

BEDFORD + BOWERY

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NEWS

BY PHILLIP
PANTUSO

Opening a DIY Venue? 'Leases Are Much More Confusing Than French Philosophy'



Silent Barn Public Meeting #9 (Photo: Phillip Pantuso)

Over the last few years, as the number of city crackdowns on quasi-legal do-it-yourself venues in Brooklyn has risen, the community that organizes, fosters and sustains such spaces has shifted focus, ever so slightly, toward maintaining long-term viability. Which is why last night, at the [The Silent Barn](#) in Bushwick, a four-person panel and about 50 attendees came together to discuss “Legalizing DIY.”

Whereas the first wave of DIY venues was almost willfully chaotic and anti-establishment, later DIY spaces — especially those which have previously been shut down, like Silent Barn and the soon-to-reopen [Market Hotel](#) — are attempting to negotiate an uneasy truce between legal good standing with various city bureaucracies and a community that’s drawn to the DIY subculture for its unrefined, egalitarian ethos, which is in some ways antithetical to the byzantine process through which ideals become businesses.

Of course, becoming legitimate in the purview of the city means negotiating a tangle of permits, licenses and leases, which can befuddle even the most seasoned lawyer. Last night’s panel consisted of Nathan Cearley, who advises the Silent Barn on liabilities, and four lawyers, including moderator Genan Zilkha and Andrew Muchmore, the founder of Williamsburg cafe and venue [Muchmore’s](#).

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Karma - art books

Sincerely Burger - 5-pound burgers

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The majority of the hour-long event was spent enumerating the various permits and licenses required for a space to become legal, and why it's worth the headache. "Much of what it means to legalize a DIY space has to do with insurance," said Cearley. "If you don't have liability insurance, your lease is probably not valid." Between liability, worker's comp, disability and building insurance, Cearley said the Silent Barn spends about \$500 a month.

Muchmore spoke of the enormous hours he spent reading legal codes and signing forms in order to make his space legal. For DIY spaces, he said, there's often a money-versus-time consideration. "You can go through all the paperwork yourself," he said, "but it will take a very long time. If you have the money, you should hire a lawyer to look over it."

Cearley similarly recommended obtaining a lawyer, at least to look at the building's lease. "I read Derrida for four years in college and thought that was hard," he said, to laughter. "Leases are much more confusing than French philosophy."

Muchmore also checked off all the licenses and permits it takes to become legit. It was a truly head-spinning list, enough to dissuade most anyone from going down that route toward legality. There are so many stipulations and overlapping codes, in fact, that Muchmore doubts "any building" in the city operates completely, 100% legally. "I've been in the Department of Buildings building, and I bet it has hundreds of code violations," he joked.

Ergo, it's important to prioritize, and all of the panelists agreed that the most important document — after a Certificate of Occupancy — is a liquor license. "If you don't have one," Muchmore said, "there's a good likelihood you'll get shut down." In fact, many all-ages DIY spaces have been shut down by the city for lacking proper alcohol licensing — it's the first thing most police will check if they raid the place, and the easiest infraction to prove.

Predictably, there was some pushback to all this. As Donovan Rodrigues, another attorney on the panel, was discussing copyright and intellectual property laws, one audience member interrupted. "I'm sorry," she said, "but there are some different values in the DIY community." She went on to discuss creative commons and "radical intellectual property," holding them up as more in line with the DIY ethos. The exchange got a little testy.

"I'm not familiar with creative commons," Rodrigues responded. "And I'm not here to talk about that. You can bring it up during the Q&A."

Cearley attempted to smooth things over. "I recognize the philosophical differences," he said. "But you have to be practical. We want to create something that's lasting."

For the most part, though, the evening was cordial — and productive, for the audience members who came to learn how they might open and maintain legal DIY spaces of their own someday. The DIY ecosystem is "moving into a new phase," said panelist Michael Lawrence, an attorney who has done volunteer legal work for the Market Hotel and Silent Barn.

New York magazine, B + B covers the East Village, Lower East Side, Williamsburg, Greenpoint, Bushwick, and beyond. Want to contribute? Send a tip? [E-mail the editor](#).

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“Five years ago, it was all unlicensed spaces. Now venues are trying to get legal. It’s still about community and nurturing talent.”

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Insults the Jefferson

3 Comments



DiscoGarage

REPLY

AUG 15, 2013 @ 09:52

Brooklyn DIY venues are over – go to Philadelphia, Detroit, or most anywhere else to be free & make stuff happen.



Seth

REPLY

AUG 14, 2013 @ 22:10

Why is DIY a subculture and isn't legalizing it the opposite of the point?



SoPCP

REPLY

AUG 14, 2013 @ 20:51

Stop celebrating yourselves for opening a bar, go home and DIY the dishes

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