

Town of Smithville

Local Law No. 4 For The Year 2021

A Local Law Entitled "Cannabis Law ~131 OPT-OUT"

Be it enacted by the Town Board of Smithville as follows:

Section 1. Legislative Intent

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

Section 2. Authority

This law is adopted pursuant to Cannabis Law~131, which expressly authorizes cities and Towns to opt-out of allowing retail cannabis dispensaries and/or onsite 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 the Town of Smithville hereby opts-out of licensing and establishing cannabis retail dispensaries and/or 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 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 to file a petition or a referendum has been conducted approving this local law.