

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **LICENSES - NEW YORK**

### **Battaglia Demolition, Inc. v. City of Buffalo**

**Supreme Court, Appellate Division, Fourth Department, New York - December 27, 2013 - N.Y.S.2d - 2013 N.Y. Slip Op. 08751**

Demolition company brought Article 78 action for review of city council's determination to deny its application for a transfer station license, and of decision of city's director of permit and inspection services which denied its application for a collector license. The Supreme Court dismissed, and company appealed.

The Supreme Court, Appellate Division, held that:

- Determinations were neither affected by an error of law nor arbitrary and capricious, and
- Company's argument that its possession of other licenses and permits obviated need for a transfer station license was not properly brought in Article 78 proceeding.