

Local Law Filing

New York State Department of State
41 State Street, Albany, NY 12231

TOWN OF CONSTABLE

Local Law No. 2 of the year 2021

A LOCAL LAW OPTING OUT OF ALLOWING CANNABIS DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS IN THE TOWN OF CONSTABLE

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

- § 1. **Legislative Intent**
- §2. **Authority**
- §3. **Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out**
- §4. **Permissive Referendum/Referendum on Petition**
- §5. **Severability**
- §6. **Repeal**
- §7. **Effective Date**

§1. Legislative intent:

It is the intent of this Local Law to opt the Town of Constable out of hosting retail cannabis dispensaries and on-site cannabis consumption establishments within its boundaries.

§2. Authority

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes the Town Board to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within Town boundaries.

§3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Town Board of the Town of Constable, Franklin County, New York, hereby opts-out of licensing and establishing cannabis retail dispensaries and cannabis on-site consumption establishments within the Town's boundaries.

§4. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedures outlined in Municipal Home Rule Law § 24.

§5. Severability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Constable hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

§6. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

§7. Effective Date

This law shall become effective upon filing with the office of the New York State Secretary of State.