

A LOCAL LAW to amend the Code of the Town of Yorktown to add Chapter 301 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 Board of the Town of Yorktown as follows:

**Section 301-1. 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 Yorktown that would otherwise be allowed under Cannabis Law Article 4.

**Section 301-2. Statement of 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 of Yorktown, and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.

**Section 301-3. Local Opt-Out**

The Town Board of the Town of Yorktown 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 301-4. 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 301-5. Severability.**

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

**Section 301-6. Effective Date.**

This local law shall become effective immediately upon filing in the office of the Secretary of State.