

Local Law 2 – 2021

A LOCAL LAW ADOPTED PURSUANT TO CANNABIS LAW SECTION 131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF CARROLLTON

Pursuant to Town Law and Municipal Home Rule Law of the State of New York, the Town Board of the Town of Carrollton, County of Cattaraugus, State of New York does enact the following Local Law:

Section 1. Legislative Intent

It is the intent of this local law to opt the Town of Carrollton out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes municipalities to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

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

The Town Board of Carrollton hereby opts-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the area of the Town of Carrollton. Thus, the Town of Carrollton requests the Cannabis Control Board to prohibit the establishment of such retail dispensary licenses and/or on-site consumption licenses contained in Article 4 of the Cannabis Law within the jurisdiction of the Town of Carrollton as above delineated.

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.

BE IT ENACTED this 21st day of December, 2021 by the TOWN OF CARROLLTON, CATTARAUGUS COUNTY, NEW YORK to be effective immediately.

Town Supervisor Robert Rinfrette -AYE

Councilman Jay Little-----AYE

Councilman Dan Newbury -----AYE

Councilman James Rounsville -----AYE

Councilman Ralph Bottone--Not Present



SEAL

Julie M. Carlson, Town Clerk
Attest.