

Presentation to Neighborhoods & Economic Development Committee

April 5, 2007

Prepared by Seattle Nightlife and Music Association

www.seattlenma.org

Seattle Nightlife and Music Association

- Formed in response to multiple legislative proposals at City and State level
- We support the finding of the Mayor's office that "the growth of nightlife establishments has contributed greatly to the economic vitality and cultural vibrancy of the city, strengthening Seattle's image as a music and entertainment capital."

SNMA Supports

- Development of appropriate best practices for businesses that serve alcoholic beverages after 10:00 pm that reflects the wide variety of businesses involved
- Improvements in public safety and allocation of City resources to support public safety during the hours of 10:00 pm and 3:00 am
- Development of a comprehensive plan for addressing friction arising from increased urban density
- Creation of a forum and mechanism for resolving conflicts between business patrons and residents
- Increased enforcement of existing laws

Nightlife Premises are a valuable City asset

- With a few exceptional incidents, Nightlife Premises make our streets safer than if there was no business after 10pm
- Nightlife improves the quality of life in Seattle and is critical in our ability to attract and retain the highly educated workforce needed to support our City's growth
- Nightlife businesses contribute substantially to the economic vitality of the City

Nightlife Businesses Are Highly Regulated

- Contrary to many statements over the past month, Nightlife Premises are subject to regulation at all levels of government and by others
- Some of the main regulators are:
- Federal Bureau of Alcohol, Tobacco and Firearms
- State
 - Liquor Control Board
 - Labor and Industries
 - Employment Security
- County Health Dept
- City
 - Joint Assessment Team
 - Admission Tax
 - Department of Planning and Development
 - Fire Dept
 - Police Dept
- Others include BMI, ASCAP, SEASAC

Highly Taxed and Highly Regulated but not Supported

- City quashed State law which the WA Liquor Control Board proposed and **SNMA supported** which would have added nightlife specific liquor enforcement officers in Seattle
- City has told us that they will not allocate more police officers to areas that are active in the evenings
- City will not permit nightlife premises to hire off-duty police officers at their own cost
- City rejected reasonable proposals from the Task force for reducing conflict between residents and businesses

Seattle Nightlife Ordinance

- Dramatically and harshly increases regulation without any increase in support
 - Most onerous regulation in the country
 - Allows businesses to be shut down minor infractions which is subject to abuse
 - Sets businesses up for failure and presents that as a “solution”
 - “but we won’t go after the good operators” is not an acceptable way to write laws
- Does not address the most common points of friction between business patrons and residents
- Ignores the complexities of the issues involved
- Blames nightlife businesses for all problems arising from urban density and attempts to solve by eliminating nightlife businesses
- Is Bad Policy

Dramatically and Harshly Increases Regulation

- We have expanded the work started by Central Staff and compared the specifics of the Mayor's proposed ordinance to highlight the problems with the proposed "big stick" regulation

Nightlife Licensing

Other Jurisdictions

	Seattle	Austin	Minneapolis	New York	Portland	San Francisco
Revocation of license for 3 minor health code violations in 24 months?	Yes	No	No	No	No	No
Director can force nightlife businesses to adopt new building codes each year?	Yes	NO	NO	NO	NO	NO
Director can force a licensee to stop promoting hip hop or other styles of music?	Yes	NO	NO	NO	NO	NO

Nightlife Licensing

Other Jurisdictions

	Seattle	Austin	Minneapolis	New York	Portland	San Francisco
Revocation of license if two violent street crimes occur within 50 feet of Premises during a 2 year period even though perpetrator was not a patron of the Premises but was over 21 years of age?	Yes	NO	NO	NO	NO	NO
Require businesses to police public areas outside the premises?	Yes	NO	NO	NO	NO	NO

Does Not Address Main Points of Tension

- Most often repeated complaint: People noise at push out
- Not addressed and will not fix noise from motors revving, car stereos, yelling
- Task force suggestions:
 - Increase police presence as a deterrent
 - Signs (like in NY) reminding patrons that people live in the area
 - Ticket persons who make excessive noise inside City Limits between the hours of 10pm and 6am
 - Implement a program for educating patrons about noise issues and need for restraint when leaving a Nightlife Premise
 - Make SPD's security training program mandatory

Is Bad Policy

- Will decrease safety on our streets as businesses close down
- Will force businesses to have a short-term outlook rather than being a long-term member of the community
- Will harm the music industry. “Good” clubs will close down and musicians will move to other cities
- Will eliminate many of the other “amenities” that make the City attractive to the “creative class”
- See Nov 24 NY Times handout

Better Approach is a Comprehensive Approach

- Surprising number of things that residents, businesses and developers agreed upon in the task force:
 - More police support
 - More enforcement of existing laws
 - Increased monitoring, mentoring and training
 - Need for a real nightlife commission with real powers and the respect of both the residents and the businesses where complaints will be heard and solutions crafted to address real issues
 - Need for the real commission to review new liquor license applications for appropriateness in the area
- In discussions with neighborhood groups most were supportive of nightlife but had complaints about a single establishment in their area. A real commission could, with the support and cooperation of the City, resolve those issues
 - Likewise, with the increased coordination between City and State through the Joint Assessment Team and current bill 2113 City can more easily obtain revocation of liquor license