

LOCAL LAW NO. ____ OF THE YEAR ____
OF THE INCORPORATED VILLAGE OF SALTAIRE
A LOCAL LAW CREATING SECTION 38-23
OF THE SALTAIRE VILLAGE CODE OPTING OUT OF THE
LICENSURE AND ESTABLISHMENT OF A RETAIL DISPENSARY
LICENSE AND/OR AN ON-SITE CONSUMPTION LICENSE
IN THE VILLAGE OF SALTAIRE
PURSUANT TO §131 OF THE NEW YORK STATE CANNABIS LAW

Section 1.0 Enactment, Effective Date, Purpose and Intent and Findings.

Section 1.1. Title

Section 1.2. Enactment.

Section 1.3. Effective Date.

Section 1.4. Purpose and Intent of Local Law.

Section 1.5. Findings

Section 2.0 General Provisions

Section 2.1. Creation of Section 38-23 of the Saltaire Village Code

Section 3.0 Severability

Section 3.1 Severability

Section 1.0 Enactment, Effective Date, Purpose and Intent and Findings.

1.1. Title

This Local Law shall be entitled, "A Local Law Creating Section 38-23 of the Saltaire Village Code Opting Out of the Licensure and Establishment of a Retail Dispensary License and/or an On-Site Consumption License in the Village of Saltaire".

1.2 Enactment; Subject to Permissive Referendum.

Pursuant to Municipal Home Rule Law, including without limitation Sections 10 and 20 thereof, the Board of Trustees of Village of Saltaire, County of Suffolk and State of New York (“Board of Trustees”), hereby enacts this Local Law subject to permissive referendum governed by section twenty-four of the Municipal Home Rule Law, requesting the Cannabis Control Board to prohibit the establishment of such retail dispensary licenses and/or on-site consumption licenses contained in article four of the Cannabis Law.

1.3. Effective Date. This Local Law shall take effect thirty days after the adoption of the local law or on the authorization pursuant to a permissive referendum governed by section twenty-four of the Municipal Home Rule Law in the event that a permissive referendum is conducted, and thereafter on the filing of this Local Law with the Secretary of State of the State of New York.

1.4. Purpose and Intent of this Local Law.

The purpose and intent of the Local Law is for the Village of Saltaire to opt-out of the establishment and licensing of retail dispensary licenses and/or on-site consumption licenses contained in article four of the Cannabis Law pursuant to Section 131 of the New York State Cannabis Law.

1.5 Findings.

The Board of Trustees after a review of available information and due deliberation hereby finds that it is in the best interests of the quality of life, health, safety and well-being of the residents of the Village, and the orderly development of the Village of Saltaire, that the Village of Saltaire opts-out of the establishment and licensing of retail dispensary licenses and/or

on-site consumption licenses as provided in article four of the Cannabis Law pursuant to Section 131 of the Cannabis Law.

2.0 General Provisions

2.1 Creation of Section 38-23 of the Saltaire Village Code

Section 38-23 of the Saltaire Village Code is hereby created to read as follows:

“Section 38-23 Opt-Out of Licensing of Cannabis Dispensaries and/or Cannabis On-Site Consumption Establishments in the Village of Saltaire.

(A) Findings: The Board of Trustees after a review of available information and due deliberation hereby finds that it is in the best interests of the quality of life, health, safety and well-being of the residents of the Village, and the orderly development of the Village of Saltaire, that the Village of Saltaire opts-out of the establishment and licensing of retail dispensary licenses and/or on-site consumption licenses as provided in article four of the Cannabis Law pursuant to Section 131 of the Cannabis Law.

(B) The Village of Saltaire hereby elects to opt-out of the provisions of the New York State Cannabis Law allowing the establishment and licensing of retail cannabis dispensaries and/or cannabis on-site consumption establishments within the Village of Saltaire and requests the Cannabis Control Board to prohibit the establishment of such retail dispensary licenses and/or on-site consumption licenses as provided in article four of the Cannabis Law within the Village of Saltaire.

(C) Upon the adoption of this Section by the adoption of a local law subject to permissive referendum, notice shall be provided to the Cannabis Control Board as provided by Section 131 of the New York State Cannabis Law, and the Cannabis Control Board shall not issue a retail dispensary license and/or an on-site consumption license as provided in article four of the Cannabis Law within the Village of Saltaire.”

3.0 Severability

3.1 Severability

The provisions of this Local Law are declared to be severable, and if any section, sentence, clause or phrase of this article shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Local Law, but they shall remain in effect, it being the legislative intent that this Local Law shall stand, notwithstanding the invalidity of any part.