



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY 80 S. Swan Street, Suite 900 Albany, New York 12210-8002
317 Lenox Ave New York, New York 10027
125 Main Street Buffalo, New York 14203

IN REPLYING REFER TO
Albany

MEDIA ADVISORY

For Immediate Release

September 19, 2007

Contact: Bill Crowley (518) 486-4767

PressOffice@abc.state.ny.us

SHANGHAI BISTRO LIQUOR LICENSE SUSPENDED
Liquor Authority Issues Summary Suspension for Disorderly Establishment

Albany, NY - The New York State Liquor Authority (SLA) summarily suspended the license of the Shanghai Bistro Inc. at 2035 State Street in Schenectady. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle and Commissioner Noreen Healey at the Full Board meeting on Wednesday, September 19, 2007.

Licensed in June of 2006, the Shanghai Bistro has become a focal point for police attention. Over the past six months, the Schenectady Police Department has been called over 70 times to the establishment to respond to numerous fights, noise complaints and other disturbances. The establishment was fined \$2,000 by the SLA for excessive noise violations occurring on January 27th and 29th of 2007 and additionally charged with allowing the establishment to become disorderly on May 19, 2007. In January 2007, the SLA ordered the licensed restaurant to submit a corrective action plan to address these complaints.

On September 14, 2007, the Schenectady PD was again called to respond to a fight occurring in the parking lot of the establishment. At that time, the Schenectady PD heard a gunshot from inside the premises. An employee of the Shanghai Bistro subsequently advised the Schenectady PD that a patron had been fatally shot inside the premises during a fight. The State Liquor Authority charged the Shanghai Bistro with failure to supervise, employment of unlicensed security guards, and disorderly conduct on September 18, 2007. Today, the Members of the SLA determined the bar poses an imminent threat to the public and voted emergency suspension of the license. Effective immediately, no alcohol can be served or consumed on the premises.

“In the short period of time the Shanghai Bistro has been licensed, they have demonstrated a complete incapability of running a lawful establishment,” State Liquor Authority Chief Executive Officer Joshua B. Toas said. “The Members of the Liquor Authority sent a clear message today that reckless bar owners will lose their liquor licenses.”

Public Safety Commissioner Wayne E. Bennett of the Schenectady Police Department said he, “Appreciated the prompt attention given to this matter by the State Liquor Authority Board. Clearly, the

documented police response to the establishment since January 1, 2007 demonstrated that the summary suspension was a necessary and appropriate course of action.”

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations.

The SLA’s decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

On the Web: www.abc.state.ny.us
###