

Nighttime Governance Analysis of Milwaukee's Social Economy



Sociable City
RESEARCH REPORT

NIGHTTIME GOVERNANCE ANALYSIS FOR MILWAUKEE'S SOCIAL ECONOMY

Final Report – October 24, 2022

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EXECUTIVE SUMMARY

The Responsible Hospitality Institute (RHI) contracted with **Milwaukee Downtown, Business Improvement District #21 (BID 21)** to conduct an in-depth analysis of four cities with nighttime governance systems: San Francisco, New York City, Pittsburgh, and Washington D.C.

This research project was an outgrowth of the **2021 Sociable City Evaluation** of progress and setbacks since RHI's original **Hospitality Zone Assessment** in 2011. Safety incidents in and around nighttime social districts during the summer of 2021 prompted BID 21 to evaluate how best to create a sustainable system of governance. Dedicated resources could be deployed and coordinated by a citywide liaison to connect residents, businesses, and key stakeholders for better management of day, evening, and late-night social activity.

Milwaukee has an opportunity to take its place with other major North American destinations as a city that invests long-term in the safety and vibrancy of its social economy. At least sixteen U.S. cities currently have some form of nighttime governance with a dedicated Office and staff.

Creation of a citywide system of governance will ensure the long-term sustainability of a safe, vibrant social economy in Milwaukee. Institutionalization of the city's approach to nurturing businesses and keeping them in compliance will assure the health and vitality of the hospitality and nightlife industry. Further, it will help strengthen Milwaukee's competitive advantages as a destination to live, work, study, visit and play.

An additional outcome is to elevate the success of recommendations in **Connecting MKE - Downtown Plan 2040**, a vision for the future of downtown that is currently being updated through a community engagement process. Further, the ability of the new Office of Nighttime Economy to use both the **RHI Sociable City Plan** recommendations, as well as those of **Plan 2040**, can ensure great success in short and long-term community goals.

This report will guide you through the lessons learned from the four cities studied and propose that the project Advisory Board be convened to guide the creation of enabling legislation to establish an Office of Nighttime Economy. It is further recommended that an ideal placement of an Office of Nighttime Economy be in the Department of City Development, as is Milwaukee's Commercial Corridors Program. Details outlining a comprehensive plan are included in the "Next Steps for Milwaukee" of this report.

TERMINOLOGY

This report provides an overview of the nighttime governance structure in four cities. To maintain consistency and focus, the following terms will be used in the report:

- The term “**Office of Nighttime Economy**” is a placeholder term to refer to the proposed framework to unite the key stakeholder groups supported with dedicated staffing. When referring to the studied cities, the term defining their structure will be used, such as Entertainment Commission, Office of Nightlife, Office of Nightlife and Culture, Office of Nighttime Economy, Office of the Social Economy.
- The **Advisory Board** will determine the term to be used in formation of the Office/Department.
- The primary staff role will be identified as “**Director**” with additional staff as required.
- **Sociability** is sharing an experience with other people that stimulates the senses, intellect, or emotions
- **Hospitality** is creating the social space for people to dine, drink, listen to music and dance
- **Responsible Hospitality** is assuring a safe and secure environment accessible to all

These terms will be used interchangeably in the report:

- The “**Hospitality Industry**” is the collective of businesses creating social spaces
- **Nightlife** is the social activity or entertainment available at night in a town or city
- **The Social Economy** is the collective revenue and employment generated by hospitality businesses and the suppliers of products and services to support sociability during the day, evening and late-night
- **The Nighttime Social Economy:** The term “**Nighttime Economy**” will refer to activity after 6 pm and primarily on weekends in “social” districts or clusters with greater intensity and activity, and related risk from crowds, alcohol intoxication, disorder, and traffic.
- **Social Venue** is a term representing the collection of bars, cafes, restaurants, nightclubs, music venues, theaters and other hospitality spaces where people gather to dine, drink, listen to music, or watch performances or sports.
- **Nighttime social districts** are areas with a concentration of dining, entertainment, and late-night social venues.
- **Public Space** refers to areas in a social district with outdoor seating, markets, events, festivals, and other large open air social gatherings.

Organization References

- PD: Police Department
- OEWD: Office of Employment and Workforce Development
- NIVA: National Independent Venues Association
- CMAC: California Music and Culture Association
- BID: Business Improvement District

OVERVIEW

What is Nighttime Governance?

“Nighttime governance” refers to the systems in which nighttime social activity (i.e. nightlife) is overseen and guided by a combination of public, private and government entities. Inspired by, and in some cases, predating the “Night Mayor” movement in the UK and Europe, U.S. cities have begun to adopt formal systems of governance for the nighttime economy.

Why Should your City Consider a Nighttime Governance Model?

In many cities, government departments review alcohol license applications one at a time. They may not consider the business district in its entirety with a lens toward saturation until it’s too late. Active social districts with a large number of social venues are often the most attractive and vibrant areas of any city, but they can also generate public safety and quality of life concerns (e.g. sound, litter, crime, disorderly conduct) if growth is left unchecked or overseen. City leaders may not realize the extent of the challenges until complaints grow from a rumble to a roar.

Concerns from residents, especially those who intentionally live downtown, are top of mind for elected officials. Mayors, city council members, city managers, etc. can use their clout to move agencies like Public Works to clean up litter and parking agencies to tow cars. However, in most cities, police departments become the catch-all for issues at night, as they are typically the only department working 24/7. However, police officers are not social workers nor code compliance officers. They are primarily trained with an eye toward crime reduction, counting arrests and reduced crime rates as measures of success.

Yet in this post-COVID era, people are ready to socialize again. Nighttime sociability has driven the resurgence of tourism in many cities. But hospitality venues have made this comeback during a time when city government budgets are strapped, and safety agencies are under-resourced. The lockdown and forced closure of venues was a wake-up call for many city leaders of the devastating loss of social spaces for visitors, residents, and employees. The question is now being asked: Does my city have a safe, healthy, and active social experience in spite of government, or because of government? City leaders who recognize the social, cultural and economic value of nighttime sociability are undertaking establishment of nighttime governance systems to sustain and promote the positive contributions of the hospitality and nightlife industry.

METHODOLOGY

To better understand the U.S. approach to nighttime governance, RHI conducted a comparative research analysis of four cities with an established Director position and/or an Office of the Nighttime Economy: San Francisco, New York, Pittsburgh and Washington, D.C. Sources for the report include, memorandum, job descriptions, annual reports and legislation. Four to six interviews were conducted with key stakeholders in each city, including:

- Elected Official who drafted a bill to establish an Office of Nightlife
- Hospitality Alliance Leader
- Night Manager or Similar Position
- Safety Representative
- Advisory Board or Task Force Chair
- Community Member or Business District Representative

Full job descriptions are available in Appendix A. Legislative language is available in Appendix B.

KEY RESEARCH FINDINGS

Impetus for Nighttime Governance System

- **Partner legislative champions with organized stakeholder groups** (e.g. nightlife advocates, hospitality association) to create buy-in for a nighttime governance system.
- **Crises can motivate change** to create long-term systems of nighttime governance.
- **Creation of a system of nighttime governance signals a pivot from a reactive to a proactive model** for nighttime economy management and can be the start of other reforms and positive changes.

Organizational Structure

- **Placement of an Office of the Nighttime Economy is critical to sustainability** through city administration changes. It can be risky to place the Office of the Nighttime Economy and Director position in a mayor's office where political agendas or changes in administration may constrict progress. However, being housed in the Mayor or City Manager's office can also result in greater authority and ability to leverage city departments.
- **Advisory Boards or "Commissions" are a critical organizational structure** to represent broad stakeholder interests and provide oversight to drive policy direction and priorities.
- **Advocacy and regulation often appear in conflict** with one another. Therefore, it's important to consider how both can be done by one organization or should be separate. Of the case cities, only San Francisco has regulatory capabilities in addition to their advocacy role.
- **Budget is primarily based on staff salaries**, which is contingent upon local cost of living.

Legislative Language

- **Enshrine the Office of the Nighttime Economy within the City’s Charter (if appropriate) or municipal code** to ensure the Office of the Nighttime Economy remains sustainable beyond changes in administration.
 - Two cities, San Francisco and New York, amended their City Charter to include these offices so as to ensure longer term survival amidst political changes. Further, in San Francisco, the office would need a vote of the people of the city to remove it.
- **Legislation should outline priorities and programming goals.** New York City and Washington D.C.’s legislation adds robust directives around labor standards and workforce issues in nightlife establishments and harm reduction.
- **Legislation creating an Office** can also provide direction for the Advisory Commission or Board— independent oversight bodies that provide recommendations to the Office.

Background and Job Description of a Staff Position

- **Best practice is to hire someone with direct knowledge of local government** and had the trust of nightlife operators.
- **Director or members of their staff** should ideally have both hospitality industry and/or government experience. Since it is rare to find someone with both areas of experience, consider choosing one expertise for the Director and the other area of expertise for supporting staff. This should lead to much quicker and more successful outcomes, as both individuals will already know how to navigate two important sets of stakeholders.

Measures of Success

COVID-Era Successes

During COVID, many Offices pivoted to implement COVID recovery programs that benefitted the nighttime economy through education, grants, loans and reimagining the use of public spaces near nighttime districts to accommodate additional outdoor seating.

Short Term Successes

These are achievements that are within reach for any new Office of the Nighttime Economy in its early formation:

- **Programs focused on awareness** (e.g. social media, newsletters, district branding campaigns, creating “how-to” guides, and listening tours)
- **Small policy changes** (e.g. hospitality job fairs, translating application forms into multiple languages)

Long Term Successes

- **Convincing city agencies** (e.g. fire, code compliance, parking) **to deploy resources at night** (after 5pm) **can be challenging** due to staff shortages, union rules, lack of motivation, but a critical move for ensuring safety and management of a nighttime social district.
- **Creating specialized police units** with officers trained and focused on nighttime social activity in public space and venues.
- **Changes in alcohol licensing policy.** Once an Office of the Nighttime Economy becomes more established (5 years or longer) they are able to advocate for the passage of policies that support hospitality and nightlife and have gained more awareness and trust with stakeholders and the public at large.
- **Implementation of a citywide economic impact study.**
- **Reforms to transportation options for nighttime hospitality workers and patrons.**

Organized Groups that Contribute to Successful Nighttime Governance

- **Success of an Office of the Nighttime Economy relies on cooperation of public and private groups outside of government**, including hospitality industry associations, community or neighborhood associations, and Business Improvement Districts (BIDs).
- **Identifying and engaging with already established outside groups** can give immediate credibility to a new Office of the Nighttime Economy in a city.
- **For Offices/Departments with no regulatory authority, the cooperation of multi-agency groups** that can regulate and enforce policy is very important to make substantive change in city policy.

COMPARISON SNAPSHOT

	San Francisco	New York City	Pittsburgh	Washington, D.C.
Impetus for creating a nighttime governance system	The Late-Night Coalition was formed to address inconsistency in PD's issuance of permits and enforcement of venues. There was a desire to transfer regulation duties out of the PD. Addition of OEWD advocacy position after first economic impact study showed value of nightlife sector	Night Mayor model inspired by Amsterdam was drafted by City Councilmember Espinal NY Hospitality Alliance was concurrently looking for nighttime governance and worked with Espinal. At the same time, nightlife industry was applying pressure to lawmakers to repeal no dance law	Recommendation from RHI after a three-year Hospitality Zone Assessment of the city's nightlife planning and management; Safety challenges in the most active nightlife district.	Council Member Brandon Todd introduced legislation inspired by NYC; New councilmember with interest in supporting nightlife and keeping his city current. Pressure from BIDs.
Where the Office or Organization Resides	Entertainment Commission reports to City Administrator & Office of Economic and Workforce Development reports to Mayor's Office	Office of Nightlife (housed within Mayor's Office of Media and Entertainment)	Office of Nighttime Economy (housed within Department of Public Safety)	Mayor's Office of Nightlife and Culture (housed within Mayor's Office of Community Affairs)
Position Title	Executive Director Business Development Manager, Nightlife and Entertainment	Senior Executive Director	Nighttime Economy Manager	Director
Number of staff	8	4	2	3
Year established	2003/2013	2018	2015	2018
Budget	\$1,400,000 (2022)	\$500,000 (2022)	\$148,000 (2022)	\$258,000 (2019)
Source of Funds	General Fund	General Fund	General Fund	General Fund
Role and focus	Regulatory, advocacy, and liaison	Advocacy and liaison	Advocacy and liaison	Advocacy and liaison
Advisory board structure	Entertainment Commission	Nightlife Advisory Board	None	Commission on Nightlife and Culture
Background: Education and Experience	Maggie Weiland: Twelve years in city government from clerical to policy experience. Worked in Dept of Environment then Film Commission prior to Entertainment Commission. Ben Van Houten: Lawyer with experience in public policy and concurrent experience in music industry.	Ariel Palitz: Hospitality venue owner for ten years, hospitality consultant, Community Board Member on State Liquor Authority Committee.	Allison Harnden: Over a decade of experience in hospitality consulting with prior experience in the hospitality industry. Vice President of RHI for approximately 20 years, where she led consultation services to help cities plan and manage their nighttime economies.	Solana Vander Nat: Over a decade experience in the nightlife industry, including Director of Venue Operations. Worked with entrepreneurs to help them start nightlife businesses.
Hospitality advocacy groups	CMAC: CA Music and Culture Association, SF Bar Owner Alliance, NIVA	NY Hospitality Alliance, NIVA	Nuisance Bar Task Force	D.C. Nightlife Council, D.C. Restaurant Association, NIVA, Listen Local First D.C.
Community associations	Various neighborhood associations	Community Boards	Southside Neighborhood Association	40 Advisory Neighborhood Commissions (ANCs)

MILWAUKEE: NEXT STEPS

Impetus for a Social Economy Governance System

The creation of an Office of the Nighttime Economy is a long time coming. BID 21 began its association with Responsible Hospitality Institute (RHI) in 2008 and continues to this day, resulting in a slew of accomplishments including the creation of the Downtown Neighbors Association (DNA), conducting an economic impact study of the value of nightlife businesses, establishing Code RED to coordinate downtown public safety deployment (including scheduling and training officers), improved communication between venue operators and police, installing ambient café lighting to enhance vibrancy in the Old World 3rd Street Entertainment District on Dr. MLK Drive, and completing the Brighten the Passage initiative to strengthen the connection between downtown and the Historic Third Ward.

