

PROPOSAL TO ALLOW TICKETED ARTS & ENTERTAINMENT EVENTS

Honorable Andrew M. Cuomo,

We the undersigned comedy club owners in New York City, Long Island and Western New York write to you requesting that ticketed arts and entertainment events be allowed to resume modified operations in New York State.

Comedy has a deep-rooted history in New York. None of us want to see the destruction of an industry we hold so dear. So we write in the spirit of working together to help us remain in business while keeping the health and safety of all New Yorkers the paramount focus.

In June, July and part of August, venues across the state hosted ticketed music and comedy events both indoors and out adhering to guidelines provided for Phase 3 and 4 indoor and outdoor arts and entertainment, food service and the latest alcohol sales and consumption laws.

Since then, the New York State Liquor Authority (SLA) updated their website to say, "Advertised and/or ticketed shows are not permissible," stressing that this was to avoid gatherings "where people congregate, mingle, and create congestion at points of ingress and egress," thereby closing all venues which had been operating in good faith.

The SLA pointed to New York's data-driven reopening guidelines. We respectfully remind the SLA the data showed that after 12 weeks of venues operating indoors and outside, the COVID-19 positive test numbers continued to decline.

While licensed venues have since been re-shuttered, public gatherings of <50 and private parties are still allowed. This is how speakeasy culture starts. New Yorkers are already seeking out spaces to skirt the rules and create their own private events outside the purview of the government. This endangers public health in the precise ways the SLA and Department of Health (DOH) are attempting to eradicate.

By reopening licensed venues and allowing for structured, legal events, the SLA and DOH can ensure a safer way for New Yorkers to find sources of entertainment. Without doing so, it will likely mean the demise of venues across the State and the lost jobs and revenue that follows.

Comedy (and the arts in general) may seem frivolous when so many are struggling. However, it is a defining pillar of New York City and an essential part of its financial ecosystem. There is a concrete value that goes beyond the emotional and cultural enrichment they provide. Arts spaces have a “multiplier effect” --for every ticket sold an additional \$12 is spent in the surrounding neighborhood, boosting the local economy as our customers patronize local restaurants, bodegas, taxis, retail shops and more. We are also a massive driver of job creation, and a \$35.1 billion dollar industry according to the [NYC Office of Nightlife](#).

Plus, laughter is the best medicine, right?

Collectively, we respectfully request that:

- 1) Ticketed arts and entertainment resume outdoors in NYC and indoors in other regions; and
- 2) During the time that NYC does not allow for indoor dining, ticketed arts events should be permissible indoors in the same fashion that bowling alleys are being allowed to operate, i.e., reduced capacity with no food and beverage service, and masks required at all times by patrons and employees; and
- 3) When indoor dining returns to NYC, ticketed arts and entertainment should be included in that expansion.

Below are the core issues of concern stated by the SLA with examples of how venues will adhere to guidelines and account for scenarios unique to the arts. We hope that upon review of this proposal, you will agree that it is time to allow for a structured and safe reopening of ticketed arts and entertainment events.

Thank you for your time and consideration.

New York Comedy Club Coalition

CORE CONCERNS FOR TICKETED ARTS & ENTERTAINMENT EVENTS

Once patrons are seated, venues operate in the same manner as any other food service establishment and, as such, will adhere to the guidelines set forth in the [Food Services Guidelines for Employers and Employees](#) and venues will affirm the [Interim Guidance for Food Services during the COVID-19 Public Health Emergency](#).

Additionally, venues shall adhere to the guidelines set forth for [indoor](#) or [outdoor](#) arts and entertainment.

SEATING

All events indoors or outside shall be seated. No standing or milling about will be allowed.

Indoor seating for events with food & beverage service will be limited to 25% of maximum occupancy per the [current guidelines](#). Indoor seating for events without food & beverage service will be limited to 50% maximum occupancy per the current guidelines for [indoor bowling](#).

For outdoor seating, the number of seats will be determined by the size of the designated outdoor space and the number of tables that can be accommodated while allowing for 6-foot spacing between parties.

Additionally, for outdoor events, venues will ensure limited indoor capacity to accommodate patrons who may need to enter/exit through the indoor space to access the outdoor space, restroom(s), payment locations, or in an emergency, and allow such ingress/egress in a socially distant manner.

For both indoor and outdoor events, seating will be assigned based on the number in a party. Patrons from the same party may sit next to each other at communal tables, provided the party is 10 persons or fewer. Patrons of different parties will be separated by at least 6 feet.

INGRESS / EGRESS

Ticket holders will be required to queue outside, with 6-foot spacing between patrons. The venue will employ a door manager to check in guests one party at a time, waiting in between entry to ensure spacing between guests allowing time to be ushered to seats and/or purchase food and drink items.

Pre-purchased tickets will be strongly suggested for all shows. An additional recommended practice for pre-purchased tickets would include an option to schedule arrival times to allow for staggered ingress to minimize lines.

Inevitably, there will be patrons who arrive without tickets in hopes of admission. Those patrons will be required to queue in a separate line, with social distancing rules in effect. Should space become available, these patrons will be required to provide contact information with their ticket purchase prior to entry.

The venue will allot for the additional time between shows needed to disinfect tables and chairs, check in guests and allow for staggered seating upon arrival.

After an event, exits will be managed in the same way passengers exit an airplane at the end of a flight. Staff shall direct parties nearest the exits to leave first in order to clear space for patrons further inside to prevent any congestion and allow for 6-foot spacing between parties.

CONGREGATING

Congregating other than persons seated at tables is not permissible. Patrons should be standing only for necessary reasons such as use of restrooms, entering, and exiting.

For outdoor shows, a staff member shall be assigned to disperse groups that are not observing social distancing guidelines.

Performers shall be required to be seated, except while on stage performing. A designated area for performers can be located indoors or outside, provided that seating allows for 6-foot spacing between performers and they adhere to health and safety guidelines as any other employee of the venue.

PERFORMER SAFETY

Microphones will be sanitized between uses and/or disposable microphone covers will be provided.

While on stage, performers will maintain a distance of no less than 10' between the performance area and the front row of audience members unless a plexiglass or plastic divider is placed between the performer and audience in which case 6' distance will suffice.

CONTACT TRACING

All events must be ticketed --whether free or not-- using a service that requires complete contact information of the ticket purchaser, such as Eventbrite, Shopify or other online or point of sale systems. The list of attendees of the event and their contact information shall be kept on record for no less than 14 days from the date of the event and available for inspection upon request.

It is a recommended practice that the venue create a diagram of the venue's seating plan. Upon seating a party, staff will denote on the diagram the ticket number on the corresponding table. The completed diagram would be kept with the list of attendees of the event along with their contact information.

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