removed the outdated restrictions on social dancing in many commercial districts and established a new category for eating and drinking establishments with ticketed, scheduled entertainment.

ONL supported efforts to gather feedback on the plan by convening meetings with industry leaders, co-hosting a panel discussion with researchers from the Pratt Center for Community Development, providing testimony at the City Planning Commission and City Council hearings, working with advocacy organizations like Dance Parade and other groups to build public support through rallies and other engagement campaigns, and promoting the initiative at other numerous public meetings and presentations.

In June 2024, Mayor Adams and New York City Council Speaker Adrienne Adams announced the passage of COYEO, which reformed the way zoning addresses nightlife establishments.



Above: City of Yes social media campaign graphics.

Now performance venues are regulated according to size, instead of the city specifying which kinds of entertainment can or cannot take place. Neighborhood corridors can have smaller venues up to 200 capacity, with larger venues limited to central business districts and industrial areas. Such reforms are improving consistency for business operators.

This proposal was a targeted effort to remove outdated, often discriminatory limits on social dancing. However, other public safety and licensing processes will continue to remain in place. Place of Assembly rules continue to ensure compliance with Building and Fire Code for spaces where 75 or more gather indoors. Community boards and the State Liquor Authority can still place considerations that address sound, traffic, and other concerns as part of their stipulations on liquor licenses. The NYC Noise Code continues to give DEP authority to review complaints about elevated sound and issue violations.



Above: ONL and SBS team members attend the 'City of Yes for Economic Opportunity' rally on the City Hall steps on April 8, 2024.

Component 9

Nightlife: New Zoning

For an **Eating or Drinking Establishment** in a C1 or C2 overlay district



Permitted:
No change



Permitted:
No change



Permitted:
Clarify that incidental dancing is permitted in any business type



Permitted:
Dancing as a common activity in a bar or restaurant

- Permit non-musical entertainment with posted showtimes or cover charges in bars or restaurants up to 200-person capacity in C1-C3. Discretionary process available to consider capacity increases in certain circumstances.
- Over 200-person capacity businesses allowed in C4-C8, M1-M3, subject to additional regulations in certain C4-C6 districts.

Recommendations and Status Updates



The following table is a status update on progress toward implementation of recommendations to Improve Quality of Life in ONL's 2021 report.

4.0 ELEVATE NIGHTLIFE CULTURE			
#	2021 Recommendation	Description	2024 Status Update
4.1	Establish alternative temporary use process for small or “do-it-yourself” (DIY) cultural events	Develop a program to help facilitate temporary cultural uses and performances	ONL is working with city agency partners to review potential and proposed additions to the temporary use permitting process.
4.2	Ensure safety and compliance in cultural spaces	Help unpermitted nightlife spaces become compliant with necessary permitting to protect health and safety	The city launched the MyCity Business site to serve as an easily accessible, all-in-one resource for applications, permits, licenses, and related information needed to open and operate a business in New York City.
4.3	Improve affordability for DIY spaces and promoters to host safe, legal events	Create a pool of low-cost, pre-approved professionals to expedite permitting processes and explore new financing mechanisms for physical improvements	Action toward implementing this recommendation is currently on hold.
4.4	Explore changes to zoning language to support and expand live music and social dancing uses	Explore changes to the Zoning Resolution and Building Code language to improve consistency in enforcement for venues that host live music and social dancing	The Adams administration and NYC Council passed the City of Yes for Economic Opportunity zoning text amendments in June 2024. That package included a provision that reformed the zoning code's outdated restrictions on dancing.
4.5	24-hour use in select neighborhoods	Evaluate opportunities to expand 24-hour nightlife activity in appropriate locations	ONL is continuing to assess parameters for evaluating different potential areas where additional 24-hour activity might be encouraged.
4.6	Explore dedicating city assets for new cultural venues	Explore use of underutilized sites to develop legal and code-compliant spaces that can be used to support a variety of short and long-term cultural programming	ONL is evaluating the feasibility of releasing a call for concepts to explore the utilization of underused buildings as nightlife cultural centers.
4.7	Promote and preserve New York nightlife's cultural history	Explore the development of an archive cultural institution or museum for New York nightlife memorabilia, to highlight a diverse history and re-frame nightlife as a cultural driver for the city	ONL is evaluating the feasibility of a potential program to highlight NYC nightlife's historic sites.

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