

7962

2013-2014 Regular Sessions

I N A S S E M B L Y

June 12, 2013

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the
Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to
community centers and licensing notification

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraphs (a) and (b) of subdivision 3 of section 105 of
2 the alcoholic beverage control law, as amended by chapter 406 of the
3 laws of 2007, are amended to read as follows:
4 (a) No retail license to sell liquor and/or wine for off-premises
5 consumption shall be granted for any premises which shall be located on
6 the same street or avenue, and within two hundred feet of a building
7 occupied exclusively as a school, church, synagogue [or], other place of
8 worship OR COMMUNITY CENTER; the measurements to be taken in a straight
9 line from the center of the nearest entrance to the building used for
10 such school, church, synagogue [or], other place of worship OR COMMUNITY
11 CENTER to the center of the nearest entrance of the premises to be
12 licensed; except, however, that no license shall be denied to any prem-
13 ises at which a license under this chapter has been in existence contin-
14 uously from a date prior to the date when a building on the same street
15 or avenue and within two hundred feet of said premises has been occupied
16 exclusively as a school, church, synagogue [or], other place of worship
17 OR COMMUNITY CENTER.
18 (b) Within the context of this subdivision, the word "entrance" shall
19 mean a door of a school, of a house of worship, or of the premises
20 sought to be licensed, regularly used to give ingress to students of the
21 school, to the general public attending the place of worship, and to
22 patrons or guests of the premises proposed to be licensed, except that
23 where a school [or], house of worship OR COMMUNITY CENTER is set back
24 from a public thoroughfare, the walkway or stairs leading to any such
25 door shall be deemed an entrance; and the measurement shall be taken to

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 the center of the walkway or stairs at the point where it meets the
2 building line or public thoroughfare. A door which has no exterior hard-
3 ware, or which is used solely as an emergency or fire exit, or for main-
4 tenance purposes, or which leads directly to a part of a building not
5 regularly used by the general public or patrons, is not deemed an
6 "entrance".

7 S 2. The opening paragraph of section 107 of the alcoholic beverage
8 control law is amended to read as follows:

9 Every person procuring a license hereunder must NOTIFY OTHER LIQUOR
10 LICENSE HOLDERS WITHIN ONE-HALF MILE OF THE PROPOSED LICENSED PREMISES,
11 THE STATE ELECTED OFFICIALS WHOSE DISTRICT ENCOMPASSES THE PROPOSED
12 LICENSED PREMISES, THE LOCAL MUNICIPALITY WITHIN WHICH THE PROPOSED
13 LICENSED PREMISES IS LOCATED, AND THE BLOCK CLUB AND/OR BUSINESS
14 DISTRICT WITHIN WHICH THE PROPOSED LICENSED PREMISES IS LOCATED AND
15 publish a notice thereof as herein provided:

16 S 3. This act shall take effect on the sixtieth day after it shall
17 have become a law.