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# Client Alert

## Proposed New Law Affecting New York City Nightclubs and Bars Requires Installation of Security Cameras and Identification-Checking Machines

Earlier this month, New York City Counsel Speaker Christine C. Quinn announced “a 3-point plan to address safety and security concerns throughout the City. The plan calls for local enforcement of State Liquor Authority regulations; a packet of legislative proposals that will strengthen club security; and a Nightlife Safety Summit in September to bring key players together to collaboratively address improving nightclub safety.”

“New York City has the most exciting nightlife in the world; it should also be the safest,” said Speaker Quinn. “it is time to rope in the problems in New York nightlife -- for the safety of our residents, the safety of nightclub neighbors, and for the safety of nightclub-goers. These proposals will ensure that clubs and State and local enforcement agencies are doing their jobs to keep clubs safe, and that neighborhoods like those on the West Side don’t become the Wild West.”

### ENFORCEMENT

“The Speaker called for an overhaul of State Liquor Authority Operations in New York City by proposing a local enforcement unit that will

have the power to more expeditiously revoke or suspend liquor licenses, levy fines for violations, and work collaboratively with local law enforcement. The special unit would help the City effectively police its bars and clubs by itself taking action to revoke or suspend liquor licenses. The Speaker proposed financing this unit through a surcharge on all liquor licenses issued in New York City.”

### THE PROPOSED LEGISLATION

- “Requiring ID verification scanners at club entrances. The scanners, able to detect fake ID’s, would be an effective step in preventing underage patrons from gaining entry to nightclubs;”
- “Installing security cameras at club entrances and exits to reduce crime in and around clubs, as well as to address quality of life concerns;”
- “Strengthening training for cabaret employees. Improved education and awareness on club safety and the responsibilities of club employees to maintaining a safe environment in the club and on the streets;” and

· “Requiring clubs with serious or repeat violations such as unlicensed security guards and/or underage drinking to hire independent monitors at their own expense. Monitors, who would have to be on an approved NYPD list, would work with the Police Department to improve club safety.”

#### **PROPOSED SAFETY SUMMIT**

“In addition, Speaker Quinn proposed a Nightlife Safety Summit to bring together all the key players in ensuring club safety to discuss and implement solutions to our club safety issues. The Speaker will ask each participant to commit to undertaking new and effective initiatives to improve the safety of our nightlife. The Summit, which will take place in September, will call upon club owners, law enforcement, local communities, and elected officials to come to the table with a plan to address chronic problems such as underage drinking, security in and around clubs, and incidents of violence inside and outside of the clubs. The New York Police Department, Office of the Criminal Justice Coordinator and the Nightlife Association have already agreed to participate.”

“It has become appallingly clear that we can no longer rely on the judgment of night club personnel to appropriately screen patrons,” said Council Member Comrie. “Therefore, the

Council and Consumer Affairs Committee will work collaboratively to examine proven security devices and measures such as the installation of ID scanners as a means to protect and safeguard the well being of our communities.”

“A fun and vibrant nightlife is part of what makes New York City so great. But we can and must take common sense steps to ensure that our neighborhoods also remain safe and livable,” said Council Member Gerson.”

This new proposed legislation follows earlier City Council legislation designed to improve club safety, including “The Bouncer Bill” which creates new enforcement tools for the City and allows the City to shut down clubs, bars and other establishments that hire security personnel but fail to ensure that each bouncer is properly licensed.

The new proposed legislation poses many interpretative questions, for example, in determining whether its requirements affect your establishment or whether measures already taken by your night club are sufficient to satisfy the parameters of the new law.

If you have any questions about the matters covered in this client alert, please contact Terrence A. Oved, Esq. at Oved & Oved LLP 212.226.2376 or [terry@ovedlaw.com](mailto:terry@ovedlaw.com).

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