

PROPOSED LOCAL LAW NO. 1 FOR THE YEAR 2021

A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES IN THE TOWN OF GROTON, AS AUTHORIZED BY N.Y.S. CANNABIS LAW ARTICLES 4 AND 6

Be it enacted by the Town Board of the Town of Groton, County of Tompkins as follows:

Section 1. Legislative Intent

- A. The newly established N.Y.S. Cannabis Law, Chapter 7-a of the Consolidated Laws of the State of New York, provides at Article 6, §131, that the licensure and establishment of a retail dispensary license and/or on-site consumption license under the provisions of Article 4 of Chapter 7-a shall not be applicable to a town, city or village which, after the effective date of the chapter and before December 31, 2021, adopts a local law, subject to permissive referendum governed by §24 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 within the jurisdiction of the town, city or village.
- B. It is the intent of this Local Law that the Town of Groton opt out from allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town that otherwise would be allowed under Cannabis Law Article 4.
- C. More specifically, the Town Board finds that permitting such establishments requires a more careful review of the unique impact of such premises on the health, safety and welfare of the residents of the Town of Groton and the affects upon the Hamlets of McLean, Peruville, West Groton, and Groton City as well as other residential areas, schools and churches. In addition, the as yet unresolved issues addressing enforcement of the new laws and guidelines related to cannabis sale and use, would not be, at the current time, in the best interests of Town of Groton residents.

Section 2. Authority

This Local Law is adopted pursuant to Cannabis Law §131, which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

Section 3. Local Opt-Out

The Town Board of the Town of Groton hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town of Groton's jurisdiction.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law, or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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. Permissive Referendum/Referendum on Petition

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

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.