

Urbanizing Music Policy: Cities and the culture of night

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In a recent paper, the popular music scholar Richard Sutherland (2017) has traced the growing role of city governments in the promotion of music in Canada. Cities across the country have become important players in the music field, hosting festivals, advancing music-based tourism, commissioning reports on musical activity and, in many cases, seeking to define themselves as “music cities” (e.g., Rancic, 2016, Derdeyn, 2017). Arguably, the growing interest of Canadian municipal governments in music has coincided with a decline in the role of Canada’s national, federal government in the musical field. Since the late 1960s, the Canadian government has maintained a complex array of policies designed to support musicians and the music industries. Under regulations introduced in 1971, for example, radio broadcasters are required to include a certain amount of Canadian music in their programming. For many years, as well, direct subsidies from the federal government have been given to musicians and recording companies for promotional activities like touring. The government’s support of Canadian music has been part of a broader project of building a national culture, one intended to counter the strength of the U.S.-based culture industries and instill a sense of national belonging among Canadian citizens.

In 2017, however, it might be argued that Canada’s national government has lost any clear sense of how these policy instruments might be sustained or how they might be further developed. As radio listening by young people declines, the radio broadcasters regulated by the Canadian government are less and less influential in the promotion of Canadian music. At the same time, no one can imagine how those foreign-owned media platforms, like *Youtube* or *Spotify*, which have replaced radio broadcasters as the key disseminators of music, might be compelled to play a more forceful role in promoting Canadian music. Initiatives to increase the accessibility of Canadian music in international markets make less and less sense as global streaming services render most current releases and back catalogues instantly available. Paradoxically, even as the federal government’s ability to intervene in support of Canadian popular music seems weaker

than it has in decades, Canadian artists, like Drake or Justin Bieber, are reaching higher levels of global success than any Canadian artists before them

Amidst a certain paralysis at the level of Canada's Federal government, Richard Sutherland suggests, all the fresh thinking about Canadian music seems to be occurring at the level of cities. Music industry associations, which once existed to lobby the Federal government on behalf of record companies, have now reorganized (and renamed) themselves as promotional agencies supporting festivals and other manifestations of music at the municipal level. If Canada's national government once praised music (along with cinema and literature) for the ways in which it "told Canadian stories", cities now embrace music as one element in a menu of amenities designed to attract tourists and an educated workforce. The conflicts and controversies in which music is now implicated are themselves more and more urban in character. The older, national questions about music -- whether there is a discernable Canadian "sound" in music, for example, or whether the broadcasting system might legitimately engage in certain kinds of censorship of music -- have largely been displaced by controversies over the fate of music venues in the face of urban gentrification. The key policy initiatives directed at music are now those which operate at the municipal level.

The "urban turn" in popular music studies

Just as cities have become major actors in thinking about the social and economic value of music, an "urban turn" has been observable in academic writing about music. The roots of this turn may be found outside of popular music studies, in the broader field of cultural theory, where a "spatial turn" has transformed important currents within the humanities and social sciences since the 1980s. (See, for a detailed account of this and other "turns", Bachman-Medick, 2016). In the disciplines (or interdisciplinary fields) that study cultural forms, this spatial turn has manifest itself in a number of ways. In film studies, for example, the longstanding question "What is cinema?" seemed to have been displaced, in certain quarters, by a new question more appropriate to twenty-first century realities: "Where is cinema?" (Frodon 2011: 82-83). If the first of these questions concerned the ontology of cinema (its relationship to reality, its difference from other cultural forms like theatre), the second concerns the locations of cinema in social space, its passage cross technological platforms and contexts of viewing. In roughly equivalent terms, I suggest, an understanding of music based on the history of genres or forms has given

way to one focused on the distribution of musical practices in space. One of the influential interventions of Sara Cohen's 1991 study of music-making in Liverpool lay in the image it offered of cities as containers of multiple, over-lapping networks of musical genres and communities, captured in the simultaneity of their co-existence (Cohen, 1991).

