



State Liquor Authority

ANDREW M. CUOMO
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

Thursday, June 18, 2020

All Current NYS Liquor Licensees,

I am writing to thank all of the businesses throughout the state that are working diligently to comply with the often changing law during these difficult times. I am writing as well as a continued reminder to all on-premises retailers of their obligation to strictly adhere to New York's reopening guidelines and to make you aware of new responsibilities under the Governor's forthcoming Executive Order. The State Liquor Authority (SLA) has recently received an inordinate number of complaints and police referrals from across the state regarding large gatherings, social distancing violations and patrons not wearing face coverings. I want to reiterate that failure to follow the state's reopening rules and guidelines is a public health hazard that will result in disciplinary action.

A disproportionate number of complaints received involve patrons congregating and consuming alcoholic beverages outside licensed premises after making purchases under the new "to go" privilege. Instead of operating real take-out and delivery service, licensees are using this privilege to operate the equivalent of an unlawful outdoor bar, with patrons lining up in clusters to be served and congregating outside to consume. These incidents jeopardize public health and safety and threaten the progress our state has made. Consequently, under the new Executive Order, effective June 18, 2020, licensees are now responsible for violations of social distancing guidelines and open container ordinances that occur within a one-hundred feet of their licensed premises. If a licensee is unable to ensure that the law is being followed – EO's, ordinances, and the related SLA and Department of Health Guidance – they must stop serving. Businesses found violating this or any Executive Order or the SLA Guidelines are breaking the law and face serious consequences, including having their license suspended or permanently revoked, with fines up to \$10,000 per violation. You can and should also remind your patrons that they can also be fined for open containers and violating social distancing protocols, and inform them that if they fail to comply, you will have to stop serving.

Licensees are also reminded to follow the phased reopening guidelines for the region of the state where their business operates. A detailed list of current guidelines, including a list of frequently asked questions, can be found on the SLA's website at

www.sla.ny.gov. Additionally, licensees with questions are encouraged to reach out to the SLA at web.master@sla.ny.gov

Please be aware that SLA Investigators are responding to complaints, conducting routine compliance checks and working closely with local governments and police departments across the state, who have the primary responsibility for enforcing the law. Additionally, the state has employed a task force of investigators to respond to complaints of violations regarding social distancing guidelines. You may not know when your premises are under observation in connection with an investigation. Contending that other licensees are also violating the law is not a defense; *you* need to be in compliance.

Working together, our state has made remarkable progress in containing the coronavirus; in just over three months we have progressed from having the highest infection rate in the country to now one of the lowest. But our continued progress is dependent on all of us adhering to these essential lifesaving protocols, including practicing social distancing, wearing face coverings, and ensuring patrons are not gathering outside your businesses. Now is not the time to become complacent, and I thank you in advance for your cooperation as we work to reopen New York safely and expeditiously.

A handwritten signature in black ink, reading "Vincent G. Bagley". The signature is written in a cursive style with a large, stylized "V" at the beginning and a long, sweeping underline that extends to the right.