



OFFICE OF THE  
**Attorney General**  
STATE CAPITOL  
Phoenix, Arizona 85007

(R75-428)

BRUCE E. BABBITT  
ATTORNEY GENERAL

75-190

July 17, 1975

The Honorable Robert R. Bean  
Superintendent  
Liquor Licenses and Control  
1645 West Jefferson  
Phoenix, Arizona 85007

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**ARIZONA ATTORNEY GENERAL**

Dear Bob:

I am in receipt of your letter of July 8, 1975, wherein you asked whether the State Liquor Board could issue a Series No. 11 spirituous liquor license with the restriction that it be used only in conformity with the local zoning regulations. It is my understanding that this request arose because Mr. Vince Mazza, doing business as Adobe Beverages, intends to operate a retail establishment in Scottsdale, Arizona, in an area which prohibits retailing. In order to avoid violating any of the provisions of the zoning ordinance, Mr. Mazza intends to sell his beer via a delivery service by requiring the customers to phone in their orders whereupon Mr. Mazza would deliver the beer to the customer's door and accept payment thereof at that time. Mr. Mazza would therefore not subject his premises to retail traffic and therefore would expect not to violate the zoning ordinances of Scottsdale.

My preliminary research has disclosed Attorney General Opinion No. 72-36-L which was rendered on September 28, 1972, and which concludes that deliveries in the manner contemplated by Mr. Mazza would be in violation of Title 4 of the Arizona Revised Statutes.

In light of this hereinabove mentioned Attorney General Opinion, your question appears to be moot, and therefore I will refrain from responding thereto unless you indicate otherwise.

Sincerely,

BRUCE E. BABBITT  
Attorney General

*Nick*

NICHOLAS C. GUTTILLA  
Assistant Attorney General

NCG:lc