Previously, it might be argued, the politics of popular music studies had been preoccupied with the capacity of musical forms to retain their authenticity in the face of commodification, technological change or the uprooting of communities. We might see those issues as "temporal", insofar as they are concerned with the ability of musical genres to sustain their original, defining features over time. The study of popular music became "spatialized" when the key questions were no longer those of the consistency of forms over time but of what we might call the "distributive" operations which organize the co-existence of such forms across territories. Certainly, by the 1990s, broadly generic musical categories like punk or electronic dance music could no longer be talked about in terms of linear developments and transformations flowing from a single source within an unbroken history. Rather, each such category had produced an expanding series of variations of itself, in developments which have been more about spatial expansion than temporal succession. These variations have found their place within cartographies of music which are usually urban.

The "spatialization" of popular music in this sense has shifted the political terms in which popular music is understood. As they undergo change and differentiation, musical forms are implicated in the larger development of the cities in which their histories unfold. Musical expression -- and the activities which sustain it -- challenge or support processes of economic and social differentiation; they slow or accelerate the commodification of space and leisure. While this has probably always been the case, the last two or three decades have witnessed, in the global north and significant parts of Latin America, a renewed consciousness of cities as the key terrains on which cultural identities are formed and in which the politics of global capitalism are most vividly expressed. Cities have become, simultaneously, spaces redesigned for innovation agendas, sites of political protest, oases of moral/sexual tolerance in otherwise conservative nations, places of upper-class resettlement, and destinations for a new tourist class. It is in relationship to these contradictory developments that the politics of music have reorganized themselves.

Popular music's politics have been "urbanized" in the sense that they are less and less about resistance to cultural commodification or about guaranteeing the preservation of authentic expressive forms. Rather, like the visual arts, the field of popular music finds itself increasingly implicated in forms of politics which we might characterize as municipal politics: those having to do with gentrification and inequality, safety and co-existence, public or private ownership, and struggles over the exclusivity and inclusiveness of particular places. Music's contribution to these politics does not, as a certain view of music would suggest, rest on specifically musical gestures which express political positions through thematic content or aesthetic style. Rather, music participates in urban politics through the ways in which its occupation of places within cities shapes (in ways which are sometimes resistant, sometimes complicit) cartographies of social division, inequity and tolerance.

Music, cities and the night

If the politics of music have become urbanized, the key actions of public policy intended to affect music are increasingly enacted at the municipal level. The current flurry of municipal initiatives concerning night time cultural activity, which we will examine in detail in this essay, is one of the clearest examples of this phenomenon. Over the last decade, the manner in which cities promote, regulate and govern their night-time activity has become the focus of intense attention by city governments and actors in the cultural sector. During this period, the cultural and political status of night within cities has been transformed in a variety of ways. These transformations include the night's emergence as a key battleground in struggles over gentrification, as the notion of night-nuisances (like noise, street gatherings and smoking) generates high levels of conflict. Other changes have come with the acceptance by major cities of the doctrine that "night-time economies" are significant motors of city development, and must be recognized as such. Cities have engaged in widespread efforts to extend cultural activities later into the night, through the planning of *nuit blanche* arts festivals, museum and bookstore nights, night markets and other events. As a consequence of all of these developments we have seen the emergence of new policy instruments, such as "Night Mayors" or "Charters of nightlife," intended to mediate between the various sectors, actors and inhabitants of the night.

In these developments, the place of music is often ambiguous. While music often appears central to battles over night-time noise in cities, it is sometimes just the most obvious feature

(alongside public conversation and smoking on sidewalks) of festive, sociable behaviour challenging gentrifiers' visions of a quiet, family-oriented city. At the same time, discourses elaborating the notion of "night-time economies" or pushing for the designation of "Night Mayors" for cities will sometimes downplay the role of music, as if popular music were too frivolous or economically marginal to serve on its own as the rationale for important policy innovations. Likewise, in the efforts to move art gallery exhibitions or bookstore visits deeper into the night, we find the implicit claim that the nighttime culture of cities must be about more than music and dancing, as if a truly "cultural" night requires other forms, like the visual arts and literature, in order to be civilized and civilizing.

In what follows, I shall look briefly at two areas of urban public policy directed at the culture of the night. In each of these, we find music implicated in (and affected by) governmental initiatives which are not the conventional ones of a cultural policy. The first set of events involves the emergence of the "Night Mayor" (or "Night Tsar" or "Night Ambassador") as a political-culture figure whose mandate is that of representing the culture, commerce and populations of the night. The second involves moves by city governments to extend the hours in which bars and nightclubs may be open and the conflicts which have arisen over such initiatives.

