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Title: Resolution calling on the State Legislature and Governor to authorize New York City to create a City Liquor Authority to license and regulate the sale and distribution of alcoholic beverages in New York City.

Sponsors: Gale A. Brewer, Tony Avella, Leroy G. Comrie, Jr., Lewis A. Fidler, Alan J. Gerson, Sara M. Gonzalez, Letitia James, Melinda R. Katz, John C. Liu, Michael C. Nelson, Bill Perkins, Philip Reed, Larry B. Seabrook, Kendall Stewart, Robert Jackson

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Res. No. 510

Resolution calling on the State Legislature and Governor to authorize New York City to create a City Liquor Authority to license and regulate the sale and distribution of alcoholic beverages in New York City.

By Council Members Brewer, Avella, Comrie, Fidler, Gerson, Gonzalez, James, Katz, Liu, Nelson, Perkins, Reed, Seabrook, Stewart and Jackson

Whereas, As recently detailed in a Daily News series, the State Liquor Authority (SLA) is unable to effectively and efficiently monitor establishments that sell alcoholic beverages in New York City and is unable to enforce the alcoholic beverage control law; and

Whereas, As documented by the Daily News, in 2003 the SLA revoked the licenses of only 3% of all New York City area liquor establishments charged with violations (67 of 2,115); in Manhattan, there were only 10 revocations for 788 violations, about 1%, and eight of the revocations were for bodegas and tiny restaurants; and

Whereas, At the same time that the SLA fails to adequately enforce the law, it routinely approves

licenses for any new bar or restaurant that applies, even in neighborhoods saturated with bars, despite community opposition; out of 280 new applications last year, according to the Daily News, 240 were approved and only 11 (4%) were rejected; in Manhattan, 186 of the 191 applications were granted in 2003, a 97% approval rate; and

Whereas, In addition, enforcement of current alcoholic beverage control laws is lax or non-existent; according to the Daily News, the SLA zone that includes the city and suburbs has only 9 investigators to cover 31,100 establishments, while 10 investigators cover less than half that number of licenses (12, 700) in the Albany zone; in addition, the SLA has not hired a new investigator since 2000, and its ranks have suffered serious attrition, down to 32 from 40 in the past three years; and

Whereas, None of the current three commissioners reside in New York City, and as pointed out by Assemblyman Richard Gottfried, “It’s hard for somebody who doesn’t live in New York City to understand ... what a rowdy bar means to people who can’t sleep”; and

Whereas, Community opposition to new bar licenses very rarely moves the SLA to deny a license; in recent years, many neighborhoods in the City have seen an explosion of bars and restaurants, often within close proximity to each other, with the community having to watch helplessly as one bar after another is granted a license, with the resulting noise, crime increase and other quality of life issues; and

Whereas, Because of the inability of the SLA to enforce current law, and its apparent lack of concern for community opposition to the licensing of new bars, it is imperative that the State Legislature authorize New York City to create a liquor authority to regulate and enforce the sale of alcoholic beverages; and

Whereas, Assembly Bill 6228, sponsored by Assembly Member Pheffer, establishes such an authority, grants it the power to revoke, cancel or suspend any license or permit, and requires the authority to notify the local community boards of any pending actions, hearings, or determinations within its jurisdiction, and community boards must be given an opportunity to respond to the authority regarding these applications; and

Whereas, New York City denizens must once again have a voice in determining the character of their

neighborhoods; a liquor authority under city control will be much more cognizant of the needs and concerns of city residents and will be in a better position to enforce current alcoholic beverage laws; now, therefore, be it Resolved, That the Council of the City of New York calls on the State Legislature and Governor to authorize New York City to create a City Liquor Authority to license and regulate the sale and distribution of alcoholic beverages in New York City.

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LS#
8/5/04