



STATE OF NEW YORK
EXECUTIVE DEPARTMENT

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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MEDIA ADVISORY

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**BRONX BAR SERVED WITH EMERGENCY SUSPENSION
Shooting Death, ABC Violations Prompts SLA to Take Emergency Action**

NEW YORK – (December 14, 2006) The New York State Liquor Authority (SLA) summarily suspended the license of Tony’s Sports Bar Inc. at 3648 Bailey Avenue in the Bronx. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle, Commissioner Lawrence J. Gedda, and Commissioner Noreen Healey at the full board meeting on Wednesday, December 13, 2006.

A referral provided to the SLA by the New York City Police Department (NYPD) determined that on November 12, 2006, a man was shot and killed outside the premises stemming from a fight started inside the bar. On November 25, 2006, SLA investigators and NYPD Bronx Vice Enforcement officers conducted an inspection of the bar finding a liquor bottle contaminated with insects and no books and records onsite. Earlier that evening, an underage police auxiliary officer was able to purchase beer, resulting in the arrest of a bartender. The SLA charged the bar with disorderly premises, inadequate supervision, contaminated bottles, and serving minors. Prior violations at Tony’s Sports Bar include five counts of serving minors and five prior charges of disorderly premises due to fights inside and outside of the bar.

“Licensees who run violent, out of control bars will lose the privilege of holding a liquor license,” State Liquor Authority Chief Executive Officer, Joshua B. Toas said. “The Members of the State Liquor Authority have shown again they will take decisive action to end the threat to the public.”

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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