Night Mayors

The phenomenon of "night mayors" in cities may be traced back to the early 2000s, when the city government of Amsterdam in the Netherlands called upon representatives of the city's night-life music club sector to participate in discussions of municipal policy (Nelken, 2016; O'Sullivan, 2016). By 2012, a position of night-life representative within the city administration had become formalized, and Mirik Milan, a discothèque promoter, assumed the title of Amsterdam's first *nachtburgemeester* ("Night Mayor"). The holder of this position in Amsterdam is not chosen through normal municipal elections, but is "elected" in a process involving an on-line poll and a jury of experts. Amsterdam's Night Mayor serves, in effect, as the head of a Non-Governmental Organization which advises the government. Since then, variations of the "Night Mayor" figure have emerged in several other cities, principally in Europe. In many municipalities, this figure is appointed by elected city officials. Thus, the "Night Czar" of London, Amy Lamé, was selected by the city's statutory mayor, Sadiq Khan, after a competitive search process. Other figures, like Christophe Vidal, the "maire de nuit" of

Toulouse, France, are directors of associations representing the night-life sector, and their legitimacy in speaking for this sectors is recognized by municipal governments. Since 2016, when the phenomena of the “Night Mayor” received extensive international press coverage, New York City has announced its decision to hire a “Night Ambassador,” while journalists and political figures have urged such cities as Edinburgh (Scotland), Edmonton (Canada), Tuggeranong (Australia), Dublin (Ireland) and Rio de Janeiro (Brazil) to consider appointing someone to an equivalent role¹.

The political status of Night Mayors varies significantly across those cities in which they exist. In the most radical understanding of their role, Night Mayors may be seen as symptoms of a crisis in municipal political representation. This crisis comes with the perception that the traditionally elected government is, in effect, merely a government of the day-time city, unable to understand or govern the city of the night. As the title of a blog post by music cities activist Shain Shapiro suggests, “planning stops when the sun goes down” (Shapiro, 2015). From this perspective, the populations of the night claim for themselves the status of a distinct political constituency, demanding representation in city government analogous to that granted to neighbourhoods or other spatial divisions. In an open letter to candidates for the French presidency, during the 2017 electoral campaign, Christophe Vidal, the night mayor of Toulouse, expressed this vision of a night-time population demanding to be heard: “I write to you on behalf of the 10 million people in our country who are active in the evening and the night in our country, those engaged in night-time leisure and those who suffer in the night . . . “ (Ladepeche, 2017; my translation). Shapiro, in his 2015 post, noted that those who go to bars and pubs at night are among the populations least likely to vote in the United Kingdom, a further reason for their political disenfranchisement.

When the night is imagined as a distinct political “region”, or has having its own populations, it has clearly become spatialized. The notion of night as territory, or at the very least as an “espace-temps” (space-time) is a common theme in writings about the night-time city (Néron-Dejean, 2011: 9) The position of “Nightlife Ambassador,” proposed for New York City’s government, formalizes this sense of the night as a distinct territory, one which (like a nation-state) sends its representatives into the alien territory of the day in order to make the wishes of its inhabitants known. This radical understanding of the “Night Mayor” position rests (if only

implicitly) on a longstanding view of “night worlds” as the equivalents of spatial territories, with their own moral systems, expressive forms and modes of collective behaviour.

A more moderate view of the Night Mayor’s role sees their function as one of mediation. Cities require administrative actors, it is believed, who will communicate the concerns of night-time culture to the holders of political and bureaucratic power. This conception of the Night Mayor, as one who translates between the worlds of day and night, still presumes a gulf between these worlds, but poses the problem of their relationship as one of difficult communication rather than an absolute alterity. In describing the duties of the “Night Mayor” appointed for the downtown district of Iowa City, in the United States, the district’s executive director argued that “[i]t’s important for businesses to have someone to go to . . . to bridge the gap between daytime decision-makers and night life managers” (Zabel, 2017).

Most of the Night Mayors appointed to date occupy this image of a mediating figure, particularly in those cities where the key controversies surrounding nightlife have to do with the difficulties faced by music promoters and venue owners in dealing with city bureaucracies. Indeed, one of the contexts of the rise of Night Mayors was a wave of alarm over the widespread closing of music venues in 2015-2017 in such cities as Newport, Wales (Knapman, 2017), London, England, and Toronto, Canada (Bidini, 2017; Smee, 2017a). (For an overview of the UK situation, see Pollock, 2015).

