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2013-2014 Regular Sessions

I N   S E N A T E

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Introduced by Sens. MARCELLINO, GOLDEN, MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to manufacturers of alcohol and retail interest and licenses

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

1     Section 1.     Section 106 of the alcoholic beverage control law is  
2     amended by adding a new subdivision 13-a to read as follows:  
3     13-A. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION THIRTEEN OF THIS  
4     SECTION OR ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE STATE LIQUOR  
5     AUTHORITY MAY ISSUE A LICENSE OR LICENSES UNDER SECTION EIGHTY-ONE-A OF  
6     THIS CHAPTER TO THE OWNER AND/OR OPERATOR OF THE PARCEL DESCRIBED IN  
7     THIS PARAGRAPH. THE LEGAL DESCRIPTION FOR THE PARCEL SO IDENTIFIED AS  
8     THE SITE ARE AS FOLLOWS:  
9     ANY SUCH PREMISES OR BUSINESS CONSTITUTING A RETAIL BAKERY AND RESTAU-  
10    RANT AS DEFINED IN THIS CHAPTER CONTAINED WHOLLY WITHIN THE BOUNDARIES  
11    OF THE COUNTY OF NEW YORK, BEGINNING AT THE CORNER FORMED BY THE INTER-  
12    SECTION OF THE WESTERLY SIDE OF 3RD AVENUE AND THE NORTHERLY SIDE OF  
13    EAST 74TH STREET; RUNNING THENCE NORTHERLY ALONG THE WESTERLY SIDE OF  
14    3RD AVENUE, 76 FEET 8 INCHES; THENCE WESTERLY PARALLEL WITH EAST 74TH  
15    STREET, 100 FEET; THENCE SOUTHERLY PARALLEL WITH 3RD AVENUE, 76 FEET 8  
16    INCHES TO THE NORTHERLY SIDE OF EAST 74TH STREET; AND THENCE EASTERLY

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

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1 ALONG THE NORTHERLY SIDE OF EAST 74TH STREET, 100 FEET TO THE CORNER  
2 FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 74TH STREET AND  
3 THE WESTERLY SIDE OF 3RD AVENUE, TO THE POINT OR PLACE OF BEGINNING.

4 AND, BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF 40TH STREET,  
5 DISTANT 147 FEET 6 INCHES WESTERLY FROM THE CORNER FORMED BY THE INTER-  
6 SECTION OF THE WESTERLY SIDE OF 5TH AVENUE WITH THE SOUTHERLY SIDE OF  
7 40TH STREET; AND, RUNNING THENCE SOUTHERLY AND PARALLEL TO 5TH AVENUE  
8 AND PART OF THE DISTANCE THROUGH A PARTY WALL, 98 FEET 9 INCHES; THENCE  
9 WESTERLY PARALLEL WITH 40TH STREET, 62 FEET 6 INCHES; THENCE NORTHERLY  
10 AGAIN PARALLEL WITH 5TH AVENUE AND PART OF THE DISTANCE THROUGH ANOTHER  
11 PARTY WALL 98 FEET 9 INCHES TO THE SOUTHERLY SIDE OF 40TH STREET; THENCE  
12 EASTERLY ALONG THE SOUTHERLY SIDE OF 40TH STREET 62 FEET 6 INCHES TO THE  
13 POINT OR PLACE OF BEGINNING.

14 AND BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHER-  
15 LY SIDE OF 21ST STREET WITH THE EASTERLY SIDE OF 5TH AVENUE; RUNNING  
16 THENCE NORTHERLY ALONG THE SAID EASTERLY SIDE OF 5TH AVENUE, 62 FEET 3  
17 1/2 INCHES; THENCE EASTERLY ALONG A LINE WHICH FORMS AN ANGLE ON ITS  
18 SOUTHERLY SIDE WITH THE SAID EASTERLY SIDE OF 5TH AVENUE OF 88 DEGREES,  
19 30 MINUTES, 81 FEET 1/2 INCH; THENCE SOUTHERLY ALONG A LINE WHICH FORMS  
20 AN ANGLE 90 DEGREES, 5 MINUTES AND 30 SECONDS ON ITS WESTERLY SIDE WITH  
21 THE LAST MENTIONED COURSE 15 FEET 2 INCHES TO THE SOUTHERLY FACE OF THE  
22 SOUTHERLY WALL OF THE ONE STORY BRICK BUILDING ON THE PREMISES ADJOURN-  
23 ING THE PREMISES HEREBY DESCRIBED ON THE NORTH; THENCE EASTERLY ALONG  
24 THE SOUTHERLY FACE OF THE SOUTHERLY WALL OF SAID BUILDING, 10 FEET 1 1/2  
25 INCHES TO THE END THEREOF; THENCE NORTHERLY ALONG THE EASTERLY FACE OF  
26 SAID WALL, 1/2 INCH TO THE CENTRE LINE OF A PARTY WALL STANDING PARTLY  
27 ON THE PREMISES HEREBY DESCRIBED AND PARTLY ON THE PREMISES ADJOURNING  
28 ON THE NORTH; THENCE EASTERLY THROUGH THE CENTRE OF SAID PARTY WALL, 23  
29 FEET 5 1/2 INCHES TO AN ANGLE IN SAID WALL; THENCE NORTHEASTERLY STILL  
30 ALONG THE CENTRE OF SAID PARTY WALL, 24 FEET 1/2 OF AN INCH TO ANOTHER  
31 ANGLE IN SAID WALL; THENCE NORTHEASTERLY STILL ALONG SAID CENTRE LINE OF  
32 SAID PARTY WALL, 33 FEET 11 7/8 INCHES TO THE WESTERLY SIDE OF BROADWAY;  
33 THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF BROADWAY, 65 FEET 4 INCHES  
34 TO THE CORNER FORMED BY THE INTERSECTION OF SAID WESTERLY SIDE OF BROAD-  
35 WAY WITH THE NORTHERLY SIDE OF 21ST STREET; AND THENCE WESTERLY ALONG  
36 THE SAID NORTHERLY SIDE OF 21ST STREET, 195 FEET TO THE POINT OR PLACE  
37 OF BEGINNING.