However, the COVID-19 pandemic that began in 2020 and the violence and disorder experienced in the summer of 2021, exposed the fact that many of the gains that were achieved in earlier years had slipped backwards, speaking directly to the need for a sustainable, nighttime governance system in Milwaukee.

Thanks to BID 21, RHI conducted a review of the accomplishments and setbacks in 2021, and produced a report which lays out an action-oriented plan to move Milwaukee's nighttime economy forward. However, this plan is like a symphony without a conductor. A Director will be able to make significant gains using the plan on a day-to-day basis to keep Milwaukee moving forward. It is also critical to implement an Office of the Nighttime Economy because of the value of the daytime and nighttime social economy. According to a 2016 BID 21 market study, the hospitality economy generates more than \$212 million coming from 295 businesses that support 5,500 jobs in the City.

Legislative Language

It is the recommendation of RHI, based on this body of research, that the Milwaukee Common Council or Mayor's Office should create founding legislation to elucidate form and function of the Office of the Nighttime Economy.

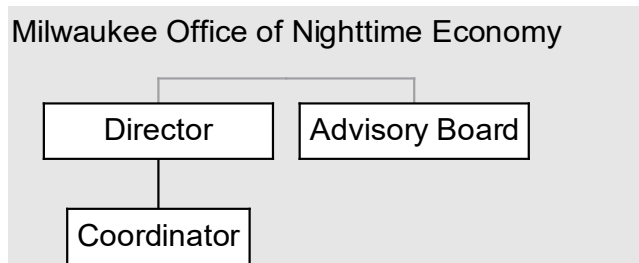
Legislation can outline whether to give the office any regulatory authority, similar to San Francisco. For example, RHI's 2021 analysis indicated that the City's Public Entertainment Premise (PEP) License has been underutilized. The PEP provides information about an applicants' business plan; affidavits outline enhanced operated standards as a form of remediation; yet the city does have the ability to revoke or suspend licenses for the most egregious of violations. A new Office of the Nighttime Economy could be given the regulatory authority to issue and manage the PEP license, thereby establishing immediate credence to its mission and authority.

However, depending upon the agency that is currently in charge of this license, it may create some pushback, in which case the Office could begin as advocacy only, as in the case of New York.

Organizational Structure

The Office of the Nighttime Economy could be housed in Milwaukee’s Department of City Development (D.C.D). The D.C.D exists to improve the quality of life in Milwaukee by guiding and promoting development that creates jobs, builds wealth, and strengthens the urban environment, and at the same time respects equity, economy and ecology. Featured within its toolbox is the Commercial Corridors Program, which works with small businesses, BIDs, NIDs, and grantmaking to assist and expand Milwaukee’s small business base.

The social economy is built primarily by small businesses doing hospitality and those ancillary businesses that support them. Milwaukee’s new **Office of the Nighttime Economy** would be focused on assisting and protecting the businesses that are operating at night, and would protect and enhance those businesses by acting as a liaison to both businesses and city departments that regulate and enforce city policy. It would also ensure the quality of life for residents and work with Visit Milwaukee, BID 21, and other groups to enhance the business visitor and tourism sector.



Advisory Board Recommendation

BID 21, during its **2021 Social Economy Evaluation** work with RHI, organized a group of relevant stakeholders who have continued to stay organized through this study under the heading of a **Project Advisory Team**.

They include representatives from Pabst Theater (live music) Wild Planet Hospitality Group (bar/restaurant), District Attorney, Public Works, Police, BID 21 (Business Improvement District), Westown Association (neighborhood association), Visit Milwaukee (tourism), United Performing Arts Group (performing artists) and Marcus Corporation (hotel/real estate).

This group is already representative of an Advisory Board, with seats that indicate stakeholder perspectives. While not necessarily complete, it’s a good start towards the formation of a more formal board that can be appointed by some combination of City Council and Mayor’s Office to advise the Office of Nightlife, the Council and Mayor on pertinent issues. As with the study cities, this group can be voluntary or lightly compensated for their expenses and can meet as regularly as attention requires. Typically, these bodies create their own operating rules and procedures.

Other Systems and Organized Groups

As described above, organized outside groups with an interest or stake in the health and safety of Milwaukee's nightlife already exist in the city. Most active has been BID 21, as much of the nighttime activity occurs within its borders. However, there are nightlife districts throughout the city that need and deserve attention and resources. While BID 21 has been at the hub of many programs and conversations, other BIDs, neighborhood association, cultural groups, etc. organized in those districts should be identified perhaps with assistance from council members with nightlife in their districts.

Hospitality and Nightlife Alliance

RHI's visit to Milwaukee in June of 2022 included a large meeting of venue operators from the Dr. MLK Jr. Drive/Old World 3rd Street Entertainment District, and Water Street. This meeting was a discussion regarding the summer of 2021 secured access closure and the possibility of this being continued due to additional violent incidents and funding availability from the State of Wisconsin. At this meeting, the concept of creating a more organized structure was discussed.

The creation of the MKE Restaurant and Bar Work Group has already been proceeding, with communication flowing to and from the police and the Mayor's Office regarding street closures on weekends. Keeping this group cohesive and working on additional issues (not just crises) will be crucial and the Office of the Nighttime Economy can work to liaise with other groups as needed for information and education.

Multi-agency Task Force

Three of the study cities have some form of multi-agency task force or alliance. While pulled together outside of an office of nightlife, they are extremely valuable mechanisms for effective and coordinated enforcement of existing code and policy already in place in cities when the office does not have any regulatory or enforcement capacity themselves. Milwaukee's Office of the Nighttime Economy should consider how to carefully approach how this should happen so that the nightlife industry does not perceive this is threatening but rather as educational and proactive.



FULL RESEARCH REPORT

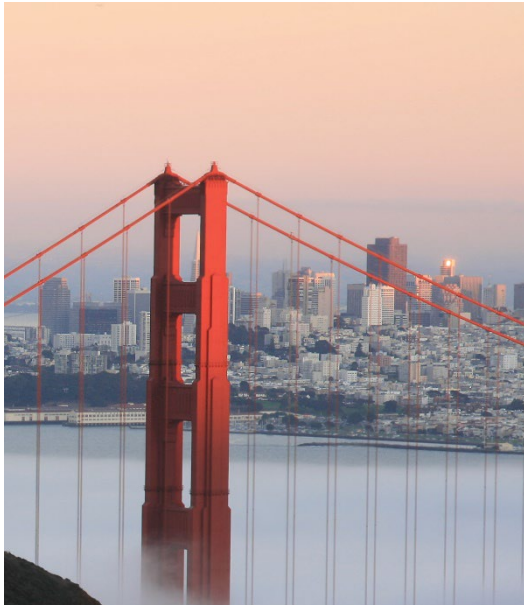
IMPETUS FOR A SOCIAL ECONOMY GOVERNANCE SYSTEM

Motivations vary for why cities establish a social economy governance system. Many cities first consider the creation of a governance system to relieve the pressure on police and public safety agencies when the level of nightlife and its impacts begin to cause disturbance. Others view an Office of the Nighttime Economy as a mechanism to mediate disputes between hospitality business operators and residents living near those businesses. Other city leaders were inspired by the Night Mayor movement in the UK and Europe, and wanted to be among the first to bring a similar model to North America

In the case of Washington, D.C., tense relations between nightlife venue operators and residents were the impetus for creating an Office of Nightlife and Culture. In San Francisco, inconsistent licensing, and enforcement of nightlife venues by the police department led to creation of a more balanced approach in San Francisco. Public safety concerns were the primary driver in Pittsburgh, as well as the recommendations from a 3-year study by RHI. Momentum was already building in New York from various sources—all converging at the right time and place. Criticism of the police department’s perceived inconsistency in issuing and enforcing entertainment venue permits had reached a fever pitch—instigating an organized movement for change.

In each city, establishing a nighttime economy manager signaled a pivot from a reactive to proactive governance approach to the nighttime economy. Other reforms and improvements followed suit.

City-to-City Comparison



San Francisco, California

Formation of the Entertainment Commission

Inconsistent licensing and enforcement of nightlife venues by the police department, and the inherent conflict of interest therein, led to creation of a more balanced approach to issuing permits in San Francisco.

The Police Department had long been in charge of the regulation of the City's many venues. The SFPD not only issued permits to operate, but also enforced violations of the permit's conditions (Kane, Scholer, & Van Houten 2020). By the 1990s, the Police Department's performance had been widely criticized for its arbitrary nature. Not only did it discourage new investment in entertainment options, but it also created a hostile dynamic between venue operators and the government.

For example, genres of music were restricted through conditions in permits that prohibited "live rap, heavy metal or hard rock music." Entertainment venues were viewed as a threat to public safety, rather than an asset to the city's culture and social economy. In response to these industry challenges, nightlife industry stakeholders formed the San Francisco Late Night Coalition, which advocated the importance of the social economy to city leaders and policymakers.

Concurrent with the formation of the Coalition, a Civil Grand Jury recommended a reconsideration of the permitting process to make it more equitable and transparent. At the time, Supervisor Mark Leno was already working on legislation that would create an Entertainment Commission responsible for licensing entertainment venues. This legislation passed and the Entertainment Commission was formally established in 2003. To ensure equitable representation, Commission membership consisted of 7 appointed stakeholders, 2 from the industry, 2 from neighborhoods, 1 from public safety, 1 from public health and 1 from Urban Planning. Today, the Commission continues to operate with the same board structure, which guides policy for an office of now seven people who perform the day-to-day tasks entailed in keeping hundreds of bars, restaurants and live music venues in compliance with their conditions and operating in a responsible manner.

Hiring of a New Position: Business Development Manager, Nightlife & Entertainment Sector in the Office of Economic and Workforce Development:

While the Entertainment Commission reformed San Francisco's system of regulation of entertainment venues, it became clear that the commission's effectiveness was limited by the perception that regulators could not also advocate. Advocacy and economic development were part of a larger goal of the Entertainment Commission in supporting the social economy, but it was determined that this work would be best fulfilled by a position in the Mayor's Office of Economic and Workforce Development (OEWD). After an economic impact study showed that roughly \$4 billion was spent in San Francisco nightlife establishments, the position of Business Development

Manager, Nightlife & Entertainment Sector, was created in 2013. The position works with the Entertainment Commission to connect nightlife businesses with city resources, support legislative and policy developments to advance nightlife and entertainment in San Francisco, advocates for the development of new nightlife and entertainment spaces and support existing spaces and venues, and support improvements in late-night transportation. This position has no regulatory authority.

Advocacy and Regulation: A Two-Pronged Approach

Together, the OEWD sector position and the Entertainment Commission are a robust model for other cities to consider. By housing regulatory and advocacy functions in two separate entities that work together, San Francisco has ensured that nightlife entrepreneurs can access assistance for opening a business, receive support to stay in compliance and undergo a consistent, transparent process of enforcement if and when necessary.



New York City, New York

Three groups within and outside of government worked simultaneously towards a shared goal of nighttime governance.

Council Member Rafael Espinal, aware of the cultural and economic importance of nightlife to the city, researched ways the government could support the nightlife industry. During Espinal's research, he came across the Night Mayor model used in Amsterdam, where the position served as a liaison between government and venue operators. Data proved that the Night Mayor of Amsterdam's position led to a decrease in violent crime, a decrease in sound complaints, and improvement in quality of life issues. Espinal, with the support of industry stakeholders, submitted the idea of a dedicated position to council, however it was not prioritized for the next two

years.

Meanwhile, the New York Hospitality Alliance were engaged in an independent effort to establish an Office of Nightlife. The Hospitality Alliance sought a system that would proactively support the nighttime economy, rather than be reactive. At the same time, there was also a group of DIY nightlife artists and industry stakeholders that organized to repeal the "no dance" cabaret law.

The Hospitality Alliance and nightlife interests applied pressure to the mayor's office to establish the Office of Nightlife, with Espinal as the legislative sponsor. In September 2017, Mayor Bill de Blasio signed Local Law 178 into law, establishing New York City's Office of Nightlife with an Executive Director who would become colloquially known as the city's Nighttime Economy Manager.



Pittsburgh, Pennsylvania

The Pittsburgh Nighttime Economy Manager was established as a recommendation from the Responsible Hospitality Institute's Sociable City Plan.

Once the industrial capital of the nation in the 20th century, the City of Pittsburgh now has a vast nightlife sector. The Southside of Pittsburgh has historically hosted a high concentration of nightlife venues with public safety challenges such as fights, disorderly conduct, and impaired driving. City Council member Bruce Kraus, whose district includes Southside, facilitated a contract between the City of Pittsburgh and Responsible Hospitality Institute to conduct a Hospitality Zone Assessment.

