



KATHY HOCHUL
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2022-30

Subject: Review of Temporary Retail Permits

The purpose of this advisory is to provide guidance to the industry and agency staff regarding changes to the way applications for temporary retail permits shall be reviewed. Effective immediately, applications for temporary retail permits will be reviewed in the following manner:

- 1) If the application is for a premises subject to the 500 Foot Law and in the City of New York, the Licensing Board will determine whether the applicant qualifies for a temporary permit. If the location has not been licensed within the last two years, or if a license at the location has been suspended, cancelled, or revoked with the last two years, the applicant is not eligible for a temporary retail permit.
- 2) If the application is for a premises subject to the 500 Foot Law, under the law, a decision on the temporary retail permit will not be made until after the conclusion of the 500 Foot hearing. If the hearing decision does not find public interest, under the law, the applicant is not eligible for a temporary retail permit.
- 3) If the applicant, or any of the applicant's principals, had an application previously disapproved for cause, the application for the temporary retail permit will be forwarded to the Members of the Authority for review/determination.
- 4) All other applications will be reviewed by the Licensing Board. Such applications will be approved if the application is complete and there appears to be no statutory barrier to the issuance of the permit.

Applicants are reminded that temporary retail permits are subject to being cancelled or suspended without notice for good cause, which includes but is not limited to violations of the Alcoholic Beverage Control Law and the Rules of the Authority.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on November 9, 2022 before Chairman Vincent Bradley, Commissioner Lily Fan, and Commissioner Greeley Ford. The above written advisory was approved by the Members of the Authority on November 9, 2022.

Dated: 11/15/22

Donald Roper
Secretary to the Authority