

New rules for “New Year’s Eve” permits

The State Liquor Authority has issued new rules concerning the application process for permits issued pursuant to Section 99 of the Alcoholic Beverage Control Law, commonly referred to as “all night” or New Year’s Eve” permits. These permits allow retail on premises licenses to continuing serving alcoholic beverages after 4 am (or earlier in some counties).

The new rules provide as follows:

Applications for these permits must be filed at least 45 days in advance. For those licensees wishing to get permits for this New Year’s Eve, December 31, 2008, applications must be filed on or before November 17, 2008.

Notice of the licensee’s intent to apply for the permit must be sent to the local police department or, if there is no local police department, to the County Sheriff’s Department. The licensee must include, with the application, proof that this notice was mailed. Acceptable proof is either (1) a copy of the notice and a certified mail receipt card or (2) the original, or a copy of the notice stamped and signed by the police department.

In deciding whether to issue a permit to a licensee, the Authority will consider the licensee’s disciplinary history (including pending charges) and whether, given the nature of the event, the licensee has adequate facilities and security plans.

The permit must be displayed in a conspicuous place where the event is held.

The Authority’s Licensing Bureau will make a decision on each application within 10 business days of filing. If the Licensing Bureau denies the application, the licensee can request review of the decision by a Member of the Authority. Such requests should be sent to the Office of Counsel at the Authority’s Albany office. A Member of the Authority will review the decision and make a final determination within 10 business days of receipt of the request.