



Legislation Text

File #: Res 0500-2006, **Version:** *

Res. No. 500

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.231, an act to amend the alcoholic beverage control law, in relation to authorizing the creation of an alcoholic beverage control board in and by the City of New York.

By Council Members Katz, Brewer, Comrie, Dickens, Fidler, Gerson, James, Liu, Palma, Recchia Jr., Sanders Jr., Seabrook, Weprin, Mark-Viverito, Foster, and Gentile

Whereas, The New York State Assembly is currently considering bill number A.231, an act to amend the alcoholic beverage control law, in relation to authorizing the creation of an alcoholic beverage control board in and by the City of New York, a bill that has been introduced in various versions in four previous Assembly sessions; and

Whereas, Assembly Member Audrey Pheffer introduced A.231 to provide for the establishment of a New York City Liquor Authority (CLA) to license and regulate the retail alcoholic beverage business in the City and provide for its functions, powers, and duties; and

Whereas, Section 17 of the New York State Alcoholic Beverage Control Law currently empowers the New York State Liquor Authority to, among other responsibilities, “issue or refuse to issue any license or permit,” to “limit in its discretion the number of licenses of each class to be issued within the state or any political subdivision thereof,” to “revoke, cancel or suspend for cause any license or permit issued,” and to report on “the effectiveness of the prohibition on the sale of alcohol to persons under the age of twenty-one;” and

Whereas, New York City communities have been demanding increased oversight and regulation of the licensure of alcohol sales, arguing, as referenced in A.231’s Legislative Memo, that the New York State Liquor

Authority (SLA), “has too few inspectors to properly provide enforcement,” and “issues liquor licenses without community input and does not effectively monitor and enforce the alcoholic beverage control law” and “[t] herefore, quality of life has drastically been impacted;” and

Whereas, Under the provisions of A.231, a New York CLA would be empowered to issue or refuse any license or permit for the sale of alcoholic beverages at retail; to limit the number of licenses in each class; to revoke, cancel or suspend for cause any license or permit issued pursuant to this proposed law and impose a civil penalty; to hold hearings in order to determine whether such license should be granted, revoked or suspended; to make an annual report to the Mayor, Council of the City of New York and the Borough Presidents of its activities for the previous year; and to appoint advisory committees to provide assistance to the CLA as it deems appropriate; and

Whereas, Recent violent incidents have raised New Yorkers’ awareness of the need for increased local control over alcohol-selling businesses, especially in the area of enforcement; and

Whereas, The creation of a CLA would ensure greater communication with local residents, with neighborhood interests, with community boards, with local elected officials, and with establishments that would be subject to CLA licensure and greater control over, and accountability for, enforcement; and

Whereas, The Council of the City of New York feels strongly that residents of New York City and their neighborhoods have suffered too long under a system that misconstrues the realities of an urban community with respect to the sale of alcoholic beverages and warrants local solutions to problems that most frequently arise in New York City; now, therefore, be it

Resolved, The Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.231, an act to amend the alcoholic beverage control law, in relation to authorizing the creation of an alcoholic beverage control board in and by the City of New York.

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