

Note: New York City businesses must comply with all relevant federal, state, and City laws and rules. All laws and rules of the City of New York, including the Consumer Protection Law and Rules, are available through the Public Access Portal, which businesses can access by visiting www.nyc.gov/consumers. For convenience, sections of relevant New York State Law and/or New York City Law and Rules are included as a handout in this packet. The New York City Law and Rules are current as of January 2009.

Please note that businesses are responsible for knowing and complying with the most current laws, including any City Council amendments. The Department of Consumer Affairs (DCA) is not responsible for errors or omissions in the handout provided in this packet. The information is not legal advice. You can only obtain legal advice from a lawyer.

NEW YORK CITY ADMINISTRATIVE CODE
TITLE 24: ENVIRONMENTAL PROTECTION AND UTILITIES
CHAPTER 4: GAS AND ELECTRIC LINES
SECTION 24-423: OPERATORS OF MOTION-PICTURE PROJECTING MACHINES

§ 24-423 Operators of motion-picture projecting machines.

a. License required. It shall be unlawful for any person to operate any motion-picture projecting apparatus or any connection thereof in any place of public assemblage or in any public or private building, whether used for shows or amusements or otherwise, unless he or she shall have been duly licensed by the commissioner of consumer affairs as provided in this section.

b. Rules and regulations. The commissioner of consumer affairs shall make rules and regulations governing the issuance of licenses and certificates pursuant to chapter one of title twenty of this code.

c. Legal age. An applicant for license to operate motion-picture projecting apparatus must be at least 18 years of age.

d. Issue of license and certificate; fee. If the applicant proves himself or herself competent to operate motion-picture apparatus and its connections, such commissioner, upon prior payment of a fee of sixty dollars may, in his or her discretion, issue a license or cause it to be issued. Irrespective of the date of issue, such license shall expire on December thirty-first of the year of issue, unless sooner revoked or suspended. A license may be renewed annually upon the payment of a fee of thirty dollars, if so renewed within the calendar year in which issued.

e. Posting certificate. With every license granted, a certificate shall be issued to the person obtaining the license, certifying that the person named therein is duly authorized to operate motion-picture apparatus and its connections. The certificate shall be displayed in a conspicuous place in the room in which the licensee operates a motion-picture apparatus and its connections.

f. Discipline. The license and certificate may be revoked or suspended at any time by the commissioner of consumer affairs in accordance with chapter one of title twenty of this code.

g. Renewal of license. Every license, unless revoked or suspended, may be renewed by the commissioner of consumer affairs in his or her discretion, upon application at the end of the calendar year in which issued. Such renewal may be with or without further

examination as he or she may direct, but every application for renewal of license must be made within the thirty days previous to the expiration of such license.

h. Unlicensed operators. It shall be unlawful to employ any person, not licensed as provided in this section, or to permit such person, to operate any motion-picture apparatus, or any connections thereof, in any motion-picture theatre, open-air motion-picture theatre or other place where motion pictures are exhibited, to which the public is admitted, with or without charge for admission.

i. Violations. The commissioner of consumer affairs shall enforce the provisions of this section pursuant to chapter one of title twenty of this code and all of the remedies and penalties provided in such chapter shall apply to the violation of any of the provisions of this section.

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RULES OF THE CITY OF NEW YORK
TITLE 6: DEPARTMENT OF CONSUMER AFFAIRS
CHAPTER 2: LICENSES
SUBCHAPTER I: MOTION PICTURE PROJECTIONISTS

§2-81 Written Examination Required.

(a) Every person who applies, on or after August 1, 1999, for a license to operate a motion picture projecting apparatus pursuant to §24-423(a) of the Administrative Code of the City of New York, shall be required to pass an examination prior to being issued a license to operate such apparatus in accordance with §24-423(d) of the Administrative Code of the City of New York. Such examination shall test the applicant's knowledge and ability to operate moving picture apparatus. Such examination shall be offered at least twice per month on dates to be designated by the Commissioner. Applicants who fail the examination may retake the examination when it is offered by the Department. An applicant for renewal of a license shall not be required to take an examination provided the application is submitted and payment of the renewal fee specified in §24-423(d) of the Administrative Code is made no later than one (1) month following the expiration of the term of the current license.

(b) An applicant shall pay an examination fee of two hundred dollars with the license application when such applicant is required to take a written examination as condition of licensure. An applicant who fails an examination shall be entitled to retake it two (2) times without the payment of an additional examination fee.