

TOWN OF CHARLOTTE LOCAL LAW NO. 1 OF THE YEAR 2021

A LOCAL LAW ENACTING THE CANNABIS DISPENSARY AND ON-SITE CANNABIS CONSUMPTION
ESTABLISHMENT OPT-OUT

OF THE TOWN OF CHARLOTTE

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF
CHARLOTTE AS FOLLOWS:

SECTION 1. PURPOSE:

It is the intent of this Local Law to opt the Town of Charlotte out of both hosting retail cannabis dispensaries and on-site cannabis consumption establishments within the boundaries of the Town.

SECTION 2. AUTHORITY:

This Local Law is enacted pursuant to the provisions of Cannabis Law § 131 (also referred to as the Marijuana Regulation and Taxation Act), which expressly authorizes towns, cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries, and the New York State Municipal Home Rule Law.

SECTION 3. TITLE:

The title of this Local Law shall be “Cannabis Dispensary and On-Site Cannabis Consumption Establishment Opt-Out of the Town of Charlotte”.

SECTION 4. LOCAL CANNABIS RETAIL DISPENSARY AND ON-SITE CONSUMPTION OPT-OUT.

The Town Board of the Town of Charlotte, County of Chautauqua, State of New York, hereby opts-out of licensing and establishing both cannabis retail dispensaries and cannabis on-site consumption establishments within its boundaries, and requests the New York Cannabis Control Board to prohibit the establishment of such retail dispensary licenses and on-site consumption licenses in the Town of Charlotte.

SECTION 5. 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 6. 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 to file a petition or a referendum has been conducted approving this Local Law.

DATED: November 3, 2021

Susan L. Peacock

Town Clerk
Town of Charlotte, NY 14782