



KATHY HOCHUL
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2022-35

Subject: "Continuously licensed" requirement under 200 Foot Law and 500 Foot Law

Both the 200 Foot Law and the 500 Foot Law provide exceptions if the proposed licensed premises has been continuously licensed since on or before a certain date. The Members of the Authority routinely entertain requests for declaratory rulings to determine whether a premises, under the facts presented, has been continuously licensed.

Applicants should be aware that, if there is any lapse in the licensing of the premises, the Licensing Board will deem that the premises has not been continuously licensed. The applicant should seek a declaratory ruling from the Members of the Authority for that premises. In addition, the Licensing Board will not consider rulings issued for another premises to support a finding that the applicant's premises has been continuously licensed.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on November 22, 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 22, 2022.

Dated: 12/13/22

Donald Roper
Secretary to the Authority