



STATE OF NEW YORK
EXECUTIVE DEPARTMENT

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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AMATO'S TAVERN LOSES LIQUOR LICENSE
Liquor Authority Orders Emergency Summary Suspension

Niagara Falls, NY – The New York State Liquor Authority (SLA) summarily suspended the license of Amato's Tavern at 2007 Ferry Avenue in Niagara Falls today. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle and Commissioner Noreen Healey at the Full Board meeting on Wednesday, February 20, 2008.

On February 7, 2008, due to numerous complaints received regarding underage drinking, SLA Investigators and the Niagara Falls Police Department (NFPD) conducted a surprise investigation of Amato's Tavern. During the investigation, 3 underage operatives (two 20 year olds and one 19 year old) purchased alcoholic beverages from the bartenders and were not asked to show ID, nor were they asked upon entry into the premises. The sales were observed by two plain-clothed Officers from the NFPD. In addition, the Officers observed many individuals who appeared to be under 21 purchasing alcohol. The Officers did not observe staff requesting to see identifications of any patrons. As a result, uniformed Officers from the NFPD and SLA Investigators entered the premises and identified patrons. Upon entry, SLA Investigators observed several individuals smoking cigarettes inside the premises. They also observed a lighted sign behind the bar advertising an "All You Can Drink" special for \$8.00. Nineteen underage patrons (five 18 year olds, ten 19 year olds and four 20 year olds) provided statements indicating that they purchased alcohol from the bartenders and were not required to show identification. Their statements also indicated that they were not asked to show identification upon entry into the premises. Additionally, many of these patrons provided that they paid \$8.00 to a bartender which entitled them to drink an unlimited amount of draught beer until 11:30 PM.

In addition to the above incidents, in January 2007 the licensee was sent a letter of advisement from the SLA pertaining to sales to minors. Specifically, the licensee was warned that disciplinary action may be taken if any such violation is being permitted. Today, the Members of the Authority determined the bar posed an imminent threat to the public and voted

to summarily suspend the license. Effective immediately, no alcohol can be served or consumed on the premises.

“This licensee, in letting numerous minors in the door and then allowing them to engage in all you can drink specials, shows a dangerous disregard for the law,” State Liquor Authority Chief Executive Officer, Joshua B. Toas said. “The decisive action taken by the Members of the Authority sends a clear message that this behavior will not be tolerated.”

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee’s disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension. The SLA’s decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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