After a three-year assessment, the Pittsburgh Sociable City Plan produced a series of action items from five distinct working groups. Key among the recommendations

was establishment of a dedicated position within city government to oversee the nighttime economy's evolution and management. Though initially intended to be in the Mayor's Office, political leadership placed the Office of Nighttime Economy in the Department of Public Safety.



Washington, D.C.

Legislation to establish the Mayor's Office of Nightlife and Culture was introduced following a period of tension between growth of nightlife zones and restrictions imposed by Neighborhood Commissions.

In the late 1990s, Washington, D.C.'s nightlife was growing at such an explosive rate that a moratorium on liquor licenses was imposed. To address these changes, between 1999-2000, D.C.'s downtown BID sponsored the formation of an RHI-led Hospitality Resource Panel to organize D.C.'s main streets. The Hospitality Resource Panel worked to provide recommendations on hospitality zone improvements and strengthened local BIDs' professionalism of district management. Meanwhile, tension was rising among the nightlife industry and Neighborhood Commissions (ANCs). ANCs as groups of

community members, had a fair amount of control over liquor licensure and imposed restrictions impacting nightlife development.

About a decade later in 2017, Councilmember Brandon Todd was exposed to the idea of a Night Mayor/Nighttime Economy Manager at the Responsible Hospitality Institute's Sociable City Summit, when he met the legislative champion of New York City's Night Mayor, Councilmember Rafael

Espinal. Todd was aware of the benefits a liaison leading an Office of Nightlife would bring to D.C.'s nighttime economy. Todd introduced legislation establishing the Mayor's Office of Nightlife and Culture in the Mayor's Office of Community Affairs. Stakeholders from the D.C. BIDs testified in favor of the Office. The legislation was passed and the first Director of the Mayor's Office of Nightlife and Culture started in 2019.

Lessons Learned

- **Partner legislative champions with organized stakeholder groups** (e.g. nightlife advocates, hospitality association) to create buy-in for a nighttime governance system.
- **Crises can motivate change** to create long-term systems of nighttime governance.
- **Creation of a system of nighttime governance signals a pivot from a reactive to a proactive model** for nighttime economy management and can be the start of other reforms and positive changes.



ORGANIZATIONAL STRUCTURE

Two of the four cities studied have nighttime governance structures housed in Mayor’s Offices. New York and Washington D.C. are housed in the Mayor’s Office of Media and Entertainment and the Mayor’s Office of Nightlife and Culture, respectively. Pittsburgh’s Office of Nighttime Economy is housed in the Department of Public Safety. San Francisco’s Entertainment Commission is a division of the City Administrator.

All four cities contain staff that bring experience from both the nightlife and entertainment industry as well as experience in (or working closely with) city government. Whether one individual has experience in both sectors, or the department is staffed with individuals from both sectors, this representation is critical in simultaneously establishing trust with industry stakeholders and bringing an understanding of city government processes.

San Francisco, New York City, and Washington D.C. also have commissions or advisory boards that provide varying levels of oversight and priority setting. These advisory boards are discussed in depth in “Other Systems and Organized Groups.”

City to City Comparison

Nighttime Governance Budget

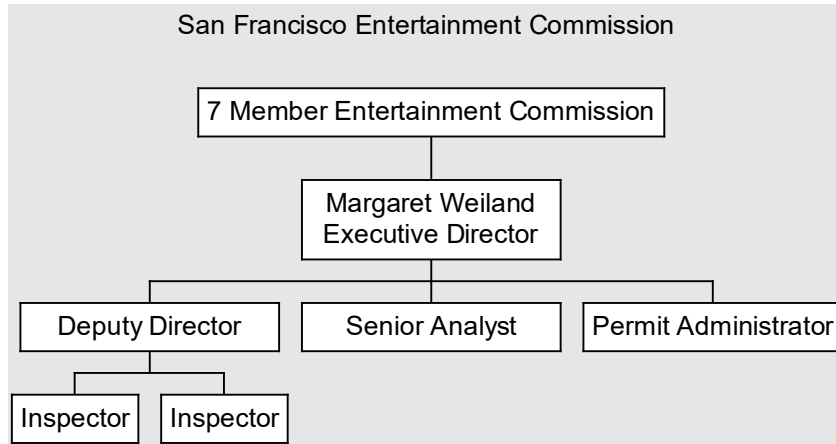
The budget of the departments in the four case studies primarily consists of staff salaries.

	San Francisco*	New York City	Pittsburgh	Washington, D.C.
Budget	\$1,400,000 (2022)	\$500,000 (2022)	\$148,000 (2022)	\$258,000 (2019)
Staff	7	4	2	3
Source of Funds	General Fund: Large % comes from permit fees, renewals,	General Fund	General Fund: Parking program generates revenue but not earmarked	General Fund

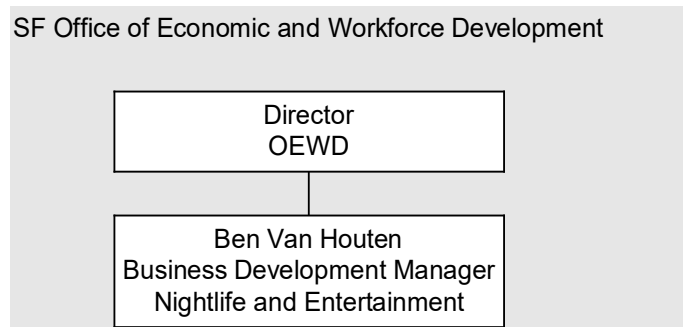
*Not including OEWD Position

San Francisco

The San Francisco Entertainment Commission is a Division of the City Administrator. The 7-member Commission, representing a broad range of interest groups, establishes the department’s priorities and guides policies for the Entertainment Commission’s 6 staff.

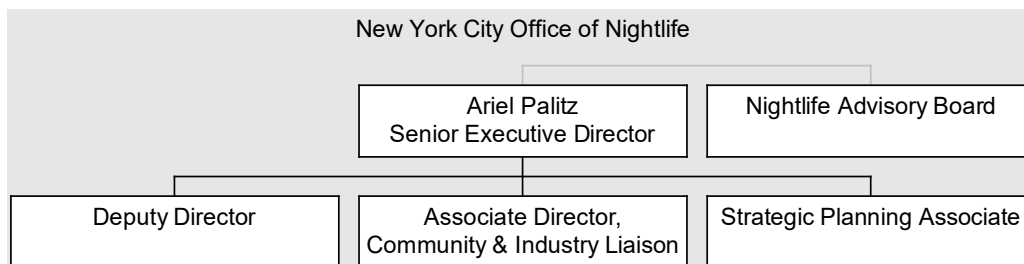


The position of Business Development Manager, Nightlife and Entertainment is dedicated to the advocacy of the nighttime economy sector. The single position department reports to the Director of the Office of Economic and Workforce Development and works closely with the San Francisco Entertainment Commission.



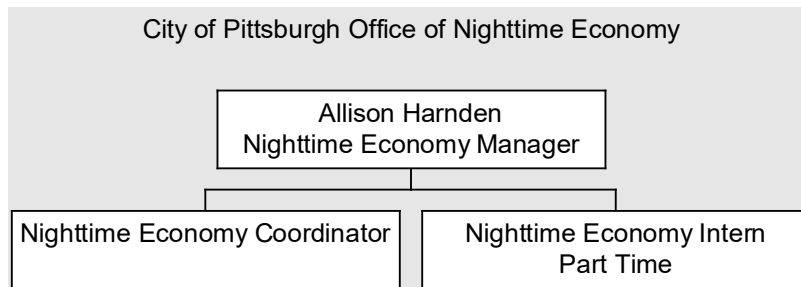
New York City

The New York City Office of Nightlife is part of the Mayor's Office of Media and Entertainment. The commissioner of the Office of Media and Entertainment reports to the Deputy Mayor, who reports to the Mayor. The Nightlife Advisory Board is an independent Advisory Board that reports to elected officials on an irregular basis regarding issues pertaining to the nighttime economy,



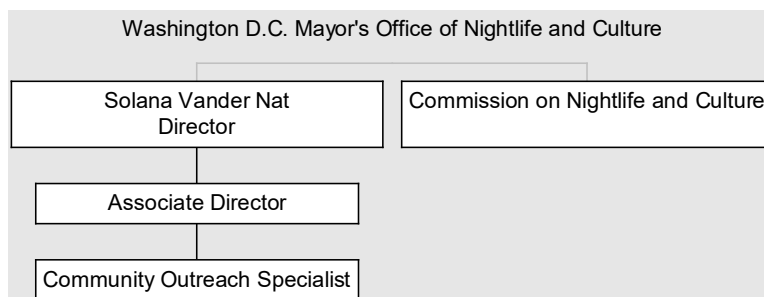
Pittsburgh

The City of Pittsburgh’s Office of Nighttime Economy is located in the Department of Public Safety, with the Nighttime Economy Manager reporting directly to the Director of Public Safety.



Washington, D.C.

The Mayor’s Office of Nightlife and Culture (MONC) is part of the Mayor’s Office of Community Affairs. MONC reports to the Director of Community Affairs, who reports to the Mayor. The Commission on Nightlife and Culture is an independent group that advises elected leaders on issues impacting nightlife and culture.



Lessons Learned

- **Placement of a nighttime governance office is critical to sustainability** through city administration changes. It can be risky to place the Office of Nightlife and Night Manager position in a mayor’s office, but it can also result in greater authority and ability to leverage city departments. However, the position may be constricted by political agendas.
- **Advisory Boards or “Commissions” are a critical organizational structure** to represent broad stakeholder interests and providing oversight to drive policy direction and priorities.
- **Advocacy and regulation often appear in conflict** with one another. Therefore, it’s important to consider how both can be done by one organization or should be separate. Of the case cities, only San Francisco has regulatory capabilities in addition to their advocacy role.
- **Budget is primarily based on staff salaries**, which is contingent upon local cost of living.



LEGISLATIVE LANGUAGE

Offices of Nightlife: Mission and Focus

Three of the four study cities enacted enabling legislation to create an office and advisory structure. Two cities, San Francisco and New York, amended their City Charter to include these offices so as to ensure longer term survival amidst political changes. Further, in San Francisco, the office would need a vote of the people of the city to remove it. Washington, D.C.'s office was enacted by simple ordinance, and Pittsburgh by council motion only. The actual legislative language can be found in Appendix B.

The primary objectives outlined in each piece of legislation indicate the focus of the office and also indicate whether or not the office is to have any regulatory authority or simply advocate for the health and vibrancy of the city's nighttime economy.

San Francisco's legislation is the oldest by far of the cities examined, having been passed in 2003. It directs the office to issue all entertainment-related permits, and perform regulatory and enforcement activity. Otherwise, the enabling language instructs the office to assist event and entertainment organizers through city permitting processes, promote responsible conduct by nightlife operators, promote vibrancy in nightlife and late-night activities, promote the use of city facilities for entertainment, foster harm reduction policies for workers and patrons of nightlife, mediate disputes between nightlife and residents, and provide information.

New York City's legislation, passed many years later in 2017, outlines similar functions, but adds more robust directives around labor standards and workforce issues in nightlife establishments, and complaint review, reporting to city leadership, and long-term policy development.

Washington D.C., passed one year later than NY, took much from the NY legislation, including harm reduction and workforce conditions. It also added that the office should be involved with late night transportation concerns, and work with Planning departments to preserve creative spaces.

Milwaukee can certainly benefit from picking and choosing among the legislative language already written, and building upon it with any city specific directives when creating its own enabling legislation. It is important here to consider how to ensure the long-term viability of an Office of Nightlife that won't go away with leadership change.

	Pros	Cons
Mayor's Office of the Nighttime Economy	<ul style="list-style-type: none"> • Greater authority and ability to leverage city departments • Ability to quickly advance initiatives aligned with the mayor's agenda 	<ul style="list-style-type: none"> • Can be risky: lack of office stability that can accompany political changes
Office or department within city government (not mayor's office)	<ul style="list-style-type: none"> • Most sustainable option • Can have regulatory authority • Can have reliable source of funding (permit fees, general fund budget, etc.) • Paid, dedicated staff that are easy to identify for stakeholders (residents, owner, etc.) 	<ul style="list-style-type: none"> • Placement can lead to confusion or misperceptions about purpose (e.g. different connotations if an office is in economic development office vs. public safety department) • Most direct expenditure for city
Commission or advisory body within city government	<ul style="list-style-type: none"> • Appointment by Mayor or Council seen as important public service/raises profiles • Can influence policy makers and media • May be less expensive for city to create 	<ul style="list-style-type: none"> • Advisory only • Can be political in nature due to appointments/service • Can be dissolved with new administration • Difficult to effect change without an office or staff to implement

Advisory Bodies

The enabling legislation outlines the creation of oversight bodies in fairly specific detail. Whether called a Commission (D.C. and San Francisco) or an Advisory Board (NY), these bodies are outlined in each enabling legislation as to the following (see Appendix B). Additionally, the make-up of these bodies and the appointments can be somewhat politicized, so it's important to consider this when creating an oversight body. A comparison is below, as well as an explanation of how each advisory board interacts with the Night Manager position and/or Office of Nightlife.

City-to-City Comparison

CRITERIA	SF	PIT	NY	D.C.
Number of seats	7 appointed	n/a	12 appointed	15 (7 members appointed; 8 ex-officio)
Terms	4 years No term limit	n/a	2 years	3 years 2 terms only
Appointing Bodies	Board of Supervisors and Mayor	n/a	Council and Mayor	Mayor and Council
Number of meetings per year	24	n/a	n/a	4
Content of policy discussions	Entertainment permits/ broad policy	n/a	Broad Policy	Broad policy
Reporting to Elected Officials	Annual report required	n/a	Recommendations required but not time specific	n/a
Compensation	\$50 per with health benefit	n/a	None	None
Public meetings	Yes	n/a	Yes and must record deliberations	Yes

San Francisco's Entertainment Commission

In San Francisco, because of the regulatory nature of the work, the Entertainment Commission meets on a regular, bi-monthly basis to deliberate publicly on each entertainment permit and its conditions before it is issued. This includes all fixed-place entertainment permits, late-night eating establishments, and outdoor amplified sound permits requesting to go past 10pm. These are public hearings that are recorded and shown online, require public input or testimony depending upon the item, use Roberts Rules of Order, and are much like a council meeting.

