

**VILLAGE OF CANASTOTA
PROPOSED LOCAL LAW NO. _A_ OF 2021**

**A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF CANASTOTA
TO CREATE A NEW CHAPTER 75 OPTING OUT OF LICENSING AND
ESTABLISHING RETAIL CANNABIS DISPENSARIES AND ON-SITE
CONSUMPTION ESTABLISHMENTS WITHIN THE VILLAGE OF CANASTOTA
PURSUANT TO CANNABIS LAW §131**

Be it enacted by the Village Board of Trustees of the Village of Canastota, pursuant to the provisions of the Municipal Home Rule Law, as follows:

SECTION 1. AUTHORITY

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10 and Cannabis Law §131.

SECTION 2. INTENT

It is the intent of this local law to opt the Village of Canastota out of hosting retail cannabis dispensaries and on-site cannabis consumption establishments within its boundaries.

SECTION 3.

The Code of the Village of Canastota is hereby amended to include a new Chapter 75, titled “Cannabis”, which shall read in its entirety:

“CHAPTER 75. Cannabis

§75-1. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out.

The Board of Trustees of the Village of Canastota, County of Madison, hereby opt-out of licensing and establishing cannabis retail dispensaries and cannabis on-site consumption establishments within its boundaries.”

SECTION 4. SEVERABILITY

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual,

firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law §131, this local law is subject to a permissive referendum and this may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.