

Consumer Protection Bureau
87 Nepperhan Ave
Room 212
Yonkers, NY 10701

City of Yonkers
Cabaret Accessory
License Application

Phone: 914 377-6808
Fax: 914-377-6811
Website:
www.YonkersNY.gov

INSTRUCTIONS FOR USING THIS FORM

Please Note: This application will not be processed until ALL required documents are submitted.

Requirements:

1. Application must be completed and signed by the applicant before a Notary Public. Applicant must be the President of the company and operator and/or lessee of the business seeking Cabaret accessory license.
2. Must submit a copy of New York State Driver's license or non-driver ID card.
3. Must Submit a copy of Business Certificate (for individual owner or partnership), issued by County Clerk of Westchester (914) 995-2000 or Certificate of Incorporation (or filing receipt), issued by NYS (518) 473-2492.
4. Must submit a copy of the location's Certificate of Occupancy. For more information contact Dept. of Housing & Buildings at (914) 377-6500.
5. Must submit a floor plan along with a copy of the site's Occupancy Limit, obtained from the Yonkers Fire Department (914) 377-7500. Fire extinguishers must have the proper tags and must be mounted where necessary.
6. Must submit a copy of New York State Liquor license.
7. Must submit current Certificate of Liability Insurance with the City of Yonkers named as additional insured and certificate holder.
8. Must submit a copy of the location's most recent sprinkler test , within the last 12 months (if applicable).
9. Must submit a copy of the alarm system's most recent tests, and a letter from the alarm company that states it is monitored continuously (24 hrs/7 days) (if applicable).
10. Locations with kitchens must have the proper Ansul systems installed under the hoods; they must be properly tagged and inspected. Kitchens require heat detectors, exit and emergency lighting.
11. The Department of Housing & Buildings must inspect the premises prior to licensing. Please submit a separate fee of \$125 per floor, made payable to the Department of Housing & Buildings in the form of a check or money order. (NO CASH WILL BE ACCEPTED).

LICENSING FEES AND EXPIRATION DATE

\$250.00/floor—one year term
License expires November 30th following date of issuance.
This license is NOT transferrable.

Mike Spano, Mayor
Kerry O'Brien Hess, Director

No license shall be transferred or assigned to any person or used by any person other than the licensee to whom it was issued, nor shall such license be used for any location other than the location stated in such license.

If, during the term of the licensing period, one (1) or more directors, stockholders or officers of a corporate license are substituted or added, each individual shall, within five (5) days of such substitution or addition, file with the Director an application for an approval of the change of such, as prescribed by the Director.

TERMS AND CONDITIONS

- Live entertainment such as singing dance, theater concerts and other live performances shall only be permitted in association with an accessory to permitted restaurants, banquet halls and catering facilities.
- Those establishments offering live entertainment shall be required to obtain and renew a valid show license in accordance with the provisions of Chapter 31 (Consumer Protection Code) of the City of Yonkers.
- Entertainment shall take place entirely within an enclosed building which shall be sufficiently sound insulated and separated from adjacent uses, particularly residential uses, so as to avoid any noise nuisances.
- No outdoor music and public address system is permitted.
- No live entertainment after 12:00 midnight, Sunday through Thursday, and no later than 1:00am Friday or Saturday will be permitted.
- Any variance to these terms and conditions must be approved by the Zoning Board of Appeals.
- Maximum occupancy notice, issued by the Yonkers Fire Department, must be clearly displayed.