San Francisco Commissioners are compensated at \$50 per meeting and given healthcare benefits. There are 7 seats, appointed by the Mayor and the Board of Supervisors, and each seat represents stakeholders in the nightlife arena. They include 2 industry, 2 residents, 1 public safety, 1 public health and 1 urban planning. The Director of the office reports to the City Administrator, but is confirmed by the Commission.

Washington, D.C.'s Commission

In Washington D.C., the Commission must meet once every 3 months, meetings must be open to the public, and a quorum is required. However, deliberations are not around anything regulatory, but advise the Mayor and Council on current issues. More importantly, the Commission gives policy direction to be taken by the office.

Commissioners are unpaid, and the mayor chooses the Chair. It is comprised of 15 seats total, with 8 "ex-officio" seats, which primarily mean city department heads and outside tourism agencies, as well as 7 additional appointed seats that represent the nightlife industry, musicians, artists, BIDs, and harm reduction specialty. The head of the Office of Nightlife and Culture in D.C. spoke very highly of this group during RHI's research interview. It was clear that she takes their input and direction through her daily work. The Director reports to the Department of Community Affairs but is given some direction by the Commission.

New York City's Advisory Board

In New York City, the Advisory Board functions quite independently from the Office of Nightlife. The Director "may" attend the Board meetings, which implies a different relationship than the other cities. The enabling legislation created this body with the intention of obtaining a comprehensive report on the state of nightlife for elected officials. Within 18 months of the effective date of the legislation, the nightlife advisory board was required to submit recommendations to the mayor and the council. Those recommendations were made in 2021, later than the deadline, due to the pandemic. It should also be noted that the Board and the Office have a good working relationship, but certainly an un-official one. The Advisory Board may put forth more recommendations, but there is no requirement about this nor time frame. (See References for link to report).

Lessons Learned

- **Enshrine the office within the City's Charter (if appropriate) or municipal code** to ensure the office remains sustainable beyond changes in administration.
 - Two cities, San Francisco and New York, amended their City Charter to include these offices so as to ensure longer term survival amidst political changes. Further, in San Francisco, the office would need a vote of the people of the city to remove it.
- **Legislation should outline priorities and programming goals.** New York City and Washington D.C's legislation adds robust directives around labor standards and workforce issues in nightlife establishments and harm reduction.
- **Legislation creating an office** can also provide direction for the Advisory Commission or Board— independent oversight bodies that provide recommendations to the office.



STAFF BACKGROUND AND JOB DESCRIPTIONS

Job Duties

Below are summarized charts of the duties and goals of the office, specific job descriptions for each of the Directors, and their backgrounds. Full job descriptions of the four cities are in Appendix A.

Duties/Responsibilities	SF	NY	PIT	D.C.
Develop office strategic plans and goals; organizational structure and staff assignments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Outreach and education to nightlife businesses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Interface with city agencies and city leaders	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mediate between neighbors and nightlife for peaceful coexistence	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Serve as a liaison to public agencies, hospitality and business organizations, educational institutions, and neighborhoods	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Provide assistance with permitting and licensing for nightlife businesses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitor trends and issues in nightlife	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Manage office operations and staff	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Develop and implement policies in support of the nighttime economy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Advise City Council and Mayor on nighttime economy issues	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Advocate for and manage office budgets	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support commission/advisory body	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Implement recommendations from commission/advisory body	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Identify and coordinate resources needed to manage nighttime economy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Develop and implement harm reduction policies for nightlife patrons and workers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Manage public safety risks and address nuisance activities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Goals	SF	NY	Pitt	D.C.
Support nightlife business development and recovery	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Elevate Nightlife culture, health and vibrancy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Engage nightlife stakeholders by conducting outreach	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Provide technical assistance to small business owners	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Regulate industry through permits and licensure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enforce compliance of permits and conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Current Night Managers

San Francisco



Maggie Weiland, Executive Director San Francisco Entertainment

Commission: Maggie brings over 12 years’ experience in city government. She worked in the Department of Environment then Film Commission prior to joining the Entertainment Commission in experiences broadening from clerical to policy work. Weiland joined the Commission staff in spring 2015, serving first as Deputy Director, followed by Acting Director upon the retirement of the previous Director. Weiland earned her Bachelor of Arts Degree and Masters in Public Administration from the University of San Francisco.



Ben Van Houten, Business Manager, Workforce and Entertainment:

Worked as a lawyer with experience in public policy and simultaneous experience in the music industry. Ben worked at a nonprofit focusing on gun violence public policy for 5+ years, evaluating legislation, testifying on bills, and media and outreach. At the same time, he was working as music podcaster and music logger in the indie music community. Ben was tangentially aware of the turbulence facing the music industry in 2000s-2010s. The Business Manager Entertainment & Development position was an opportunity to fuse his daytime interest in policy and his

nighttime interest in music with job opening.

New York City



Ariel Palitz, Senior Executive Director NYC Office of Nightlife: A native New Yorker, brings a lifetime of experience in the hospitality industry. Ariel worked as a promoter, helped manage a venue, and eventually became an owner where she worked for over a decade as a nightclub owner and operator. Ariel was part of the Nightlife Association of NY. While there, she was encouraged to join local Community Board where she served for 6 years. Ariel also served on the liquor licensing authority for 7 years, and additionally worked consulting with entrepreneurs seeking to open nightlife venues.

Pittsburgh



Allison Harnden, Pittsburgh Nighttime Economy Manager: Allison served as former Vice President of the Responsible Hospitality Institute (RHI) for approximately 20 years, where she mentored more than 45 cities on how to create safe social spaces. With her work at RHI, Allison gained an understanding of government processes and learned how to interact with a variety of different stakeholders, cities, and personalities. This experience was instrumental in informing her liaison work for the City of Pittsburgh.

Washington, D.C.



Solana Vander Nat, Director, Mayor's Office of Nightlife and Culture: Worked for over 11 years in D.C.'s nightlife industry, working her way up to Director of Venue Operations. Solana also established a business to help entrepreneurs thrive in the nighttime economy. She would help them navigate business licenses and D.C. government agencies, and also the unemployment process as a result of the COVID-19 pandemic.

Sample Job Description for Milwaukee's Dedicated Staff Position

The City of Milwaukee can adapt and update the following job description for a dedicated staff person.

Job Title

Director

Position Description

The Director will oversee citywide planning, management, resource allocation, and coordination of involvement of various city, county and state agencies, and hospitality, community, education and business development to address the complex issues surrounding the nighttime economy required to sustain a safe and vibrant social experience for residents and visitors.

Primary Goals and Objectives

- Facilitate safe, vibrant and sustainable opportunities to socialize throughout the city of Milwaukee.
- Retain and grow the economic value of the social and nighttime economy while effectively addressing nuisance activities, managing public safety risks, and alleviating quality of life impacts.
- Help neighborhoods with both residential and commercial activity achieve peaceful and mutually beneficial coexistence.
- Promote an atmosphere of trust, fairness and collaboration amongst diverse stakeholders.
- Increase transparency and efficiency of city government processes related to business development, regulation and enforcement.
- Assist hospitality business operators achieve consistent compliance through increased education

Major Areas of Responsibility

- Facilitate and Coordinate Meetings
 - Serve as a liaison to city, county and state agencies, hospitality and business organizations, educational institutions and neighborhoods with an active social (dining, entertainment, event) district.
- Provide Education and Resources
 - Serve as a central point of contact to new hospitality business applicants in order to guide them through the city process of opening a business and understand regulations and requirements.
 - Maintain and update a web presence with information to guide business applicants.
 - Facilitate a regular Hospitality Business Orientation with representatives from key safety agencies for the purpose of educating hospitality business operators about rules and regulations.
 - Help business district liaisons to anticipate and determine need for additional resources based on their level of nightlife activity (e.g. public safety, trash pick-up, parking, taxi service).
 - Connect with other leaders, practitioners and experts in the field of nightlife planning and management.

- Establish and coordinate new proactive procedures for intervention with at-risk businesses, including provision of early assistance resources, mentorship, and education.
- Advise and Implement Policies
 - Review codes, legislation and policies and make recommendations to City Council on changes and updates.
 - Track, measure and report on safety data that indicates change or improvements in public safety.
 - Stay up-to-date on nightlife trends and issues as they relate to public safety, business management, etc.

Overview of Required Knowledge, Skills and Abilities

Nighttime Economy Managers may come from a variety of backgrounds and can make use of a variety of skill sets, including public relations, government administration, marketing, education/training, facilitation, and mediation. Project management and communication skills are critical, particularly listening abilities. However, personality and character traits play a large role, too. Open-mindedness and flexibility are desired traits. Diplomatic, confident, risk takers who are not afraid to take on a learning curve, overcome obstacles and change systems are good candidates. Individuals who take on this position must be comfortable working both day and night with a range of perspectives and personalities from both top-level politicians to bartenders and residents.

Job Requirements

A successful candidate will demonstrate through education, job experience, and voluntary experience the following:

Knowledge and/or experience in:

- The hospitality industry (i.e. dining and entertainment venues such as bars, taverns, restaurants, and nightclubs)
- Government administration and processes including development of policy, regulations and intersection of state, county and city functions.
- Urban planning and district management (through a Chamber of Commerce, Main Street program, or Business Improvement District), especially mixed-use areas with residential, commercial, retail and entertainment activity.
- Community development.
- Public safety and role of law enforcement and regulatory agencies.
- Prevention advocacy on substance abuse, sexual assault, violence, discrimination. Impaired driving and pedestrian safety.

Above average skills in:

- Objective facilitation
- Project management, delegation and scheduling
- Diplomatic communication (verbal and written)
- Relationship management for building coalitions and alliances among diverse interest groups
- Interpersonal skills
- Conflict resolution
- Public speaking and presentation development

Demonstrated ability to:

- Moderate and facilitate meetings
- Mediate disagreements
- Work autonomously and as part of a team
- Coordinate marketing and media relations

Education

- Completion of a bachelor's degree program in relevant fields
- Completion of Graduate Degree in relevant field preferred
- Professional development and membership in relevant field(s)

Other:

- Willingness to work at night and late evening/early morning hours to observe firsthand nightlife activity and closing time management tactics.

Lessons Learned

- **Best practice is to hire someone with direct knowledge of local government** and had the trust of nightlife operators.
- **Night Managers or members of their staff** should ideally have both hospitality industry and/or government experience. Since it is rare to find someone with both areas of experience, consider choosing one expertise for the Director and the other area of expertise for supporting staff. This should lead to much quicker and more successful outcomes, as both individuals will already know how to navigate two important sets of stakeholders.



SUCCESS METRICS

Anecdotal and qualitative feedback suggest that Office of the Nighttime Economies are successful, yet it can be difficult to quantify. Among the oft cited markers of success include the decrease in nighttime economy-related issues, cohesiveness of city agencies in addressing nightlife concerns, the increase in quality of offerings and sense of nightlife vibrancy. Implementation of programs, establishment of a multi-agency task force and streamlining of bureaucracy are also small but mighty improvements that have emerged because of nighttime governance systems.

Further, the role of Night Manager is highly relevant to the city in which they work as it contributes much toward creating a more positive image of the night and works to change negative perceptions of downtowns and city centers after dark. This is particularly important in Milwaukee following a violent occasion. However, measuring perceptions is difficult and requires some thought on how to best illustrate.

