

SERVICE UPDATE

Adult Establishments, Houses of Worship & Schools

Under 1 RCNY § [9000-1](#), the Department clarifies criteria for determining the dates of establishment and discontinuance for adult establishments, houses of worship and schools. New adult establishments are not permitted within a 500 foot radius of established adult establishments, houses of worship and schools.

Adult Establishments

Permitted Between August 8, 2001 and July 9, 2010

An adult establishment that obtained a new building or alteration permit between August 8, 2001 and July 9, 2010 that has not obtained a Temporary Certificate of Occupancy (TCO), or if applicable a Department sign-off, by July 10, 2011 or started operating within six months of TCO or sign-off, will lose the priority to operate as an adult establishment if a new adult establishment, house of worship or school obtains a permit to be located within a 500 foot radius of the adult establishment.

Permitted On or After July 10, 2010

An adult establishment that obtained a new building or alteration permit on or after July 10, 2010 that has not obtained a TCO, or if applicable a Department sign-off, within one year from the date of permit issuance or started operating within six months of TCO or sign-off will lose the priority to operate as an adult establishment if a new adult establishment, house of worship or school obtains a permit to be located within a 500 foot radius of the adult establishment.

No-Work Permits Issued On or After July 10, 2010

Adult establishments authorized solely by a no-work permit that have not started operating within 2 months of permit issuance will lose the priority to operate as an adult establishment if a new adult establishment, house of worship or school obtains a permit to be located within a 500 foot radius of the adult establishment.

Required Statement

For all applications for adult establishments submitted on or after July 10, 2010, applicants must include the following statement on the plans:

"No school, house of worship or other adult establishment has been established within 500 feet of the center line of the door(s) of the principal entrance of the proposed adult establishment or of the center line of the ground floor of the door(s) giving the most direct street access to the proposed adult establishment."

Houses of Worship & Schools

Permitted Between August 8, 2001 and July 9, 2010

If a house of worship or school obtained a new building or alteration permit between August 8, 2001 and July 9, 2010 but did not obtain a TCO, or if applicable a Department sign-off, by July 10, 2011 or start operating within six months of TCO or sign-off, a permit may be issued for an adult establishment to be located within a 500 foot radius of the permitted house of worship or school.

Permitted On or After July 10, 2010

If a house of worship or school obtained a new building or alteration permit on or after July 10, 2010 but did not obtain a TCO, or if applicable, a Department sign-off within one year from the date of permit issuance, or start operating within six months of TCO or sign-off, a permit may be issued for an adult establishment to be located within a 500 foot radius of the permitted house of worship or school.

SERVICE UPDATE

No-Work Permits Issued On or After July 10, 2010

If a house of worship or school authorized solely by a no-work permit issued on or after July 10, 2010 did not start operating within 2 months of permit issuance, a permit may be issued for an adult establishment to be located within a 500 foot radius of the permitted house of worship or school.

Note: Houses of worship, schools and adult establishments in existence and operating prior to August 8, 2001 that have not discontinued operation for a continuous period of one year or longer are considered established.