



## The Town of Danby, New York

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<https://danby.ny.gov>

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### Proposed Local Law No 6 of 2021

### Opting Out of Adult Use Cannabis On-Site Consumption Sites

A local law to opt out of allowing cannabis on-site consumption sites as authorized under Cannabis Law Article 4

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

#### Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing cannabis on-site cannabis consumption sites in the Town of Danby that would otherwise be allowed under Cannabis Law Article 4.

#### 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 to 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 Danby hereby opts out of allowing on-site cannabis consumption sites from being established and operated within the town'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 6. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.

**DRAFT**