38 AND, BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF CENTRAL PARK SOUTH,  
39 FORMERLY KNOWN AS 59TH STREET, IN THE SAID BOROUGH AND CITY, DISTANT 450  
40 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY  
41 SIDE OF SEVENTH AVENUE WITH THE SAID SOUTHERLY SIDE OF CENTRAL PARK  
42 SOUTH; RUNNING THENCE SOUTHERLY, PARALLEL WITH SEVENTH AVENUE 200 FEET  
43 10 INCHES TO THE NORTHERLY SIDE OF WEST 58TH STREET; THENCE WESTERLY  
44 ALONG THE NORTHERLY SIDE OF WEST 58TH STREET, 145 FEET TO THE EASTERLY  
45 SIDE OF BROADWAY; THENCE NORTHWESTERLY ALONG THE EASTERLY SIDE OF BROAD-  
46 WAY 165 FEET 9 1/2 INCHES TO ITS INTERSECTION WITH THE EASTERLY SIDE OF  
47 GRAND OR COLUMBUS CIRCLE; THENCE NORTHERLY ALONG THE EASTERLY SIDE OF  
48 GRAND OR COLUMBUS CIRCLE, 50 FEET 3 INCHES TO THE SOUTHERLY SIDE OF  
49 CENTRAL PARK SOUTH; THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF CENTRAL  
50 PARK SOUTH, 189 FEET 10 1/2 INCHES TO THE POINT OR PLACE OF BEGINNING.

51 AND, BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTH-  
52 ERLY SIDE OF 10TH STREET WITH THE WESTERLY SIDE OF BROADWAY; RUNNING  
53 THENCE WESTERLY ALONG THE SAID SOUTHERLY SIDE OF 10TH STREET, 125 FEET 5  
54 INCHES TO THE DIVISION LINE BETWEEN LOTS 222 AND 223 ON SAID MAP; THENCE  
55 SOUTHERLY ALONG SAID DIVISION LINE AT RIGHT ANGLES TO SAID SOUTHERLY  
56 SIDE OF EAST 10TH STREET, 92 FEET 3-1/2 INCHES TO THE DIVISION LINE

1 BETWEEN LOTS 222 AND 191 ON SAID MAP; THENCE WESTERLY AT RIGHT ANGLES TO  
2 THE LAST COURSE AND ALONG THE DIVISION LINE BETWEEN LOTS 220, 221 AND  
3 222 ON SAID MAP ON THE NORTH AND LOTS 191, 192 AND 193 ON SAID MAP ON  
4 THE SOUTH, 61 FEET 1 INCH TO THE DIVISION LINE BETWEEN LOTS 193 AND 194  
5 ON SAID MAP; THENCE SOUTHERLY ALONG SAID LAST MENTIONED DIVISION LINE AT  
6 RIGHT ANGLES TO THE LAST COURSE, 92 FEET 3 INCHES TO THE NORTHERLY SIDE  
7 OF EAST 9TH STREET;

8 ALL THAT CERTAIN PLOT, PIECE OF PARCEL OF LAND SITUATE, LYING AN BEING  
9 IN THE BOROUGH OF MANHATTAN, COUNTY, CITY AND STATE OF NEW YORK, BOUNDED  
10 AND DESCRIBED AS FOLLOWS:

11 BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE  
12 OF ASTOR PLACE AND THE EASTERLY SIDE OF BROADWAY; RUNNING THENCE NORTH-  
13 ERLY ALONG THE EASTERLY SIDE OF BROADWAY, 133 FEET 1/2 OF AN INCH TO THE  
14 CORNER FORMED BY THE INTERSECTION OF EASTERLY SIDE OF BROADWAY AND THE  
15 SOUTHERLY SIDE OF EAST 8TH STREET;

16 THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF EAST 8TH STREET, 116 FEET  
17 81/4 INCHES;

18 THENCE SOUTHERLY ON A LINE FORMING AN ANGLE OF 97 DEGREES 51 MINUTES 40  
19 SECONDS WITH THE SOUTHERLY SIDE OF EAST 8TH STREET, 98 FEET 7 INCHES TO  
20 THE NORTHERLY SIDE OF ASTOR PLACE;

21 THENCE WESTERLY ALONG THE NORTHERLY SIDE OF ASTOR PLACE, 143 FEET 91/2  
22 INCHES TO THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF  
23 ASTOR PLACES AND THE EASTERLY SIDE OF BROADWAY, AT THE POINT OR PLACE OF  
24 BEGINNING.

25 S 2. This act shall take effect immediately.