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:

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

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

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

BEGINNING at a point in the apparent easterly street line of Church Street at the southwest corner of lands of Harold E. and Wilma B. Neff (Liber 684, Page 884), said point being 177 feet, more or less, south of the new existing southerly curb line of Main Stret thence the following 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. Thence, South 14-43-39 West along the apparent easterly street line of Church Street, a distance of 23.78 feet to a point at the northwest corner of lands of John F. Riley (Liber 951, Page 172);

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

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

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

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

§ 2. This act shall take effect immediately.