

INTRODUCTORY LOCAL LAW NO. ____ OF 2021

**BOARD OF TRUSTEES
VILLAGE OF NELSONVILLE**

A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Nelsonville.

BE IT ENACTED by the Board of Trustees of the Village of Nelsonville, County of Putnam and State of New York ("Village") as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Nelsonville out of permitting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries. NYS Cannabis Law § 131 provides that a local law is required for a village to not permit retail cannabis dispensaries and on-site cannabis consumption establishments from locating and operating within a municipality, and is subject to a permissive referendum.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes villages to not permit retail cannabis dispensaries and on-site cannabis consumption establishments to locate and operate within village boundaries.

Section 3. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

The Board of Trustees of the Village hereby opts-out of permitting the licensing, establishment and operation of 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 thus may not be filed with the**

Secretary of State until the applicable time period has elapsed for a petition to be filed for a referendum by the requisite number of registered voters or a referendum has been conducted approving this local law.