Three Primary Measures of Success

According to Harvard researcher Andreina Seijas and Former Night Mayor of Amsterdam, Mirik Milan Gelders, in their published paper, *Governing the Nighttime City: The Rise of Night Mayors as a Form of Urban Governance After Dark*, achievements of these offices fall into several categories (Seijas & Gelders, 2020). The research conducted in the four study cities focuses on three measures of success as identified by Seijas and Gelders:

Awareness	Policy	Mediation
Successfully placing nighttime issues on local political agendas, spreading awareness of policies or resources to stakeholders, awareness of nighttime governance as a resource	Successfully updating local regulations to support nightlife, strategizing and implementing programs	Successful at articulating the needs of nightlife operators and promoting greater cooperation with neighbor and government agencies

Additional Success Milestones to Monitor

Criteria	SF	NY	Pitt	D.C.
Multi-agency coordination	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Assisting in business compliance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Program implementation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
COVID-19 Pandemic support	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Advocating for policies that support nightlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Streamlining bureaucratic processes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

San Francisco: 2003-2022 (Successes listed from 2018-2022)

Awareness	Policy	Mediation
<p>Launched the SF Outdoor Events Network (SFOEN), a networking and education series for the outdoor event industry.</p> <p>Managed community education and response team of 12-15 inspectors at the start of the COVID-19 pandemic to contact businesses about regulations.</p> <p>Sends out newsletters to a continuously growing list of subscribers, increasing by 29% since March 2020.</p> <p>Collaborated with other public agencies on educational webinars.</p>	<p>Advocated for the Passage of Local Prop H Small Business Recovery Act, making it easier for small businesses to open and operate after the start of the pandemic.</p> <p>Advocated for the passage of SB 793 (statewide law), the Entertainment Venue Recovery Act, which creates a new live music entertainment venue liquor license to reduce the burden on all-ages live music venues by eliminating food requirements.</p> <p>Advocated for permit streamlining legislation to make it easier for small businesses to open by removing redundancies in permitting.</p> <p>Agent of change policy: To reduce conflict between existing Places of Entertainment and new residential development, City passed legislation together with the SFEC in 2015- Code Chapter 116 called Compatibility and Protection for Residential Uses and Places of Entertainment and hotel/motel use.</p> <p>Worked with the Planning Department on area rezone plans to consider entertainment uses throughout the city and increase the number of Limited Live Performance allowances.</p> <p>Digitizing the Entertainment Commission permitting system and database.</p> <p>JAM (Just Add Music) program, a free outdoor sound and entertainment permit resulting from COVID restrictions that over 475 businesses have enrolled in.</p>	<p>No business revocations issued.</p> <p>Complaint rate has gone down 14% (as of May 2022).</p> <p>Created first of its kind Good Neighbor Policy (updates as needed) that is attached as a condition to every entertainment permit.</p> <p>Regular review of 311 calls to determine where intervention is needed.</p>

New York: 2018-2022

Awareness	Policy	Mediation
<p>Established one-stop shop of resources and support for nightlife businesses, workers, patrons, and residents (NYC Office of Nightlife, 2021).</p> <p>Five-borough listening tour to get broad feedback from the nightlife industry including business owners, workers, performers, patrons and residents.</p> <p>Promoted harm reduction approach to substance use through educational campaigns.</p> <p>Hosted “State of Nightlife” panel series.</p> <p>COVID-19 response: Developed a series that convenes advocates and prominent figures to discuss issues and ideas.</p>	<p>Established Nightlife Interagency Working Group: Convened city and state agencies to coordinate services and policies affecting nightlife.</p> <p>Coordinated city agencies to improve services in areas with a high density of nightlife establishments, resulting in cleaner, quieter streets.</p> <p>Implemented a drug harm reduction strategy in partnership with the Department of Health by providing free access to Narcan and naloxone kits and test strips.</p>	<p>Established a Multi-Agency Support for Hospitality (MASH) approach, a dedicated working group connecting nightlife venue owners, employees, patrons, and residents to services.</p> <p>Established mediation program (MEND) to resolve conflicts and disputes between venues and neighbors by introducing a mediation process with a goal of venue and resident compromise.</p> <p>Produced report of Multi-Agency Response to Community Hotspots (MARCH) operations activity.</p>

Pittsburgh: 2016-2022

Awareness	Policy	Mediation
<p>Built relationships with small business and other stakeholder groups throughout the City and participated with the nuisance bar task force. (2016).</p> <p>Expanded covered territories and service delivery from four neighborhoods to eight (2017).</p> <p>Completed draft of “Guide for Opening a New Food and Beverage Business in Pittsburgh” (2017).</p> <p>Conducted limited scope research on economic impact and costs of policing nighttime economy (2017).</p> <p>Using 311 data, worked to identify top nightlife issues that consume safety personnel’s efforts (2018) and to craft nuanced interventions (2019).</p> <p>Partnered with Uber/Lyft for press events to promote shared rides to problem solve traffic congestion at bar closing time (2018).</p> <p>Developed social media campaigns to address unwanted patron behaviors: public urination, littering, intoxication and noise. (2019).</p> <p>Designed guides for waste management, sidewalk care/obstruction and understanding your liquor license (2019).</p> <p>COVID related safety and guidance for re-opening: coordinated info on grant and loan relief programs (2020).</p>	<p>Coordinated planning, legislation, implementation, and public awareness for a one-year Parking Enhancement District (PED) pilot (2017). Parking Enhancement District implemented in April 2017 and will reach \$1 Million in revenue collection by the end of 2022, benefitting a neighborhood that does not have a BID.</p> <p>Facilitated sponsorship, marketing, implementation of night transport park and ride, “South Side NiteRider” (2017).</p> <p>Strategized with police to develop and train special unit dedicated to nighttime economy. (2018).</p> <p>Identified policy and process gaps enabling unsafe and unwanted nightlife activity (2018). City Departments and Council have now invite input and utilize Office of Nighttime Economy as a resource.</p> <p>Organized training to reduce risk and respond to threats i.e. active shooter, sexual assault prevention, Narcan and implicit bias (2019).</p> <p>Deepened relationship with state level Restaurant Association to inform them of local needs that they could lobby for (2020).</p> <p>Sought assistance from State Representatives and Liquor Control Board to address gaps in liquor laws that enable impactful practices (2021).</p> <p>Assisted in developing winterization guidelines for Outdoor Dining and Retail program and making outdoor dining permanent. (2021).</p>	<p>Engaged with residents and the business community to mediate or assist in solving problems (2018).</p> <p>To reduce police workload, encouraged their delegating relevant tasks to the NTE Coordinator such as mediating noise complaints between resident and business, or rallying taxis and Uber to seek solutions to chaotic pickup/drop off (2018).</p> <p>Mediated issues amongst businesses, patrons and residents involving tour buses, dumpsters, noise, parking and discrimination (2019).</p> <p>Tripled business outreach from 2019 to 2020 due to businesses desperate to survive pandemic (2020).</p>

Washington, D.C.: 2019-2022

Awareness	Policy	Mediation
<p>Facilitated canvassing of 14 different agencies to go across wards and educate businesses about COVID-19 vaccination requirements.</p> <p>Outreach campaigns, social media, text, and email to inform hospitality workers about COVID-19 testing facilities.</p> <p>According to a 2019 survey, 73% of nightlife businesses are aware of Mayor’s Office of Nightlife and Culture, indicating a high level of business engagement (Mayor’s Office of Nightlife and Culture, 2020).</p>	<p>Ensuring businesses had COVID-19 vaccination signage and posting it when necessary and passing out PPE.</p> <p>Worked with Mayor’s Office of Community Affairs agencies, who work with underrepresented communities, to ensure vaccination guidelines are translated to different languages.</p> <p>Hosted hiring fairs for nightlife establishments where job seekers could be hired on spot.</p> <p>Partnered with D.C. Health to establish walk up vaccination clinics for hospitality workers.</p> <p>Engaged with mayor’s multi-agency nightlife taskforce engaging community members and establishments. Interaction with public safety, justice, MPD, ABRA, DPW, DOT, fire, and emergency medical services.</p> <p>Collaborating with various agencies to achieve entertainment district improvements, including engagement with DPW to tow cars, as well as lighting and tree maintenance, Collaborated with DDOT to clear traffic, congested curb and sidewalk space and decrease ATVs.</p>	<p>Mediated business & resident conflict, as well as business and agency conflict.</p> <p>Created town halls for residents to provide feedback to the multi-agency nightlife taskforce.</p> <p>Positive feedback received from residents about improvements in safety and quality of life.</p>

Lessons Learned

COVID-Era Successes

- **During COVID, many offices pivoted to implement COVID recovery programs** that benefitted the nighttime economy through education, grants, loans and the reimagining of the use of public spaces near nighttime districts to accommodate additional outdoor seating.

Short Term Successes

These are achievements that are within reach for any new Office of Nighttime Economy in its early formation:

- **Programs focused on awareness** (e.g. social media, newsletters, district branding campaigns, creating “how-to” guides, and listening tours)
- **Small policy changes** (e.g. nightlife job fairs, translating forms into more languages)

Long Term Successes

- **Convincing city agencies** (e.g. fire, code compliance, parking) **to deploy resources at night** (after 5pm) **is a heavy lift**, but a critical move for ensuring safety and management of a social district.
- **Creating specialized police units** that are trained and focused on nightlife.
- **Changes in liquor licensing policy.** Once offices become more established (5 years or longer) they are able to advocate for the passage of policies that support nightlife and have gained more awareness with stakeholders and the public at large.
- **Implementation of a citywide economic impact study.**
- **Reforms to transportation options for nightlife workers and patrons.**



ORGANIZED GROUPS THAT CONTRIBUTE TO SUCCESS

The success of an Office of the Nighttime Economy is greatly supplemented by the support of community groups and other organized stakeholder groups who care deeply about safe and vibrant entertainment districts. The three critical measures of success (policy change, mediation, and awareness), often rely on the cooperation of these outside groups.

The most common groups outside of government that support an Office of Nightlife include hospitality industry associations, community or neighborhood associations, and Business Improvement Districts (BIDs). Other supporting groups include those organized around the performing arts and culture, harm reduction, and organized labor.

An effective group **within government itself** are multi-agency groups, usually consisting of public safety, fire safety, code enforcement and public works, etc. These groups are sometimes coordinated by an Office of the Nighttime Economy, but sometimes exist on their own. For Office of the Nighttime Economy with no regulatory authority, the cooperation of these agencies who can regulate and enforce policy is very important to make substantive change in city policy.

San Francisco

Underscoring the value of organized groups outside of government, the very existence of the San Francisco Entertainment Commission in 2003 can be attributed in large part to an organized group of nightlife stakeholders, the San Francisco Late Night Coalition (no longer in existence). Now, after 19 years, we see the integration of these groups into the agency by way of the President of the Entertainment Commission who also heads the Bar Owners Alliance.

The transparent process of public hearings for each entertainment permit also allows community groups, BIDs, and others, to testify and engage in the process of influencing appropriate conditions to be placed on permits for any operator opening a new business.

New York City

Similarly, the New York Hospitality Alliance worked very closely with the City Councilmember to create the NY Office of Nightlife (NY ONL).

M.A.R.C.H. or Multi Agency Response to Community Hotspots, was a multi-agency group created long before the Office of Nightlife and was previously prone to a “gotcha” approach to compliance and enforcement. The NY ONL, in its advocacy capacity, works to keep this enforcement transparent and responsive to the nightlife community by asking for 30 days’ notice on MARCH inspections, and reporting the group’s enforcement activity online on a regular basis.

An independent group called the Center for Creative Conflict Resolution is at the heart of the NY ONL’s MEND program, which mediates disputes between nightlife and neighbors. Lastly, NY ONL works with multiple outside organizations to fulfill their safety, equity and harm reduction policy work, alongside New York’s Health Department.

Pittsburgh

Pittsburgh’s Office of Nighttime Economy engages in weekly calls with its most active organized neighborhood association, the Southside Neighbor Association, to answer questions and provide city data needed by the group. This connection and open communication allow the Pittsburgh office to be perceived as positive and helpful to the neighbors who live closest to active nightlife.

The office meets bi-monthly with the 2 BIDs and other business groups under the auspices of the Urban Redevelopment Authority to bring the hospitality industry’s perspective to these groups and to hear their concerns. During her interview, the Director of the office indicated that she would love to see more organized outside groups, like a nightlife alliance, be formed in the City for the purposes of moving her work forward.

Washington D.C.

The Mayor’s Office of Nightlife and Culture (MONC) works closely with a new multi-agency group created by the Mayor called the Multi-Agency Nightlife Task Force to specifically focus on the U-Street nightlife corridor. MONC is the liaison between the task force and the businesses on the corridor. Numerous accomplishments have been achieved due to this partnership, including towing illegally parked cars, keeping traffic moving, reducing the number of loud ATVs circling the area, moving loiterers, fixing broken street lighting and trimming trees that block lighting and reducing noise to assist residents at night and feel safer. They will continue this concentrated effort through Labor Day and re-evaluate effectiveness.

MONC also works closely with the D.C. Brewer’s Guild, D.C. Nightlife council, and Listen Local First, representing local musicians.

City to City Comparison

CRITERIA	SF	PIT	NY	D.C.
Hospitality and Nightlife Alliance	SF Bar Owners Alliance, NIVA, California Music and Culture Association (CMAC)	National Independent Venue Association (NIVA)	New York Hospitality Alliance, NIVA	D.C. Nightlife Council, D.C. Restaurant Association, NIVA, Listen Local First D.C.
Interagency Alliance	N/A	Nuisance Bar Task Force	M.A.R.C.H.	Multi Agency Nightlife Task Force
Business Improvement District	Multiple BIDs, CBDs, and TID	2BIDs/Downtown Partnership/Chambers and Urban Redevelopment Authority	76 BIDs in NYC	D.C. BID Council/11 BIDs
Community Association	Various neighborhood associations	Southside Neighborhood Association	Community Boards	40 Advisory Neighborhood Commissions (ANCs)

Lessons Learned

- **Success of an Office of Nightlife relies on cooperation of public and private groups outside of government**, including hospitality industry associations, community or neighborhood associations, and Business Improvement Districts (BIDs).
- **Identifying and engaging with already established outside groups** can give immediate credibility to a new Office of Nightlife in a city.
- **For Offices of Nightlife with no regulatory authority, the cooperation of multi-agency groups** that can regulate and enforce policy is very important to make substantive change in city policy.

APPENDIX A: JOB DESCRIPTIONS

San Francisco

DEPARTMENT General Services Agency

SALARY \$125,736.00 - \$160,446.00/year

JOB TYPE Permanent Exempt

APPOINTMENT TYPE: Permanent Exempt (PEX). This position is excluded by the Charter from the competitive civil service examination process; it is considered at will and serves at the discretion of the Entertainment Commission; the Mayor may also recommend removal under Charter Section 4.102.

BACKGROUND:

San Francisco's nightlife and entertainment sector – which includes restaurants, bars, nightclubs, live music venues, and other performance spaces – is an integral part of the City's fabric. Nightlife and entertainment businesses attract residents and visitors to our diverse neighborhoods and provide social spaces that are critical to the development of our unique and vibrant cultural life.

