



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Applauds Judge's Order to Lift Curfew on Bars & Restaurants

JIM RANNEY February 5, 2021

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Senator Patrick M. Gallivan (R-C-I, Elma) is applauding a victory for dozens of bars and restaurants in Erie County after a State Supreme Court judge issued a temporary restraining order lifting the so-called restaurant curfew, which required them to close at 10:00 p.m. More than 90 Erie County bars and restaurants were named as plaintiffs in the lawsuit. The order takes effect immediately.

Senator Gallivan, who has repeatedly called on the state legislature to restore the balance of power related to the state's COVID-19 policies, says the lawsuit also challenges the governor's unilateral control of New York's pandemic response.

"The 10 p.m. curfew is just one example of how the governor has exceeded his authority," Senator Gallivan said. "Once again, I call on my legislature colleagues to end the governor's unilateral control and restore our system of checks and balances in state government. The judge's decision is great news for everyone in the restaurant industry. I urge customers to support local restaurants and businesses while continuing to exercise practical health and safety procedures, such as wearing a mask and social distancing."

The lawsuit stated that while the Legislature did grant the Governor the power to issue directives to deal with the COVID-19 crisis in March 2020, it included important limitations.

Restaurant and bar owners argued the 10 p.m. curfew was arbitrary and harmed their businesses financially.