

STATE OF NEW YORK LIQUOR AUTHORITY
NOTICE TO CLUB LICENSEES

The ABC Law provides:

1. A CLUB MAY SELL ALCOHOLIC BEVERAGES ONLY TO ITS “MEMBERS” AND TO THEIR GUESTS ACCOMPANYING THEM.

A “member” of a club shall mean a person who whether a charter member or admitted in agreement with the by-laws of the club has become a bona fide member, thereof, who maintains by the payment of annual dues in a bona fide manner in accordance with the by-laws and whose name and address is entered on the lists of members. (See amended Section 3, Paragraph 9 of ABC Law for expanded definition of “member”.)

A guest is a person who is in the actual company of a “member” and who enters club premises on the invitation of such member. Alcoholic beverages may not be served to a guest where the member who invited the guest has left the club premises.

2. THE ONLY TIME A CLUB MAY SERVE ALCOHOLIC BEVERAGES TO A PERSON OTHER THAN A “MEMBER” OR HIS ACCOMPANYING GUESTS IS WHEN THE CLUB APPLIES FOR AND RECEIVES A CATERER’S PERMIT PERMITTING THE HOLDING IN THE CLUB PREMISES OF A PARTICULAR FUNCTION, OCCASION OR EVENT AS PROVIDED FOR IN SECTION 98 OF THE ABC LAW.

A caterer’s permit permits the club to serve alcoholic beverages to non-club members and their guests only on the date and time specified in the permit. A caterer’s permit is not required when a particular function, occasion or event is hosted by a club member.

3. CLUBS MAY NOT SOLICIT CATERING BUSINESS.

A club license may only be issued to an organization operated solely for recreational, social, patriotic, political, benevolent or athletic purposes. A club license may not be issued where the intent is to traffic in alcoholic beverages for profit or for pecuniary gain. Accordingly, a club that solicits catering business or public patronage (except under circumstances approved by the Authority) violates the Alcoholic Beverage Control Law and will subject the club license to disciplinary proceedings.

4. THE CLUB IS RESPONSIBLE FOR ACTIVITIES IN ALL PARTS OF THE LICENSED PREMISES AND THE PREVENTION OF VIOLATIONS THEREON.

5. NO SALE OF LIQUOR OR WINE MAY BE MADE FOR CONSUMPTION OFF THE PREMISES.

Package stores alone are authorized to sell liquor or wine for off-premises consumption.

A club license may not be used to accommodate club members, officers, employees or anyone else seeking to purchase bottle or case goods for use of the club premises.

6. PERSONS WHO ARE UNDER 21 YEARS OF AGE OR PERSONS WHO ARE VISIBLY INTOXICATED MAY NOT BE SERVED ALCOHOLIC BEVERAGES.

7. ALCOHOLIC BEVERAGES MAY NOT BE SERVED DURING THE HOURS PROHIBITED BY LAW.

8. GAMBLING ON CLUB PREMISES (EXCEPT WHERE SPECIFICALLY PERMITTED BY LAW) IS PROHIBITED.

The burden of demonstrating that a particular form of gambling is specifically permitted by law shall be on the club. Suffering or permitting any form of gambling which is not specifically permitted by law is a violation of the ABC Law and shall subject the club license to disciplinary action.

VIOLATIONS OF THE ALCOHOLIC BEVERAGE CONTROL LAW OR THE RULES OF THE STATE LIQUOR AUTHORITY WILL SUBJECT THE CLUB LICENSE TO DISCIPLINARY ACTION.

(THIS NOTICE SHOULD BE DISPLAYED CONSPICUOUSLY ON THE LICENSED PREMISES)