

STATE OF NEW YORK  
LIQUOR AUTHORITY

TO: ZONE OFFICES AND LOCAL BOARDS

SUBJECT: HOTEL OFF-PREMISES PERMITS  
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The third paragraph of Divisional Order # 426 dated June 6, 1957 provides:-

"that if in the future any package store license is removed to or issued to a location within eight (8) miles of a premises holding an H.O.P. permit, notice is to be served on the permittee by the appropriate Zone Office that the said permit must be surrendered within 60 days after the effective date of the removal or issuance of the package store license. This procedure shall apply irrespective of whether the H.O.P. permit was in effect at the time of the enactment of Chapter 887 or is hereafter issued."

The Members of the Authority have recently ruled that where the Authority approves a removal or new application for a package store within 8 miles of an H.O.P. licensee, the records should be checked to ascertain whether the hotel held an H.O.P. permit on April 23, 1957, the effective date of the mileage increase from 5 to 8 miles.

If the hotel premises held an H.O.P. permit on April 23, 1957 and such permit has been continuously in effect since, the surrender of the H.O.P. permit shall be required only where the "L" store is located within 5 miles thereof.

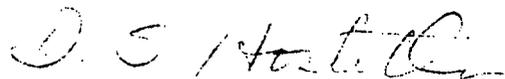
If the H.O.P. has not been continuously in effect on and subsequent to April 23, 1957, demand for the surrender shall be made for all such H.O.P. permits within 8 miles of the "L" store.

Other changes to Divisional Order # 426 are as follows:

- a. Form 620 (Application for Hotel Off-premises Permit) has replaced Form 112 (See Forms Memo dated March 23, 1964.)
- b. It is not necessary to notify the (4) package stores nearest to the Hotel Premises seeking the Off-premises permit. (See Divisional Order # 544 dated September 9, 1964 which eliminated this requirement as to removal of "L" stores.)

In all other respects Divisional Order # 426 dated June 6, 1957 remains in effect.

STATE LIQUOR AUTHORITY



D. S. HOSTETTER  
CHAIRMAN