

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**County**

**City**

of Rockville Centre

**Town**

**Village**

**Local Law No. 10 of the year 2010**

**A local law to amend the Code of the Village of Rockville Centre, in relation to licenses**

*(Insert Title)*

**for certain businesses engaged in the sale of food or beverages.**

**Be it enacted by the Board of Trustees of the**  
*(Name of Legislative Body)*

**County**

**City**

of Rockville Centre **as follows:**

**Town**

**Village**

Section one. Sections 191-1, 191-2, and 191-3 of the Code of the Village of Rockville Centre are hereby amended, to read as follows:

**"§ 191-1. License required.** No person or entity shall engage in the business of operating a restaurant, eating place, lunch counter, soft drink counter, delicatessen, grocery, liquor store, supermarket, convenience store or similar place in the Village for the sale of, or the consumption upon the premises of, food or beverages of any class or description without obtaining an annual

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

license therefor. No license application will be considered unless there is presented a certification of approval by the Nassau County Department of Health.

**§ 191-2. Inspection required.** In addition to receiving information as required of applicants by Chapter 222 of this Code, the Mayor shall cause an investigation to be made as to the physical characteristics and appurtenances of the premises for whose operations hereunder a license is sought. If such inspection discloses that such premises are inadequate, unsafe, improperly equipped, screened from public view, or of such nature as to be inimical to the health, safety or welfare of the patrons thereof or of the public at large, the license shall not be granted, or, if granted, shall be revoked. Such inspections after the granting of a license shall be regularly repeated at intervals of no longer than a year.

**§ 191-3. Fees.** The fee for any license required by the provisions of this chapter shall be at the levels fixed from time to time by resolution of the Board of Trustees of the Village of Rockville Centre. In fixing the amount of such license fees, the Board may establish different fees for premises which sell alcoholic beverages and premises which do not sell alcoholic beverages, and for premises which sell such beverages for consumption on the premises, or for consumption solely off the premises."

Section two. Severability. In the event that any provision of this law shall be determined by a court of appropriate jurisdiction to be illegal or otherwise unenforceable, then only that particular provision shall not be enforced, and all other provisions of this law shall remain in full force and effect.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law, provided however that any business required to obtain a license pursuant to this law, and who was not so required prior to the adoption of this law, shall not be required to obtain such license until the expiration of the sixtieth day after adoption of this law.

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No.10 of 2010 of the ~~(County)(City)(Town)(Village)~~ of Rockville Centre was duly passed by the Board of Trustees on June 8, 2010, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**5. (City local law concerning Charter revision proposed by petition.)**

---

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_20\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_20\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_1\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body.

Date: June 8, 2010

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature

Village Attorney  
Title

County

City

of Rockville Centre

Town

Village

Date: June 8, 2010