

A LOCAL LAW to amend Chapter 108 of the Code of the Town of Yorktown entitled "ALCOHOLIC BEVERAGES"

Be it enacted by the Town Board of the Town of Yorktown as follows:

Section I. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II. Section 108-7(A) of the Code of the Town of Yorktown is hereby amended by replacing "§ 28-9" with "§ 108-9."

Section III. Section 108-8(E) of the Code of the Town of Yorktown is hereby replaced in its entirety with the following language:

Permits shall not be issued for the possession, consumption or sale of alcoholic beverages in public parks in the Town of Yorktown, except such permits may be granted for: (1) the possession, consumption and sale of alcoholic beverages at the Par 3 Golf Course and Railroad Park; and (2) the possession and consumption of alcoholic beverages at the Downing Park Pavilion and the Sparkle Lake Service Building.

Section IV. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section V. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistency.

Section VI. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.