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Pursuant to the provisions of the Code of the City of Yonkers, I the undersigned respectfully petition for the below-listed license in the City of Yonkers, and for that purpose, I hereby provide the following answers to the questions contained herein.

| | | |
|---|-------------------------------------|--------------|
| Name of location to be licensed: | | |
| Trade/display name/DBA (if different than above): | | |
| Address: | | |
| City: | State: | Zip Code: |
| Phone Number: () - | E-Mail Address: | |
| Is Applicant: <input type="checkbox"/> Individual Owner <input type="checkbox"/> Member of Partnership <input type="checkbox"/> Corporation/Association Society/Organized group | | |
| State Liquor Authority license number (If applicable): | | |
| Provide the following info for each owner, partner or corp officer: (attach additional pages, if nec.) | | |
| 1) Name/Title | | |
| Address | | |
| Telephone | DOB | Social Sec # |
| 2) Name/Title | | |
| Address | | |
| Telephone | DOB | Social Sec # |
| Number of floors on premises: | Total square footage of premises: | |
| Is there a dance floor on the premises? | Is there a kitchen on the premises? | |
| Is there a sprinkler system? | Is there an alarm system? | |
| If additional rooms are to be used independently by the applicant on the same premises to be licensed, list their purpose/locations: | | |
| | | |
| Has the owner/partner or any officer of the corporation ever been convicted of a crime? | | |
| If 'Yes', give details: | | |
| FOR CORPORATIONS, CLUBS, ETC. ONLY | | |
| Name of Corporation: | Date of Incorporation: | |
| State in which corporation was organized: | | |
| Is corporation authorized to do business in New York State? | | |

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I, _____, being duly sworn, deposes and says that all of the answers in the foregoing application are true, and that the photographs attached hereto were taken within thirty (30) days of the date of this application.

Signature: _____ Date: _____

Print name: _____

Notary Public

Hold Harmless Clause

This "Hold Harmless Clause" must be signed by an officer of your organization, dated and witnessed.

The applicant agrees to protect, defend, indemnify and hold the City of Yonkers, et al and its employees free and harmless from and against any and all losses, claims, liens, demands, and causes of action of every kind and character including, but not limited to the amount of judgments, penalties, interest, court cost, legal fees incurred by the City of Yonkers, et al arising in favor of any party, included in claims, liens, debts, personal injuries, including employees, of the City of Yonkers, et al, death or damages to property (including property of the City of Yonkers, et al) and without limitations by enumeration, all other claims or demands of every character occurring or in anyway incident to, in connection with or arising directly or indirectly out of the said agreement.

Signature

Witness

Dated

Dated



City Hall Annex- 2nd Floor
87 Nepperhan Avenue
Yonkers, NY 10701-3819
(914) 377-6808
Fax (914) 377-6811

CITY OF YONKERS
Administrative Adjudication Bureau
Consumer Protection Bureau

Mike Spano, Mayor
Kerry O'Brien Hess, Director

NOTICE TO ALL CABARETS

Please be aware that your Cabaret License allows for the premises to be used to offer musical entertainment. Licenses are only granted after all necessary inspections have been conducted by various city agencies. I am writing to remind you that, as a license holder, your premises may ONLY be used to offer mechanical music, such as a Jukebox, or live music, such as performances by musician(s) or bands, when additional licenses for such have been applied for and granted by this office. They are listed below:

§ 27-1. License required. [Amended 7-18-1996 by L.L. No. 5-1996]

It shall be unlawful to operate a coin-operated automatic music machine, commonly known as a "jukebox," or a coin-operated machine in connection with which a sound track is played in the City of Yonkers unless the owner thereof shall have obtained a license from the Director of the Office of Licensing.

§ 24-1. Common show license required. [Amended 7-18-1996 by L.L. No. 5-1996]

No person shall publicly exhibit in any building or place or permit any other person to exhibit publicly or to participate in exhibiting in any building or place any theatrical representations, feats of horsemanship or any animal or artificial curiosity or other shows, exhibitions or performances in the city without first obtaining a license from the Director of the Office of Licensing either for such exhibitions, shows or performances or for the hall, grounds or building in which such exhibitions, shows, performance or performances are to be given.

Please be aware that enforcement of these licenses is conducted by both Consumer Protection Bureau Inspectors and Yonkers Police Personnel. Applications for all licenses may be downloaded in the Consumer Protection Bureau's *Forms* section at www.YonkersNY.gov. If you have any questions, please call the number listed above at your convenience.