In his arguments advancing the idea of a night mayor for New York City, councilman Rafael Espinal spoke of the need for an office which would assist the owners of small music clubs in resisting gentrification and overcoming bureaucratic obstacles to their continued existence (IQ News, 2017). Likewise, in a column expressing his support for a “Night Mayor” for Rio de Janeiro, journalist Washington Fajardo called for the appointment of intermediaries who would bridge the gap between the entrepreneurial producers of night events, on the one hand, and city residents and municipal governments, on the other. Only through such mediation, he suggested, could cities develop a night which was simultaneously “vibrant, rich, seductive and safe” (Fajardo, 2017; my translation). In Toronto, Canada, a key role of the proposed Night Mayor was that of promoting peace between the “conflicting interests of day and night dwellers” (Ballingal, 2016); disputes over night-time noise were the most common manifestation of these “conflicting interests.”

A third way of imagining the role of Night Mayor is at another extreme, far from the conception of such figures as Ambassadors from an alien territory. This is a conception in which the night is reduced to simply one more sector of cultural-economic activity (alongside retail commerce and real estate, for example). The “Night Mayor” is assigned the role of managing and developing this sector, and their role is analogous to that of head of a department within municipal administration. The announcement of Amy Lamé’s appointment as London’s “Night Tsar” in 2017 was accompanied by promises from the Mayor’s office to turn London into a genuine 24-hour city (Nicholson, 2016). Lamé’s mandate was to make this happen, through her management and promotion of the city’s night-time economy. While this scenario involved more than music, Lamé’s position was meant to “fix” a situation that had seen London lose 40% of its live music venues and 50% of its nightclubs in the previous decade, as real estate developers turned the spaces they had occupied into condominiums. As with other sectoral managers in city administrations, the job of “Night Mayors”, in this conception, is to find resources to support the extension of the sector assigned to them, and to combat the bureaucratic restrictions which block that development.

The place of music within the mandates of Night Mayors is ambiguous. The nocturnal economies fantasized by most city governments are dominated more by late-night shopping and restaurant dining than by the growth of underground music venues. The latter are recognized as important for attracting youthful tourists and other signifiers of a lively, cosmopolitan city, but their economic contribution to cities is rarely measured in detail and the experimental character of underground music is usually only mentioned in passing when cities promote their “innovative” character. In the influential doctrines of the “creative city” which have circulated since the early 2000s, music is caught between its own status as creative form and its role as little more than backdrop to a night-time sociability deemed necessary to attract skilled young workers for other sectors of the information economy. On the same time, calls for “Night Mayors” and other policy instruments intended to “protect” the night very often come from club owners and musicians who criticize the hypocrisy of those municipal governments that embrace doctrines of the “night-time economy” or “Music City” while doing little to support the small-scale music venues on which, they argue, these developments rest (e.g., Bidini, 2017).

Closing times

The laws governing closing times for businesses serving alcohol are not concerned principally with music, but in the conflicts which have surrounded such laws the fate of music is a recurrent theme. Various cities, particularly in North America and Western Europe, have considered proposals in recent years to allow bars, clubs and similar establishments to close at later hours than is currently the case. In the debates which have followed these proposals, we see the complexity of urban cultural policies directed at the night. While virtually all cities now recognize the need to “open up” their nights, there is significant disagreement as to what a newly opened night might be. One set of policies seeks to produce a genteel night, by extending the hours of operation of those activities, like shopping and art gallery attendance, which are conventionally those of the day. Other policy statements acknowledge the transgressive, experimental character of cultural activity (usually involving music) that happens late in the night, but seek to pull it back into the realm of legality and safety. (For a discussion of all of these issues, see Colaboratorio, 2014).

