

STATE OF NEW YORK
LIQUOR AUTHORITY

(Series 1974)
Div. Order #670
June 11, 1974

To: Zone Offices and Local Boards

Subject: OPEN FRONTS OF PACKAGE STORES IN ENCLOSED
SHOPPING CENTERS.

At the meeting of June 5, 1974, the Members of the Authority considered an application by a package store licensee to remove into a 72 store shopping mall in Onondaga County. Most of the stores in the mall have no fronts and open out into the mall. When not open for business, the stores have steel grates or sliding doors which close them off from the mall.

The licensee's store will have an open front. He proposes to construct counters from each corner of the open front and keep cash registers on each counter. The counters will thus limit access into the store. Four employees will be on duty at all times.

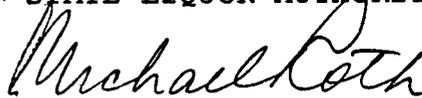
The hours of operation will be from 10 a.m. to 9 p.m. The entire mall closes at 9:30 p.m. and will be staffed with security guards and maintenance personnel. The licensee will have a folding wooden door to close off the front of the store when not open.

The courts have ruled that disapproval of a package store application is not warranted simply because of modern architectural conception of shopping centers which truly advance the convenience and advantage of the public.

Accordingly, the Members of the Authority approved the open-front concept proposed by the applicant-licensee, subject to conditions that (1) the counters be constructed from the side walls towards the middle of the store front with no side access; (2) that no alcoholic beverages be displayed on the front counters and (3) that the license certificate be prominently displayed.

Effective forthwith, Local Boards and Zone Licensing Boards shall not recommend disapproval of a package store license in an enclosed mall solely because of an open front where the facts establish that essential safeguards will be taken to assure proper control over the operation of the store and its contents.

STATE LIQUOR AUTHORITY



Michael Roth
Chairman