Through its processes, the San Francisco Entertainment Commission regulates, manages, promotes and enhances entertainment and nightlife in San Francisco. The seven-member commission has the duty and authority to accept and issue, review and gather information to conduct hearings for entertainment-related permit applications. "Entertainment-related permits" include loudspeaker permits, one-time event permits, fixed place of business permits and extended hours permits. Last Fiscal Year, the Entertainment Commission serviced 681 license renewals, including 335 place of entertainment permits and 91 extended hour permits; and 574 permit applications, including 524 one-time event permits and 20 new fixed place of entertainment permits.

The Entertainment Commission office consists of a staff of six employees (including the Executive Director), and currently has a budget of approximately \$950,000.

POSITION DESCRIPTION:

The 0961 Executive Director manages the day-to-day affairs of the Entertainment Commission and its staff; and is also responsible for promoting, planning and coordinating major cultural, entertainment, athletic and similar indoor and outdoor events in the City (except that the Police Department is responsible for all matters concerning security and law enforcement). The Executive Director also directs the development, administration and implementation of the office's key services, including: 1) promoting and regulating a robust and safe night-life sector; 2) issuing entertainment permits and annual licenses; 3) enforcing compliance with municipal entertainment and sound regulations; and 4) providing technical assistance to small business owners. Additionally, the Executive Director (on behalf of the Commission) plans and coordinates the provision of City services for major events for which there is no recognized organizer, promoter or sponsor.

Responsibilities include, but are not limited to:

- Managing and overseeing the Commission office's operations, programs, functions, activities and services.
- Overseeing the development and implementation of the Commission's strategic plans, objectives and long-term and interim goals.
- Determining the office's organizational structure, staff assignments and service levels to achieve the Commission's strategic plan objectives, mission and goals.
- Timely and effectively managing, allocating and monitoring office resources and expenditures within the Commission's approved budget.
- Selecting, training, motivating, supervising and evaluating office personnel.
- Administratively and technically supporting Commission meetings or hearings, including: overseeing the posting of meeting notices and preparation of meeting agendas and minutes; coordinating, preparing and/or presenting staff reports; ensuring the presence of required representatives or stakeholders at Commission meetings or hearings; and following up as necessary on Commission meeting or hearing items.
- Directing the preparation, review, approval and maintenance of important technical reports and records for the Commission or any requested best practice research on matters within the Commission's jurisdiction.
- Advising the Commission, Mayor, City Administrator and other City officials on industry best practices; and assisting with the preparation and shepherding of legislation, policies or programs related to issues within the Commission's jurisdiction as appropriate and directed.
- Interpreting, explaining, and conducting outreach and education on any applicable new or changes to existing laws, codes, regulations, policies or procedures to the Commission or its stakeholders, including the general public, event producers, venue owners, businesses, neighbors and other City agencies.
- Interfacing with the Mayor's Office, Board of Supervisors, City Administrator, City Attorney, other department heads and agencies on issues relevant to Entertainment Commission issues.
- Representing the Commission before a wide array of stakeholders, including commissions, boards, other City departments, public officials, the media, businesses and communities.
- On the Commission's behalf, planning, facilitating and coordinating City services for major events or which there is no recognized or adequate organizer or promoter.
- Organizing meetings, forums or summits with stakeholders, industry representatives, venue owners, businesses, residents and/or subject matter experts on issues relevant to Entertainment Commission.
- Assisting eligible event organizers to apply for, and obtain from the Commission and other City departments, all necessary permits from the City.
- Managing ongoing applicant and City department liaison interactions (Fire, Health, Building, Electrical, SFPD, Planning, etc.).
- Coordinating with relevant City departments to conduct inspections or investigations necessary or appropriate for the full and fair consideration of applications for the issuance, renewal or transfer of entertainment-related permits.
- Establishing and implementing education and outreach programs for businesses and residents to support or foster events or entertainment in the City.
- Assisting business owners in complying with applicable Commission rules, codes and regulations.
- Addressing, mediating and managing any community or other stakeholder concerns, or disputes between persons affected by events and establishments and the organizers of such events and operators of such establishments; working or speaking with neighbors, the Police Department, and

venue owners or events organizers to resolve concerns or disputes; scheduling, attending and moderating evening meetings between concerned parties; and following-up on resulting amendments to permits, requests or actions.

MINIMUM QUALIFICATIONS

1. Possession of a baccalaureate degree from an accredited college or university; AND
2. Five (5) years of high-level and policy-influencing experience in relevant areas such as: overseeing, supervising and directing staff involved in interpreting, monitoring, applying, enforcing and/or investigating compliance with administrative rules, laws, codes or regulations in the entertainment industry; or overseeing, supervising and directing staff involved in researching, analyzing, and recommending or implementing entertainment industry best practices in San Francisco; or planning, overseeing and managing large public events or venues in San Francisco; or overseeing, supervising and directing staff involved in media relations in San Francisco; or overseeing, supervising and directing staff involved in large financial or operational programs or initiatives in a City and County of San Francisco department. Experience must include at least three (3) years of directly supervising professional full-time staff engaged in the above work.

SUBSTITUTION: Additional managerial experience as described above can substitute for up to two years of the education requirement on a year-for-year basis.

DESIRABLE QUALIFICATIONS:

The ideal candidate will also have strong leadership and mediation skills; strong written and oral communication skills; analytical and problem-solving skills; have a high degree of equanimity and emotional intelligence; have the ability to strike a balance between being consistent and firm but also fair, flexible and reasonable; be particularly strong at collaborating and working with others who may be difficult or have opposing interests or objectives; be a strong manager and supervisor; know and have productive working relationships with Entertainment Commission stakeholders; experience working in the public sector (ideally San Francisco City government); and have an ability to navigate political and sensitive issues.

New York City

Job Description

Job Category: Constituent Services & Community Programs

Business Title: Senior Executive Director of Nightlife - MOME

Proposed Salary Range: \$ 60,435.00 - \$130,000.00 (Annual)

Career Level: Manager

Job ID: 302642

The Mayor's Office of Media and Entertainment (MOME) encompasses the key economic and creative sectors of film, TV, theater, music, advertising, publishing, digital content and real estate as it relates to these industries. In total, these sectors account for over 305,000 jobs, and an economic output of \$104 billion. The office promotes New York City as a thriving center of creativity, issuing permits for productions filming on public property, and facilitating production throughout the five boroughs. It also oversees NYC Media, the largest municipal broadcasting entity in the country including five TV Stations and a radio station with a reach of 18 million households and a 50-mile radius.

In June 2017, Mayor de Blasio announced that the Mayor's Office of Media and Entertainment would expand to include the first ever Office of Nightlife. Serving under the Commissioner of MOME, the Senior Executive Director of the Office of Nightlife will help establish this Office, implement recommendations made by a Nightlife Taskforce that will be convened to address challenges and opportunities in NYC's nightlife industry, and manage day to day operations. The Office's aim will be to promote an economically and culturally vibrant nightlife industry, while serving the best of interests of the City and its residents.

The Office of Nightlife will be managed by the Senior Executive Director who will promote an economically and culturally vibrant nightlife industry, while accounting for the best of interests of the City and its residents.

More specifically, responsibilities will include:

- Serve as an intermediary between City agencies, law enforcement, elected officials, the nightlife industry, and NYC residents;
- Develop and implement policies to support the health of the night time economy;
- Provide assistance with permitting, licensing, and approvals for nightlife businesses;
- Monitor trends, issues, and violations issued to nightlife establishments and develop methods to address issues in consultation with industry representatives, City agencies, community boards, residents, and other relevant stakeholders;
- Implement recommendations made in the Nightlife Taskforce report;
- Set the agenda for and managing day to day operations of the Office of Nightlife;
- Develop and implement policies designed to support a vibrant nightlife in New York City while ensuring health and safety of patrons, residents and communities are protected;
- Implement recommendations made in the Nightlife Taskforce report;

- Develop strong ties to the nightlife community, business associations, community boards, community and residential groups, city agencies and other key stakeholders;
- Work collaboratively with City agencies to address issues relating to nightlife;
- Represent the office on and before various industry events, commissions, and the City Council, including testifying, as needed (note this role may require work on nights and weekends);
- Manage staff, including but not limited to, permit specialists and field representatives.

Minimum Requirements

A baccalaureate degree from an accredited college or university and five years of full-time paid experience acquired within the last fifteen years, of supervisory or administrative experience including handling of business promotion or urban economic problems, at least 2 years of which must have been in a managerial or executive capacity with primary focus on business promotion or urban economic planning; or

A satisfactory equivalent combination of education and experience. However all candidates must have 2 years of managerial or executive experience as described in "1" above.

Appropriate graduate study in an accredited college or university may be substituted for the general experience on a year-for-year basis. All candidates must have a four-year high school diploma or its equivalent approved by a State's Department of Education or a recognized accrediting organization.

Preferred Skills

The preferred candidate should possess the following:

- 5+ years of experience working closely with the nightlife or music industry;
- 5+ years of experience with NYC government regulations governing the nighttime economy or health/public safety;
- Understand of New York City politics and government structure;
- Experience managing competing interests and resolving conflicts;
- 5+ years of experience managing staff;
- Ability to work in a fast-paced, high-pressure, public facing role;
- Experience with public speaking;
- A highly collaborative and diplomatic nature;
- Ability to work with diverse stakeholders with varying perspectives.

Pittsburgh

CITY OF PITTSBURGH

JOB DESCRIPTION

NIGHTTIME ECONOMY MANAGER

Department/Bureau/Division: Public Safety/Administration

Reports to: Community Affairs Assistant Director

Bargaining Unit: Non Union Date Revised: July 2015

FLSA Code: Exempt Date Reviewed:

Pay/Class Grade(s): 27E

Civil Service Classification: Exempt

Position Summary:

The Nighttime Economy Manager will oversee citywide planning, management, resource allocation, and coordination of various city, county and state agencies, and hospitality, community, education and business development organizations to implement and maintain the recommendations of the Pittsburgh Sociable City Plan. The Sociable City Plan is a framework to address the complex issues surrounding the nighttime economy required to sustain a safe and vibrant social experience for residents and visitors.

Position Duties:

- Facilitate safe, vibrant and sustainable opportunities to socialize throughout the city of Pittsburgh. Identify and coordinate services and resources needed to manage social and nighttime activity.
- Retain and grow the economic value of the social and nighttime economy while effectively addressing nuisance activities, managing public safety risks, and alleviating quality of life impacts.
- Help neighborhoods with both residential and commercial activity achieve peaceful and mutually beneficial co-existence.
- Facilitate communication and promote an atmosphere of trust, fairness and collaboration amongst diverse stakeholders, including Sociable City Plan Action Teams.
- Increase transparency and efficiency of city government processes related to business development, regulation and enforcement.
- Assist hospitality business operators achieve consistent compliance through increased education.
- Educate and orient stakeholders through transitions and program changes, via resource fairs, web presence, etc.
- Advise the Mayor and City Council on social and nighttime economy issues identified through program activity. Review and offer updates to current and proposed policies and legislation as needed.
- Serve as a liaison to city, county and state agencies, hospitality and business organizations, educational institutions, and neighborhoods with an active social (dining, entertainment, event) district.
- Serve as a central point of contact to new hospitality business applicants in order to guide them through the city process of opening a business and understand regulations and requirements.

- Help business district liaisons anticipate and determine need for additional resources based on their level of nightlife activity (e.g. public safety, refuse collection, parking, taxi service).
- Connect with other leaders, practitioners and experts in the field of nightlife planning and management.
- Establish and coordinate new proactive procedures for intervention with at-risk businesses, including provision of early assistance resources, mentorship, and education.
- Guide implementation of recommendations generated by the Sociable City Plan Action Teams.
- Track, measure and report on safety data that indicates change or improvements in public safety.

Knowledge/Abilities (At Full Job Performance)

Extensive knowledge of:

- The hospitality industry (i.e. dining and entertainment venues such as bars, taverns, restaurants, and nightclubs).
- Government administration and processes including development of policy, regulations and intersection of state, county and city functions.
- Urban planning and district management (through a Chamber of Commerce, Main Street program, or Business Improvement District), especially mixed use areas with residential, commercial, retail and entertainment activity.
- Community development.
- Public safety and role of law enforcement and regulatory agencies.
- Prevention advocacy on substance abuse, sexual assault, violence, discrimination. Impaired driving and pedestrian safety.
- Project management.

Considerable knowledge of:

- City and departmental rules, regulations, policies and procedures.
- Building and occupancy codes.
- Legislation and policy making.
- The Internet and computer software applications (e. g., word processing, desktop publishing, spreadsheets, etc.), social media.
- The principles of marketing.
- Diplomatic communication (verbal and written).
- Relationship management for building coalitions and alliances among diverse interest groups.
- Public speaking and presentation development.

Ability to:

- Moderate and facilitate meetings.
- Be open-minded and flexible.
- Mediate disagreements.
- Work autonomously and as part of a team whose members may display a range of perspectives and personalities, from both top-level politicians to bartenders and residents.
- Work at night and late evening/early morning hours to observe firsthand nightlife activity and closing time management tactics.

POSITION WORKING CONDITIONS/PHYSICAL DEMANDS (Include but are not limited to)

Lifting:

- Occasionally 0 - 20 pounds.

Physical Demands- Job Requirements:

- Constantly hearing-conversation, seeing-near, seeing-far, speaking clearly.
- Frequently walking, climbing stairs.

Supervision Received:

- Receives periodic supervision from Community Affairs Manager and/or Director of Public Safety.

Supervision Exercised:

- None.
- Certificates and Licenses:

PA Class C Driver's License.