In February, 2017, a bill was introduced in the Senate of the State of California calling for an extension of the official closing time of bars, from 2:00 am to 4:00 am. Similar proposals have emerged in the 2010s in other cities around the worldⁱⁱ. In the call for extended hours of operation for bars and clubs, three arguments are common. One is that cities must extend their night-time economies so as to attract international tourists and large-scale conventions to their cities. In other words, the hallmark of a genuinely international city is that it be lively twenty-four hours a day and seven days a week, so that amenities are available at all times to visitors of all sorts. A second argument, which gathered strength in the 1990s, is that later closing hours encourage people to leave bars and clubs over a wider duration of time, rather than all at once. This, it is argued, reduces the sudden emergence of crowds on city streets and reduces the risks of public violence or competition for scarce resources like taxi's. A third claim, heard frequently in the recent debate in California, is that later closings will increase public safety, by reducing the numbers of illegal after-hours venues which operate outside of safety regulations and do not pay taxes. Extended opening hours, under this rationale, are about keeping late night activity within the realm of legality, incorporating it within the more highly regulated domain of legal commerce.

The recent debate in cities of the Global North over the proper hours for establishments serving alcohol extends back to the early 1990s, when city officials in cities such as Manchester argued that extended hours might improve public safety and individual health. The rationale behind such arguments was that early closing hours (with their ritual “last call”) encouraged bar patrons to leave establishments in large groups after quickly consuming a number of alcoholic drinks. The typical result of this simultaneous leaving, it was argued, was the hurried consumption of several drinks and resulting public drunkenness, magnified by the sudden presence of large numbers of people on streets. Later closing times, it was suggested, would stretch the departure of clients over a longer period of time and encourage them to drink at a slower pace (see, for an account, Hobbs et al, 2003: 80). Cities in various jurisdictions, mostly notably in the United Kingdom, implemented this new thinking in the first decade of the 2000s. There has been a significant backlash against these policy changes in recent years, with city administrations and police forces advancing the claim that late-night closings simply amplify levels of public drunkenness and violence by extending them over longer periods of time (e.g., Swinford, 2017).

In musical cultures dominated by live music, the restrictions posed by closing hours had long been felt as constraining-- the long history of “after-hour” jazz clubs testifies to this. They had become particularly problematic in cities like Manchester, since the rise in the late 1980s of dance clubs featuring djs and recorded music. With fewer financial or union restrictions on the length of musical sets, dance clubs could provide music extending through the night (and drugs could sustain the activity of dancers over several hours.) Since the 1990s, club owners in those jurisdictions with early closing hours have complained about the loss of customers to illegal warehouse parties or after-hour events operating outside of legal frameworks. In California, in 2017, club owners argued that later closing hours would dissuade them from seeking ways of operating illegally. This, it was claimed, would lead to higher tax revenues, improved safety and a reduction in personal injuries resulting from drug use (Kocks, 2017). Club-owners and customers alike would be brought back within the structures of legality.

A more politically rich set of claims about the desirability of late-night closings came from the LGBTQ community in California, which argued that staying open until 4 am would allow for subcultural communities to sustain their activities for longer periods of time. This sense of community, some venue owners claimed, was weakened when people disperse at 2 am towards a

range of other options, legal and illegal. (Brown, 2017). Legal clubs with late closing hours would also remove the need for unregulated venues like the Ghost Ship in Oakland, California, in which 36 people died in December, 2016, as the result of a fire. Implicit in all these arguments is the claim that people will find places in which to gather, drink and listen to music late in the night irrespective of whether this is legal or not, and that official accommodation of these desires will guarantee public safety better than attempts to deny those desires.

The administrative complexity of policies governing the closing hours of bars was made painfully clear in my own city. In 2014, Montreal's newly-elected mayor, Denis Coderre, announced plans to allow establishments serving alcohol to stay open until 6 am (rather than the current limit of 3am) in selected entertainment "zones" of the city (Benessaieh, 2014). As in many other cities, Coderre's initiative was based on several interwoven impulses: a desire to reconnect with a "Golden Age" of his city's nightlife (extending from 1920s through the 1970s) on which much of Montreal's international reputation had been based; implementation of the notion of night-time economies now circulating between city governments in the world; and, it seemed, an attempt to capitalize on the apparent success of Montreal's new downtown "Quarter des spectacles", in which most of the city's largest cultural festivals were held. The districts targeted for the Montreal initiative were both adjacent to the Quarter des spectacles site and known for their lively, mostly tourist-centred nightlife. While these were not key territories of live music performance, many of the bars within them nevertheless featured bands or disc jockeys playing mainstream music.