Kerry O'Brien Hess, Director



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NOTICE TO ALL CABARETS

This letter shall serve as notice to all Cabarets located in the City of Yonkers that the Consumer Protection Bureau will now require all Security Guards (also referred to as Bouncers), employed by such establishments, to apply for employee identification cards.

According to the City Code of Yonkers: Chapter 23, section 8, employees of cabarets that come into contact with patrons must apply for an employee identification card. Recent events have indicated the need for an increase in regulation and standards for bouncers and security personnel. Accordingly, as a condition of your Cabaret license, you must require that all security guards and/or bouncers possess an ID card, issued by this office. The card will be issued to the individual, but will be specific to your establishment only. Individuals working at multiple establishments will be responsible to obtain multiple ID cards. ID cards will become void at the termination of employment. It is your responsibility to require this ID card as a term of their employment. Employment of an unlicensed bouncer will result not only in a violation by the employee, but also by the Cabaret License holder.

In order to obtain a CPB Cabaret Security Guard/Bouncer ID Card, applicants must provide a copy of their current NYS Security Guard registration card. According to NY State General Business Law: Article 7-A, section 89, the Security Guard Act of 1992 requires that all persons acting as Security Guards must be licensed by the state. Security Guards are defined as persons performing any of the following functions: protection of individuals and/or property from harm, theft or other unlawful activity; deterrence, observation, detection and/or reporting of incidents in order to prevent any unlawful or unauthorized activity including but not limited to unlawful or unauthorized intrusion or entry, larceny, vandalism, abuse, arson or trespass on property. The *NYS Department of State, Division of Licensing Services* issues these licenses. Applicants must pay a fee of \$141.25, complete an 8-hour training course,

get fingerprinted and must not have any serious (felony) convictions. To order applications, or for more information: fax (518) 473-6648, email licensing@dos.state.ny.us or contact them in writing or by phone at any of their many locations.

The Yonkers Police Department continues to enforce the NYS law that requires state licenses for Security Guards. It is the goal of the Consumer Protection Bureau to aid in this effort by helping to educate businesses regarding their responsibilities. Please feel free to contact the CPB with any questions you may have. I must inform you that inspections of all licensed Cabarets will begin shortly. Any bouncers found working that do not possess CPB ID cards will be issued summonses, in addition to the Cabaret License holder. A violation of this statute will constitute a Class II Offense, subject to a penalty of not less than \$250 nor more than \$5,000, imprisonment of not more than 15 days, or both.

Kerry O'Brien Hess, Director



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PREMISES NAME _____

ADDRESS _____

OWNER NAME _____

CABARET LICENSE # _____ EXPIRATION DATE: _____

*THIS BUSINESS (CHECK ONE) DOES DOES NOT EMPLOY SECURITY GUARDS / BOUNCERS.

SIGNED _____ DATE _____

SECURITY GUARD/BOUNCER #1

NAME _____

DATE OF BIRTH: ____/____/____ NYS SECURITY GUARD ID # _____

SECURITY GUARD/BOUNCER #2

NAME _____

DATE OF BIRTH: ____/____/____ NYS SECURITY GUARD ID # _____

SECURITY GUARD/BOUNCER #3

NAME _____

DATE OF BIRTH: ____/____/____ NYS SECURITY GUARD ID # _____

ATTACH ADDITIONAL SHEETS IF NECESSARY

§ 84-1 Video camera systems required.

It shall be required that the following business establishments: businesses that are licensed to sell alcohol by the State of New York to the public for consumption, either on or off premises; businesses whose premises are regularly open to the public for any amount of time between the hours of 12:00 midnight and 4:00 a.m.; check-cashing businesses; licensed second-hand dealers that buy and sell precious metals; pharmacies that are licensed by the State of New York; and pawn shops that are licensed by the City of Yonkers (hereinafter collectively referred to in this chapter as "businesses") install and maintain a video camera system (hereinafter referred to as "system") that conforms with the following requirements:

A. The video cameras shall be installed at or near each and every entrance or exit regularly used by customers or employees. Said cameras shall be positioned so as to view and record a full frame of the individual's face as he/she is entering and/or exiting the business establishment, and to the extent practicable, activity within 15 feet of the area around each entrance or exit.