Minimum Qualifications

Bachelor Degree in Communications, Marketing, Business Administration, Public Relations, Public Policy, Public Administration, Project Management or related area. Master's Degree preferred. Five years' progressively responsible, professional experience related to area of assignment. Must be able to show a demonstrated ability to moderate and facilitate meetings among diverse populations, mediate disagreements, work autonomously and as part of a team and coordinate marketing and media relations.

Washington, D.C.

JOB DESCRIPTION

Salary: Excepted Service Grade 8 (\$97,434 to \$130,000)

Description:

The Mayor's Office of Nightlife and Culture (MONC) will coordinate District government agencies, businesses, and community groups to manage the after-hours economy, and work with the Commission of Nightlife to advise the Mayor, Council, and Office of Nightlife on common issues and trends relating to the after-hours economy. The candidate is a member of the Mayor's Cabinet and serves as the senior subject matter expert on this issue. With the proposed Fiscal Year 22 Fair Shot Budget, the Mayor is doubling down on our commitment to building back better starting with a foundation of a more equitable Washington, D.C.. The Director of MONC will assist in developing strategies to ensure the Districts nightlife and culture recover from the COVID-19 pandemic. To learn more about MONC, please visit [here](#).

The Director of MONC is a cabinet-level position that advises the Mayor and coordinates and executes engagements with nightlife and cultural establishments to build back better as we recover from the COVID-19 pandemic. The Director will manage grants and other programs accordingly.

MAJOR DUTIES AND RESPONSIBILITIES:

- Plans, organizes and designs the administrative structure for the Office of Nightlife and Culture, and serve as key staff support for the Commission on Nightlife and Culture.
- Serve as a liaison to nightlife establishments in relation to city policies and procedures affecting the after-hours economy.
- Conduct outreach to nightlife establishments and provide information and assistance in relation to District policies and procedures for responding to complaints, violations and other enforcement actions.
- Assist nightlife establishments in the resolution of conditions that lead to enforcement actions.
- Serve as a point of contact for nightlife establishments to facilitate connections to District government agencies for matters including but not limited to, consumer complaints, issues with District government agencies and obtaining relevant permits, licenses and approvals.
- Advise and assist the Mayor and District government agencies that have duties relating to nightlife establishments.
- Review information obtained from District government agencies, Advisory Neighborhood Commissions, residents and nightlife establishments to pursue long term solutions to issues related to the after-hours economy.
- Appear before and consult with the Commission on Nightlife on ways to improve laws and policies that impact the after-hours economy.
- Prepare an annual report detailing the actions taken and recommendations to improve the after-hours economy.
- Performs other related duties as assigned.

OTHER SIGNIFICANT DUTIES:

- Deep knowledge and personal or professional experience supporting entities, business and regulations comprising the Districts nightlife community.
- Experience serving as an intermediary between nightlife establishments, residents, and the District government.
- Promote a safe, economically and culturally vibrant night time economy.
- Engage nightlife stakeholders by conducting outreach and providing assistance.
- Solve nighttime issues by collaborating with District government agencies.
- Educate nightlife establishments on existing district policies and regulations through quarterly trainings.
- Mastery of knowledge of community relations and outreach efforts.
- Comprehensive knowledge and experience in management, supervision, and program planning and evaluation techniques in order to direct, manage, and oversee a major citizen involved program within the District of Columbia Government.
- Knowledge of applicable federal and District legislation, regulations, policies, and procedures.
- Knowledge of grant and contracting procedures sufficient to monitor program grants and contracts and to prepare grant applications, contracts, agreements, work plans, and reports.
- Ability to communicate well, both orally and in writing, to a variety of audiences, including local, state, regional, and federal agency officials; technical staff; and organizations and individuals regarding community relations efforts.

REQUIREMENTS AND RELEVANT EXPERIENCE

- Strong background in public policy, community organizing, and constituent engagement.
- Demonstrated knowledge of the constituent, programs and services provide by and for residents of the District of Columbia.
- Demonstrated organizational and strategic leadership.
- Strong and demonstrated knowledge of the District's government and private sector groups such as civic organizations and ANC's with direct connections/engagement to each.
- Knowledge and understanding of the District's residents and neighborhood business representatives with demonstrated past experience in linking citizen involvement groups to the District government.

APPENDIX B: LEGISLATIVE LANGUAGE

San Francisco

SAN FRANCISCO ENTERTAINMENT COMMISSION

SEC. 90.1. DECLARATION OF POLICY It is the policy of the City and County of San Francisco to have a system of coordinated planning and permitting for cultural, entertainment, athletic and similar events and establishments throughout the City to promote such establishments and events for the economic and cultural enrichment of San Franciscans and visitors to San Francisco, and to celebrate the diverse communities within San Francisco. To facilitate this goal it is the policy of the City to have the San Francisco Entertainment Commission:

- (1) assist the organizers and operators of cultural, entertainment, athletic and similar events and establishments to apply for, and obtain from the commission and other City departments when the applicant satisfies the requirements therefore, all necessary permits from the City;
- (2) promote the responsible conduct and operation of such events and establishments;
- (3) promote the development of a vibrant entertainment and late-night entertainment industry within the City;
- (4) promote the use of City facilities for cultural, entertainment, athletic and similar events that generate revenue for the City;
- (5) foster harm reduction policies, including but not limited to reduction of risks from substance use, hearing protection, heat exhaustion, and relevant health and safety measures;
- (6) develop and recommend to the Mayor and Board of Supervisors "good neighbor policies" that appropriately balance the cultural, economic, employment and other benefits of a vibrant entertainment and late-night entertainment industry with the needs of residents and businesses in the vicinity of entertainment venues;
- (7) mediate disputes between persons affected by cultural, entertainment, athletic and similar events and establishments, and the organizers of such events and operators of such establishments;
- (8) assume responsibility from the Police Department for issuing entertainment-related permits;
- (9) plan and coordinate City services for major events or which there is no recognized or adequate organizer or promoter, such as Halloween bacchanalia in the Castro district and New Year's Eve festivities; and
- (10) provide information regarding venues and services appropriate for conducting events and functions ancillary to conventions held within the City, including conventions at the Moscone Convention Center. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

PERMITS ISSUED BY THE ENTERTAINMENT COMMISSION:

"Entertainment-related permits" include the following:

- (i) Loudspeaker permits;
- (ii) Itinerant show permits;
- (iii) Dance hall keepers permits;
- (iv) Place of entertainment permits;
- (v) After hours permits; and
- (vi) Licenses for amusements.

SEC. 90.3. ESTABLISHMENT OF ENTERTAINMENT COMMISSION.

(a) Establishment of Commission. There is hereby established the San Francisco Entertainment Commission consisting of seven members.

(b) Appointment of Commissioners. Appointment of the members of the commission shall be as set forth in the City Charter:

(c) Terms of Commissioners. For purposes of staggering the terms of the commissioners, the initial appointments shall have terms as follows: three commissioners shall have initial terms of four years, two commissioners shall have initial terms of three years, and two commissioners shall have initial terms of two years. All terms of the initial appointees to the commission shall be deemed to commence upon the same date, which shall be the date upon which the last of the seven initial appointees assumes office. Thereafter, all appointments and reappointments shall be for a term of four years.

(d) Compensation; Reimbursement of Reasonable Expenses. Subject to the availability of funds, the commissioners shall (i) receive compensation of \$50 per meeting and (ii) be reimbursed reasonable expenses incurred for authorized activities on behalf of the commission pursuant to written policies and procedures adopted by the commission and approved by the Board of Supervisors.

(e) Chairperson. The commission shall, annually, elect a chairperson who shall serve for a term of one year. The commission may reappoint the chairperson to serve additional terms. The chairperson may call special meetings, instruct the Executive Director to undertake all steps necessary or appropriate for the commission to issue, deny, condition, suspend, revoke and transfer entertainment-related permits in a timely manner, and to perform such other duties as may be set forth in the bylaws of the commission. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

SEC. 90.4. POWERS AND DUTIES OF THE ENTERTAINMENT COMMISSION.

In addition to the powers and duties set forth in Sections 4.102, 4.103 and 4.104 of the Charter, the commission shall have the following powers and duties:

(a) Accept review, gather information regarding, and conduct hearings upon applications for entertainment-related permits; and rule upon and issue, deny, condition, suspend, revoke or

transfer entertainment-related permits in accordance with applicable laws and regulations. The commission may authorize the executive director or permit administrators, or both, to rule upon applications and grant, deny, condition, transfer or modify specified types of entertainment-related permits deemed by the commission to be routine and unlikely to pose significant negative impacts on persons in the vicinity of the event or establishment for which the permit is sought; provided, that any City department with an interest in the permit or person having a right to appeal to the Board of Appeals under Section 30 of the San Francisco Business and Tax Regulations Code may, in writing, (i) request that the permit application be heard in the first instance by the commission, or (ii) request reconsideration by the commission of the executive director's or permit administrator's decision. If the commission grants a request for reconsideration, it may hear the matter de novo, or may limit its review to the administrative record that was before the executive director or permit administrator at the time of his or her decision.

(b) Impose reasonable conditions upon the issuance or renewal of entertainment-related permits consistent with the applicable law, regulations and the good neighbor policy or policies for the location or locations of the establishment or event for which the permit is sought.

(c) Suspend, revoke or withdraw entertainment-related permits in accordance with the law and regulations governing such permits.

(d) Coordinate with all relevant City departments for the conduct of any inspection or investigation necessary or appropriate for the full and fair consideration of applications for the issuance, renewal or transfer of entertainment-related permits, including without limitation the Police Department and the Department of Public Health.

(e) Promote the use of City facilities for cultural, entertainment, athletic and similar events that generate revenue for the City, in consultation with the City departments having jurisdiction over such facilities.

(f) Develop and recommend to the Mayor and Board of Supervisors "good neighbor policies" that balance competing interests and promote the health, safety and welfare of San Franciscans and visitors to San Francisco.

(g) Mediate disputes between persons affected by cultural, entertainment and athletic events and establishments permitted by the City and the organizers of such events and operators of such establishments.

(h) Plan and coordinate the provision of City services for major events for which there is no recognized organizer, promoter or sponsor, or where identified organizers, promoters or sponsors cannot, in the opinion of the commission, provide adequate planning and coordination for the size, geographic distribution or nature of the event. For purposes of this Chapter, "major events" means an anticipated gathering of persons on or adjacent to public property or roadways that is likely to require police services, fire services, toilet facilities, traffic control, the availability of potable water or other City services to protect the health, safety and welfare of participants, neighbors or other persons likely to be affected by the event, including but not limited to spontaneous gatherings on Halloween, Pride events (including Pink Saturday), St. Patrick's Day and New Year's Eve.

(i) Prepare and submit to the Mayor and Board of Supervisors a report analyzing the commission's effectiveness in advancing the policies specified in Section 90.1 and the laws governing entertainment-related permits, and making recommendations related thereto. The commission shall submit the report to the Mayor and Board of Supervisors within one year of effective date of this Chapter, and not less than once every five years thereafter.

(1) With the approval of the Recreation and Parks Commission or Port Commission, as the case may be, exercise the powers and perform the duties set forth in this Section with respect to events and establishments to be held or operated upon property or within facilities under the jurisdiction of the Recreation and Parks Commission or Port Commission. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

SEC. 90.5. EXECUTIVE DIRECTOR.

The Executive Director shall manage the day-to-day affairs of the Entertainment Commission. The Executive Director shall appoint and have supervisory authority over the permit administrators, sound technician(s), and other commission personnel. The Executive Director shall be responsible for planning and coordinating of major cultural, entertainment, athletic and similar events in the City (provided that the Police Department shall continue to be responsible for all matters concerning security and law enforcement); promoting the use of City-owned facilities for such events; promoting the location of cultural, entertainment, athletic and similar establishments within the City; promoting the responsible operation of such establishments and adherence by their operators to good neighbor policies designed to protect the health, safety and welfare of residents and businesses in the vicinity of such establishments, and performing such other duties as the commission may prescribe. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

SEC. 90.6. PERMIT ADMINISTRATORS.

Permit administrators shall be responsible for reviewing applications and advising applicants regarding the submission of all necessary information and documentation for the commission to process applications in a timely manner; verifying information contained on entertainment-related permit applications; assisting other City departments in the review of applications for permits necessary for and coordinating investigations by developing instructions, manuals and forms for entertainment-related permit applications that can be accessed on the internet; informally mediating disputes between neighbors and such establishments and events; and for such other duties as the Executive Director may prescribe. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

SEC. 90.7. SOUND TECHNICIAN.

Sound technicians shall be responsible for conducting tests and investigations relating to noise levels and compliance with Article 29 of the San Francisco Police Code as may be necessary or appropriate for the issuance, denial, conditioning, suspension, revocation or transfer of entertainment-related permits; issuing findings, reports and recommendations thereon; and for such other duties as the Executive Director may prescribe. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

SEC. 90.8. ANNUAL REPORTS.

The Entertainment Commission shall issue an annual report to the Board of Supervisors and Mayor by March 1st regarding its activities for the preceding year. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

SEC. 90.9. FEES.

Within one year after the operative date of this Article, and annually thereafter, the Entertainment Commission shall submit a report to the Mayor and Board of Supervisors analyzing the fee revenue generated from the issuance, renewal and processing of applications for entertainment-related permits, and proposing fees therefor that will cover the annual operating costs of the commission. Within three years of the operative date of this Article, the Board of Supervisors shall establish fees for entertainment-related permits at levels sufficient to cover the estimated annual operating costs of the commission. (Added by Ord. 164-02, File No. 020783, App. 7/26/2002)

New York City

LOCAL LAWS

OF

THE CITY OF NEW YORK

FOR THE YEAR 2017

No. 178

Introduced by Council Members Espinal, Reynoso, Koslowitz, Johnson, Torres, Gentile, Kallos, Rosenthal, Treyger and Garodnick.

