

# STATE OF NEW YORK

8199

2025-2026 Regular Sessions

## IN ASSEMBLY

May 5, 2025

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

AN ACT to amend the alcoholic beverage control law, in relation to an exemption for certain property from the prohibition of alcohol sales within a certain distance from a church

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

1 Section 1. Subdivision 7 of section 64 of the alcoholic beverage  
2 control law is amended by adding a new paragraph (e-17) to read as  
3 follows:

4 (e-17) Notwithstanding the provisions of paragraph (a) of this subdivi-  
5 vision, the authority may issue a retail license for on-premises  
6 consumption for a premises which shall be located within two hundred  
7 feet of a building occupied exclusively as a school, church, synagogue  
8 or other place of worship, provided such premises constitutes a premises  
9 for the sale of food or beverages at retail for consumption on the prem-  
10 ises located wholly within the boundaries of the county of Ontario,  
11 bounded and described as follows:

12 ALL THAT TRACT OR PARCEL OF LAND, situate in the Phelps Gorham Tract,  
13 Township 11, Range 1, Village of Phelps, Town of Phelps, County of  
14 Ontario, and State of New York, all of which is shown on a map prepared  
15 by David M. Clark, PLS entitled "Instrument Survey of Lands of Patricia  
16 R. Quigley" last dated November 4, 1995, Job No. 218.00, and being more  
17 particularly described as follows:

18 BEGINNING at a point in the apparent easterly street line of Church  
19 Street at the southwest corner of lands of Harold E. and Wilma B. Neff  
20 (Liber 684, Page 884), said point being 177 feet, more or less, south of  
21 the new existing southerly curb line of Main Stret thence the following  
22 five courses and distances:

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

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1 1. Thence, South 14-43-39 West along the apparent easterly street line  
2 of Church Street, a distance of 23.78 feet to a point at the northwest  
3 corner of lands of John F. Riley (Liber 951, Page 172);

4 2. Thence, South 74-38-00 East along the northerly line of lands of  
5 John F. Riley (liber 951, Page 172) a distance of 101.45 feet to an iron  
6 pin at the northeast corner of lands of said John F. Riley;

7 3. Thence, North 59-48-26- East along the westerly line of lands of  
8 Stephen T. Calloway (Liber 840, Page 384 a distance of 2.48 feet to an  
9 iron pin set:

10 4. Thence, North 38-12-53 East along the westerly line of lands of  
11 said Stephen T. Calloway and the westerly line of lands of the Town of  
12 Phelps (liber 858, Page 5) a distance of 25.12 feet to an iron pine set  
13 at the southwest corner of lands of Harold E. and Wilma B. Neff (liber  
14 682, Page 914); and

15 5. Thence, North 75-10-57 West along the southerly line of lands of  
16 said Harold E. and Wilma B. Neff (Liber 682, P914) and along the south-  
17 erly face of the building of lands of said Harold E. and Wilma B. Neff  
18 (L684, P884) a distance of 113.21 feet to a point in the apparent street  
19 line of Church Street, said point being the point and place of begin-  
20 ning.

21 § 2. This act shall take effect immediately.