B. The video cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible and accurate facial images recorded at all times.

C. The video camera shall record at a minimum speed of eight frames per second.

D. The video cameras images shall be capable of being viewed through use of appropriate technology, including but not limited to a computer screen or closed-circuit television monitor.

E. The video recorder shall be digital in nature and be capable of transferring the recorded images to a portable, digital form of media.

F. The video cameras are not required to have audio capability.

G. The video cameras shall be maintained in good working condition.

H. The video cameras shall be in operation and recording during all hours of operation of the business and for two hours after the business closes.

I. The recordings made by video cameras installed and maintained pursuant to this section shall be indexed by dates and times.

§ 84-2 Operating procedures.

The businesses subject to the provisions of this chapter must comply with the following requirements in relation to the preservation of the recordings, storage of the system, availability of recordings, dissemination of recordings, inspection of systems and certification of compliance:

A. The recordings made by video cameras installed and maintained pursuant to this chapter must be preserved for a minimum of 30 days.

B. The recordings made by video cameras installed and maintained pursuant to this chapter must be made available to the City of Yonkers Police Department for purposes of an official investigation or when approved by the Police Commissioner or his/her designee.

C. The recordings must be turned over to the City of Yonkers Police Department upon its demand while the business is open and/or as soon as possible if the business is closed.

D. All recordings made by video cameras installed and maintained pursuant to this chapter while in possession of the business shall be stored in a locked receptacle, preferably located in a controlled access area, to which only authorized personnel may have access, or shall otherwise be secured so that only authorized personnel may access such video recordings.

E. The establishment shall keep a log of all instances of requests for, access to, dissemination and use of recorded materials made by video cameras installed and maintained pursuant to this chapter. Copies of the access log shall be provided to the City of Yonkers Police Department upon demand.

F. The video camera system must be available to the City of Yonkers Building Department and Police Department for inspection at all times, during such time that the business is open to the public, to ensure compliance with the requirements set forth in this chapter.

G. Each business establishment subject to the provisions of this chapter shall submit a certification report to the Police Department, on a form prescribed by said department, by January 31 of each year. The report shall certify that the business has complied with this chapter.

[§ 84-3 Installation of video cameras.](#)

The businesses subject to the provisions of this chapter must comply with the New York State Uniform Fire Prevention and Building Code and the rules and regulations promulgated thereunder and the Code of the City of Yonkers when installing and maintaining the video camera system.

[§ 84-4 Extension of time for compliance.](#)

In the event the business demonstrates a good reason why it cannot meet the date set for obtaining a video camera system, the Police Commissioner, or his/her designee, may for such good reason stated grant one extension of time to comply with this chapter, such time not to exceed six months.

[§ 84-5 Penalties for offenses.](#)

The violation of any provision of this chapter shall be a Class III offense except that any violation of § [84-2A](#), [B](#), [C](#), [D](#) and [E](#) shall be a Class I offense.



Yonkers Police Department

104 South Broadway
Yonkers, New York 10701

I _____, the owner of

PRINT NAME

_____ located at

PRINT NAME OF BUSINESS

PRINT ADDRESS

Telephone Number _____ E-Mail Address _____

have read and understand *Chapter 84. Video Camera Systems* of the City Code of Yonkers. I also understand that failure to fully comply with *Chapter 84* is a Class III offense, except that any violation of 84-2A, B, C, D and E shall be a Class I offense.

The above Business may be inspected by the Yonkers Police Department at any time to ensure compliance.

Date _____

Signature

Sworn and subscribed to before me
This ____ day of _____, 20__.

Notary Public or Commissioner of Deeds

***PLEASE RETURN THIS COMPLETED FORM TO THE CPB: 87 Nepperhan Ave. Yonkers, NY 10701**