

Town of St. Armand

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Supervisor

Davina Winemiller

Deputy Supervisor

D. Joseph Bates

Town Council Members

Donald Amell

Jennifer Fuller

Karl Law

RESOLUTION # 78 OF 2021

RESOLUTION INTRODUCING PROPOSED LOCAL
LAW NO. 2 OF 2021 ENTITLED "A LOCAL LAW TO
OPT OUT OF ALLOWING CANNABIS RETAIL
DISPENSARIES AND ON-SITE CONSUMPTION SITES
AS AUTHORIZED UNDER CANNABIS LAW ARTICLE 4"

Councilperson Jennifer Fuller, who moved its adoption, offered the following Resolution:

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

BE IT RESOLVED that the Town Board of the Town of St. Armand hereby introduces proposed Local Law No. 2 of 2021 entitled "A Local Law to Opt Out of Allowing Cannabis Dispensaries and On-site Consumption Sites as Authorized Under Cannabis Law Article 4," reading and provided as follows:

"TOWN OF ST. ARMAND LOCAL LAW No. 2 OF 2021"

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

BE IT ENACTED, by the Town of St. Armand Town Board, County of Essex as follows:

Section 1. Legislative Intent.

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of St. Armand 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 St. Armand hereby opts out of allowing cannabis retail dispensaries and 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 judgement 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, form or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Permissive Referendum

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

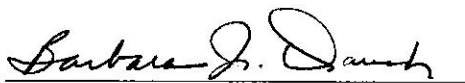
This local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Armand shall hold and conduct a public hearing on the foregoing proposed local law on the 30th day of November, 2021, at 6:00 p.m. in the forenoon of that day, at the St. Armand Town Hall to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Town of St. Armand will publish a notice of such hearing in the designated Town newspaper at least five days prior to said hearing.

This Resolution was duly seconded by Councilperson Karl Law, and adopted by Roll Call vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	ABSENT
Councilperson Donald Amell	NAY
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE



Barbara J. Darrah
St. Armand Town Clerk

Dated: November 30, 2021

