



**STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
STATE LIQUOR AUTHORITY
www.abc.state.ny.us**

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**IN REPLYING REFER TO
Albany**

**MEDIA ADVISORY
For Immediate Release
December 4, 2009
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**EMERGENCY LICENSE SUSPENSION ORDERED FOR YORKVILLE BAR
Underage Sales Leads To Suspension**

Albany, NY – The New York State Liquor Authority (SLA) summarily suspended the license of Zam’s Enterprise LLC, doing business as the “The Venue” at 2127 Whitesboro Street in Yorkville, NY. The suspension was ordered by the Members of the State Liquor Authority, Chairman Dennis Rosen, Commissioner Jeanique Greene, and Commissioner Noreen Healey at a special meeting of the Full Board on Friday, December 4, 2009.

The decision to suspend the license was based on an investigation by the SLA and the Yorkville Police Department (YPD). On March 5, 2009, SLA Investigators made an undisclosed visit to the licensed premises and observed gambling at the premises. On November 19, 2009, SLA Investigators conducted an operation at the premises with assistance from the YPD. That night, of the estimated 200 patrons that were at the establishment, approximately 50 percent were determined underage. Investigators obtained statements from 11 underage patrons who admitted to or were observed consuming alcohol. The licensee also admitted that he does not maintain payroll records, and investigators discovered during interviews that employees receive tips, food and beverages as compensation for their employment. None of the three bouncers on duty that night are registered with the NYS Department of State as required under the law. During the inspection SLA Investigators also found 14 bottle of liquor behind the bar that were contaminated with insects.

“If you’re in the business of selling to minors, you’re not going to be in business for long,” said SLA CEO Trina Mead. “The Members of the Liquor Authority sent a clear message today that this type of 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 imperatives require 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 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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