In a significant defeat, the mayor's initiative was blocked by the Province's *Régie des alcools* (Liquor Regulation Board), which administers bar licenses in the province of Quebec (Riga, 2014). The Régie claimed that, while later closing hours were not objectionable in principle, the move required additional actions which the city had not yet undertaken: guarantees of extended hours of public transport, a heightened presence of police in these new late-night districts, and consultation with residents of the adjacent neighbourhoods. These various requirements would have involved different levels of government (the city, *arrondissement* and province), and the consultations required would likely have extended over long periods of time.

Conclusion

As I suggested at the beginning of this article, policies governing popular music in several parts of the world have become “urbanized” in recent years. This is notably the case in Canada, where larger questions of national belonging and identity have been superseded, in the cultural realm, by the question of how people negotiate the terms of their collective habitation of urban space. At the same time, the initiatives discussed here confirm one of my longstanding claims about music: that the governmental policies which shape it typically have little to say about music itself. The important regulatory and legal structures influencing the life of music in cities are those which control the consumption of alcohol, the closing hours of bars or other venues, acceptable levels of noise and public congregation, the zoning of neighbourhoods, and the availability of night-time public transportation. While the regulations governing these phenomena rarely mention music, they are nevertheless engaged in profound ways in creating the structures of constraint and opportunity within which music operates.

In policies aimed at governing the night, the subsuming of music within other issues is even clearer. Historically, much of the distinctiveness of music had to do with the ways in which the question of its survival in cities was so quickly displaced onto questions of night-time safety, morality, tranquility and health. (This has rarely been the case for literature, the visual arts, cinema and theatre.) Music is regulated, in other words, because of the crowds it is seen to attract, the alcohol or drug consumption it is deemed to encourage, and the noise into which it is translated in the language of public policy. The challenge is to ensure that music finds a place within the most significant of present-day struggles over urban policy – those having to do with gentrification and the protection of public spaces of community expression.

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ⁱ For coverage of these various proposals and initiatives, see the following, among many others: Martin Pinguet, « NEW YORK : BIENTÔT UN MAIRE DE LA NUIT POUR CALMER LES TENSIONS ENTRE POLICE ET RIVERAINS ? » **Traxmag** May 5, 2017, <http://fr.traxmag.com/article/41693-new-york-bientot-un-maire-de-la-nuit-pour-calmer-les-tensions-entre-police-et-riverains> Accessed 5 June 2017; « Christophe Vidal, maire de la nuit 2014, interpelle les candidats sur l'économie de la nuit. » **Ladepeche.fr** April 18, 2017, <http://www.ladepeche.fr/article/2017/04/18/2558456-christophe-vidal-maire-nuit-2014-interpelle-candidats-economie-nuit.html> Accessed 5 June 2017; “New York, Edinburgh Mull Appointing Night Mayors.” **IQ News**, May 15, 2017, <https://www.iq-mag.net/2017/05/new-york-edinburgh-mull-appointing-night-mayors/#.WVGkMmjyuM>, accessed 6 June 2017; John Thistleton, “How a night mayor can solve Tuggeranong’s nightmare,” **Riot Act!**, May 23, 2017, <https://the-riotact.com/how-a-night-mayor-can-solve-tuggeranongs-nightmare/204222> , accessed May 24, 2017; Emma Kennedy, “The stuff of night mayors - why Dublin needs one,” **The Independent (Ireland)**, March 22, 2016, <http://www.independent.ie/life/the-stuff-of-night-mayors-why-dublin-needs-one-35757327.html> , accessed 28 June 2017; “New York City to create new ‘nightlife ambassador’ position,” **The Washington Times**, June 16, 2017, <http://www.washingtontimes.com/news/2017/jun/16/new-york-city-to-create-new-nightlife-ambassador-p/> , accessed 15 June 2017; Washington Fajardo, “Prefeito da Noite,” **O Globo**, June 16, 2017 , <https://oglobo.globo.com/cultura/prefeito-da-noite-21478690> , accessed 18 June 2017; Kevin Maimann, “Does Edmonton need a night mayor?” **Metro**, May 13, 2016, <http://www.metronews.ca/news/edmonton/2016/05/13/amsterdam-night-mayor-gives-edmonton-advice.html> , accessed June 1, 2017.

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