



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

NEW YORK STATE LIQUOR AUTHORITY
OFFICE OF COUNSEL

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Notice of Public Hearing

concerning the

**Proposed Change in the Hours
during which Alcoholic Beverages may be Sold at Retail in**

Essex County

**by persons and entities holding
a License to Sell Alcoholic Beverages
at Retail for Consumption on the Premises**

**(Affects Hotels, Restaurants, Taverns, Cocktail Lounges, Caterers,
Clubs, and all other businesses licensed to engage in the
retail sale of alcoholic beverages for on-premises consumption.)**

**October 17, 2005,
Tuesday 1:00 P.M.**

Board Room

**Essex County
Board of Supervisors**

**Essex County
Government Center**

**7551 Court Street
Elizabethtown, NY 12932-0217**

Procedure for Change in Hours of Sale. Subdivision 11 of section 17 of the Alcoholic Beverage Control Law provides that a restriction in the hours of sale of alcoholic beverages, or the modification of an existing restriction in the hours of sale of alcoholic beverages, requires:

- the adoption of a resolution by a county board of supervisors or a county legislative body requesting a restriction or modification in the hours of sale of alcoholic beverages within such county,
- the conduct of a hearing upon notice within such county regarding the proposed change in hours, and
- a determination by the New York State Liquor Authority approving or disapproving the proposed change.

Current Hours of Sale. In Essex County – by virtue of a Resolution Restricting Hours of Sale of Alcoholic Beverages for On-Premises Consumption adopted on August 8, 1974 by the former Essex County Alcoholic Beverage Control Board – in establishments licensed to sell alcoholic beverages at retail for consumption on the premises, the sale of alcoholic beverages is currently prohibited during the following hours:

- on Weekdays, from 3:00 A.M. to 8:00 A.M.;
- on Sundays, from 3:00 A.M. to 12:00 Noon;
- on Good Friday, from 12:00 Noon to 3:00 P.M.; and
- from 11:00 P.M. on Christmas Eve to 8:00 A.M. on Christmas Day.

Proposed Hours of Sale. Resolution No. 111 of the Essex County Board of Supervisors, adopted on May 2, 2005, proposes that the August 8, 1974 Resolution of the former Essex County Alcoholic Beverage Control Board be repealed in its entirety, and that all of the restrictions imposed by the August 8, 1974 Resolution be terminated.

If Resolution No. 111 of the Essex County Board of Supervisors is approved by the New York State Liquor Authority, in Essex County, in establishments licensed to sell alcoholic beverages at retail for consumption on the premises, the sale of alcoholic beverages will be prohibited during the following hours:

- on Sunday, from 4:00 A.M. to 12:00 Noon; and
- on any other day between 4:00 A.M. and 8:00 A.M.

At 1:00 P.M. on Tuesday, October 17, 2006, in the Board Room of the Essex County Board of Supervisors, an employee designated by the Chairman of the State Liquor Authority will be available to hear persons who wish to present comments regarding the proposed change in the hours during which alcoholic beverages may be sold at retail in Essex County by persons and entities holding a license to sell alcoholic beverages at retail for consumption on the premises. Public comment submitted will be summarized for the consideration of the three Members of the New York State Liquor Authority.

Written Submissions Recommended

Persons who desire to have their views considered by the Members of the Authority are advised to put their comments in writing. A written submission insures that your views, in exactly the manner you wish them expressed, will be before the Commissioners of the Authority when they consider the pending proposal. The submission of a written statement of views will additionally eliminate the need for a lengthy oral statement, reduce the cost of transcription, and expedite the submission of the matter to the Members of the Authority.

Written submissions may be presented at the October 17, 2006 hearing. Alternatively, written submissions may be mailed – postmarked no later than October 17, 2006 – to Associate Attorney Leslie W. Trebby, New York State Liquor Authority, Alfred E. Smith State Office Building, 80 South Swan Street – Suite 900, Albany, New York 12210-8002. Questions regarding the hearing may be presented by way of a letter to the foregoing address, or by way of a telephone call to Mr. Trebby at Telephone No. (518) 474-6750.