STATE OF NEW YORK

9694--A

IN ASSEMBLY

April 3, 2024

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Economic Development -- 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 authorizing a temporary permit for a brewer to sell or offer beer at certain locations

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 97 of the alcoholic beverage control law is amended by adding a new subdivision 5 to read as follows:

5. The authority is authorized to allow a brewer, once per annum, and after the property owner obtains a permit under this section, to sell or offer at no cost beer, beginning at eight antemeridian and ending at the hours fixed by or pursuant to subdivision five of section one hundred six of this chapter, at the following two locations in the city of Utica, county of Oneida, and bounded and described as follows:

PARCEL I

Beginning at the northwest corner of the beer storage building at the corner of Edward Street and Wasmer Street and proceeding northerly for a distance of 76 feet 1 inch; thence 128 feet 5 inches easterly along Wasmer Street; thence continuing along said Wasmer Street northeasterly for a distance of 202 feet 10 inches to the corner of Wasmer Street and Hamilton Street.

Thence northerly along Hamilton Street for a distance of 46 feet 8 inches to the intersection of Columbia Street. Thence northwesterly along Columbia Street for a distance of 233 feet 6 inches. Thence southwesterly for a distance of 77 feet 7 inches to a fence. Thence northwesterly for a distance of 62 feet and thence southwesterly a distance of 10 feet 6 inches to the southeastern corner of the brewery garage.

Thence, following the garage's perimeter: first in a southwesterly direction for a distance of 133 feet 2 inches to the southwest corner of the garage; thence in a northwesterly direction for a distance of 22 feet 5 inches; and thence in a northeasterly direction for a distance of

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

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11 feet 2 inches, then in a northwesterly direction for a distance of 100 feet, to a fence just before the sidewalk on Schuyler Street; thence southwesterly for a distance of 234 feet 5 inches to the Brewery main complex.

Thence following the perimeter of the brewery complex buildings southeast for a distance of 82 feet 8 inches, northeasterly for a distance of 81 feet 11 inches; thence southeasterly for a distance of 85 feet 3 inches; thence northeasterly for a distance of 21 feet 6 inches; and thence southeasterly for a distance of 96 feet 8 inches to the northwestern corner of the shipping office.

From the northwestern corner of the shipping office, southeasterly for a distance of 33 feet 9 inches; thence southwesterly for a distance of 37 feet 8 inches; thence southeasterly for a distance of 65 feet 8 inches; thence southerly for a distance of 27 feet 4 inches; thence easterly for a distance of 33 feet, to the point or place of beginning.

PARCEL II

Beginning at the iron fence which is 26 feet northwest of the southwest corner of the tour center on Court Street; thence 66 feet, 7 inches northeast, 11 feet 7 inches northwest to the west corner of the tour center parking lot stairs. Proceeding northeasterly 71 feet 10 inches, thence northwesterly 19 feet 10 inches to the southeastern corner of the boiler room building. Thence northwesterly 161 feet; south by southwest 80 feet; southwest 58 feet 5 inches and finally southeast 155 feet to the point or place of beginning.

§ 2. Paragraph (a) of subdivision 5 of section 106 of the alcoholic beverage control law, as amended by section 1 of part FF of chapter 55 of the laws of 2020, is amended to read as follows:

(a) Except as provided in paragraph (c) of this subdivision, on Sunday, from four ante meridiem to ten o'clock a.m., except pursuant to a permit issued under section ninety-nine-h or subdivision five of section ninety-seven of this chapter.

§ 3. Section 117-a of the alcoholic beverage control law is amended by adding a new subdivision 6 to read as follows:

6. The provisions of this section shall not apply to the holder of a temporary permit under subdivision five of section ninety-seven of this chapter.

§ 4. This act shall take effect immediately.