A LOCAL LAW

To amend the New York city charter, in relation to establishing an office of nightlife and a nightlife advisory board

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-d to read as follows:

§ 20-d. Office of nightlife.]

a. Definitions. For the purposes of this section the following terms have the following meanings:

- Director. The term “director” means the director of the office of nightlife.
- Nightlife establishment. The term “nightlife establishment” means an establishment that is open to the public for entertainment or leisure, serves alcohol or where alcohol is consumed on the premises, and conducts a large volume of business at night. Such term includes, but is not limited to, bars, entertainment venues, clubs and restaurants.

- Office. The term “office” means the office of nightlife.

b. The mayor shall establish an office of nightlife. Such office may be established within any office of the mayor or as a separate office or within any agency that does not conduct enforcement against nightlife establishments. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such office or agency.

c. Powers and duties. The director shall have the power and duty to:

1. Serve as a liaison to nightlife establishments in relation to city policies and procedures affecting the nightlife industry and, in such capacity, shall:

(a) Conduct outreach to nightlife establishments and provide information and assistance to such establishments in relation to existing city policies and procedures for responding to complaints, violations and other enforcement actions, and assist in the resolution of conditions that lead to enforcement actions;

(b) Serve as a point of contact for nightlife establishments and ensure adequate access to then office that is responsive to the nature of the nightlife industry; and

(c) Work with other city agencies to refer such establishments to city services that exist to help them in seeking to obtain relevant licenses, permits or approvals from city agencies;

2. Advise and assist the mayor and the heads of city agencies that have powers and duties relating to nightlife establishments including, but not limited to, the department of consumer affairs, the police department, the fire department, the department of health and mental hygiene, the department of city planning, the department of buildings and the department of small business services, on issues relating to the nightlife industry;

3. Review information obtained from 311 or other city agencies on complaints regarding and violations issued to nightlife establishments and develop recommendations to address recurring problems or trends, in consultation with industry representatives, advocates, city agencies, community boards and residents;

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4. Serve as the intermediary between city agencies, including law enforcement agencies, residents and the nightlife industry to pursue, through policy recommendations, long-term solutions to issues related to the nightlife industry;

5. Review and convey to the office of labor standards information relating to nightlife industry workforce conditions and upon request, assist such office in developing recommendations to address common issues or trends related to such conditions;

6. Promote an economically and culturally vibrant nightlife industry, while accounting for the best interests of the city and its residents; and

7. Perform other relevant duties as the mayor may assign.

d. Notwithstanding subdivision c of this section, paragraph 1 of such subdivision shall not apply to any cultural organization that is identified by the department of cultural affairs as eligible to receive

grant funding from such department, except as otherwise determined by the director and such department.

e. Report. Within 18 months of the effective date of the local law that added this section, and annually thereafter, the director shall prepare and submit a report to the mayor and the speaker of the council that shall include, but not be limited to, the activities of the office and any recommendations developed by the director pursuant to this section.

f. Nightlife advisory board.

1. There shall be a nightlife advisory board to advise the mayor and the council on issues relating to nightlife establishments. The advisory board shall identify and study common issues and trends relating to the nightlife industry and shall make recommendations, as appropriate, to the mayor and the council on ways to improve laws and policies that impact nightlife establishments. The nightlife advisory board shall examine the following:

(i) the regulatory structure of the nightlife industry;

(ii) common complaints regarding nightlife establishments; (iii) public safety concerns related to the nightlife industry;

(iv) the enforcement of nightlife industry-related laws and rules; (v) zoning and other community development concerns related to the nightlife industry; (vi) integration of the nightlife industry into the city's various neighborhoods; (vii) nightlife workforce conditions, including but not limited to, wages and workforce safety; (viii) the availability and responsiveness of the office of nightlife to the concerns of nightlife establishments; and (ix) any other issues the nightlife advisory board finds are relevant.

2. The nightlife advisory board shall consist of 12 members, of whom eight members shall be appointed by the speaker of the council and four by the mayor. Such board shall provide reasonable notice of its meetings to the director, who may attend such meetings and may coordinate the attendance of relevant agency heads or their designees.

3. All members shall serve for a term of two years and may be removed by the appointing official for cause. Upon appointment of all the members, the nightlife advisory board shall elect a chair from its membership by a majority vote of such advisory board. Any vacancy on the nightlife advisory board shall be filled in the same manner as an original appointment.

4. The nightlife advisory board shall keep a record of its deliberations and determine its own rules of procedure, which shall include a procedure or mechanism by which members of the public may make submissions to the board. The first meeting of the nightlife advisory board shall be convened within 120 days after the effective date of the local law that added this section.

5. Within 18 months of the effective date of the local law that added this section, the nightlife advisory board shall submit recommendations to the mayor and the council. After such date, the nightlife advisory board may submit recommendations to the mayor and the council as appropriate.

g. Nothing in this section shall be construed to limit the powers of any other agency pursuant to any other law or to limit, bind or affect the decision of any agency or officer pursuant to any process required pursuant to the charter or any other law.

§ 2. Within one year after the effective date of this local law, the director of the office of nightlife, established pursuant to section 20-d of the New York city charter, as added by section one of this local law, shall hold at least one public hearing in each borough and shall notify members of the nightlife advisory board of such hearing, at which public comments and testimony shall be received. A summary of such comments and testimony shall be included in such director's first report to the mayor and the speaker of the council pursuant to subdivision e of section 20-d of the New York city charter.

§ 3. This local law takes effect 60 days after it becomes law. The mayor may take any steps necessary for the implementation of this local law before such effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on August 24, 2017 and approved by the Mayor on September 19, 2017.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 178 of 2017, Council Int. No. 1688 of

2017) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City

Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.

Washington, D.C.

D.C. Law 22-191. Office of and Commission on Nightlife and Culture Establishment Act of 2018.

AN ACT

To establish an Office of Nightlife and Culture within the executive branch to serve as an intermediary between nightlife establishments, residents, and the District government, and to establish a Commission on Nightlife and Culture to advise the Mayor, Council, and Office of Nightlife and Culture on common issues and trends relating to the nightlife establishments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of and Commission on Nightlife and Culture Establishment Act of 2018".

New Chapter 6C of Title 3

New § 3-661

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Commission" means the Commission on Nightlife and Culture established in section 5(a).
- (2) "Creative industry" means the music, performing arts, and visual arts industries.
- (3) "Creative space" means an area open to the public for encouraging work in and the exhibiting of creative industries.
- (4) "Director" means the Director of the Office of Nightlife and Culture.
- (5) "Member" means a member of the Commission.
- (6) "Nightlife establishment" means an establishment that is open to the public for entertainment or leisure and conducts business between the hours of 5 p.m. and 2 a.m. during weekdays and anytime during weekends. The term "nightlife establishment" includes bars, entertainment venues, clubs, theatres, sports, recreation and entertainment venues, art galleries, and restaurants.
- (7) "Office" means the Office of Nightlife and Culture established in section 3(a).
- (8) "Workplace conditions" means the physical conditions and mental demands that affect workers in nightlife establishments.

New § 3-662

Sec. 3. Establishment of the Office of Nightlife and Culture.

(a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04(b)), the Council establishes an Office of Nightlife and Culture within the executive branch of the District government. The purpose of the Office shall be to serve as an intermediary between nightlife establishments, residents living near such establishments, and the District government.

(b) The Office shall be headed by a Director appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C.

Law 2-142; D.C. Official Code § 1-523.01(a)). The Director shall be a fulltime position, for which annual compensation shall be fixed in accordance with Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124: D.C. Official Code § 1-610.51 et seq.). The Director shall have such staff as is appropriated in an approved budget.

New § 3-663

Sec. 4. Duties of the Director.

The Director shall:

- (1) Serve as a liaison to nightlife establishments regarding District government policies and procedures, and, in that capacity:
 - (A) Provide information and assistance to nightlife establishments about existing District policies and procedures for responding to complaints; and
 - (B) Serve as a point of contact for nightlife establishments to help such establishments connect with District government agencies on matters of concern, including consumer complaints, problems with District government agencies, and obtaining relevant licenses, permits, or approvals;
- (2) Advise and assist the Mayor, Council, and District government agencies with functions affecting nightlife establishments;
- (3) Review information obtained from District government agencies on complaints against and citations issued to nightlife establishments and develop recommendations to address recurring problems or trends;
- (4) Serve as the intermediary when any issues arise between the District government, Advisory Neighborhood Commissioners, residents, and nightlife establishments;
- (5) Obtain and provide to the Department of Employment Services information relating to the workplace conditions of nightlife establishments;
- (6) Identify practices that promote the safety and security of nightlife establishments' patrons and workers and nearby residents, and provide information to nightlife establishments on how to implement such practices;
- (7) Provide information to nightlife establishments on training programs for preventing sexual harassment and assault in the workplace;
- (8) Provide input to the District Department of Transportation, the Department of For-Hire Vehicles, and the Office of Planning in furthering the development of accessible and safe nighttime transportation options;
- (9) Provide input to the Office of Planning for the creation and preservation of creative spaces in the District;

(10) Attend Commission meetings and provide updates to the Commission on the Office's activities, and consult with the Commission on policies that affect the creative industry, including nightlife establishments and residents living near such establishments;

(11) Beginning in 2020, submit to the Mayor, Chairman of the Council, and Commission, by March 1 each year, a report detailing actions undertaken by the Office during the previous calendar year (or, in the case of the 2020 report, from the Office's establishment) and providing any recommendations the Director has pursuant to this section; and

(12) Perform other duties, consistent with the purpose of the Office, as the Commission may request.

New § 3-664

Sec. 5. Commission on Nightlife and Culture.

(a) There is established a Commission on Nightlife and Culture, which shall advise the Mayor, Council, Office, and public on ways to improve laws and policies that impact nightlife establishments and residents living near such establishments by examining the following issues affecting areas with high concentrations of nightlife establishments:

(1) Common complaints;

(2) Public safety and traffic concerns;

(3) Community development concerns;

(4) Economic impact;

(5) The availability and responsiveness of the Office and relevant agencies to the concerns brought by nightlife establishments and residents; and

(6) Any other issues the Commission considers relevant.

(b)(1) The Commission shall consist of the following 8 ex officio members, or their designees:

(A) The Deputy Mayor for Planning and Economic Development;

(B) The Director of the Department of Consumer and Regulatory Affairs;

(C) The Director of the Department of Small and Local Business Development;

(D) The Director of the Alcoholic Beverage Regulation Administration;

(E) The Executive Director of the Commission on the Arts and Humanities;

(F) The President of Destination D.C.;

(G) The President of Events D.C.; and

(H) The President of the Washington, D.C. Economic Partnership.

(2) The Commission shall consist of 7 members appointed by the Mayor with the advice and consent of the Council pursuant to section 2(f) of the Confirmation Act of 1978, effective March 3,

1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)). Members appointed pursuant to this paragraph shall meet the following requirements:

(A) One member shall be an owner of a business holding an on-premises retailer's license pursuant to D.C. Official Code § 25-113;

(B) One member shall be a person sitting on the board of directors of a Business Improvement District, as defined in section 3(7) of the Business Improvement Districts Amendment Act of 1997, effective October 8, 1997 (D.C. Law 12-26; D.C. Official Code § 2-1215.02(7));

(C) One member shall be a dean, director, or equivalent position focused on student life at a District-based college or university where at least 50% of undergraduate students live in college- or university-owned, operated, or affiliated housing;

(D) One member shall be a representative of an organization that advocates for preventing sexual harassment and assault;

(E) One member shall be a District-based musician or producer working in the music industry;

(F) One member shall be a District-based artist or director in the performing arts; and

(G) One member shall be a District-based visual artist.

(c)(1) Members appointed pursuant to subsection (b)(2) of this section shall serve terms of 3 years, except that of the initial members, 4 shall be appointed for a term of 3 years and 3 shall be appointed for a term of 2 years. Members may be reappointed but shall not serve more than 2 consecutive full terms, including members serving in the initial 2-year term. Terms for the initial Commission members shall begin on the date that a majority of the members are sworn in, which shall become the anniversary date for all subsequent appointments.

(2) If a member appointed pursuant to subsection (b)(2) of this section leaves the Commission, the Mayor shall appoint, with the advice and consent of the Council, a successor to fill the unexpired portion of the term in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

(3) The Mayor may remove, after notice and hearing, any member appointed pursuant to subsection (b)(2) of this section for neglect of duty, incompetence, misconduct, or malfeasance in office.

(d) The Mayor shall appoint the Chairperson of the Commission from among the members.

(e) All members shall serve without compensation. Expenses incurred by the Commission or by its individual members, when authorized by the Chairperson, shall become an obligation to the extent of appropriated District and federal funds designated for that purpose.

(f) The Commission shall meet at least once every 3 months. The meetings shall be held in a space provided by the District government and shall be open to the public. A quorum to transact business shall consist of a majority of the members.

(g) The Commission shall adopt rules of procedure consistent with this section.

New § 3-665

Sec. 6. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules to implement the provisions of this act.

Amend § 1-523.01

Sec. 7. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (63) is amended by striking the word "and".

(b) Paragraph (64) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (65) is added to read as follows:

"(65) The Commission on Nightlife and Culture established pursuant to section 5(a) of the Office of and Commission on Nightlife and Culture Establishment Act of 2018, passed on 2nd reading on October 2, 2018 (Enrolled version of Bill 22-508)."

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Sociable City **RESEARCH REPORT**

Nighttime Governance Analysis for Milwaukee's Social Economy

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