



TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

LEGAL NOTICE OF RESOLUTION ADOPTING LOCAL LAW SUBJECT TO PERMISSIVE REFERENDUM

PLEASE TAKE NOTICE that the Town Board of the Town of Amenia, at a regular meeting held on November 18, 2021, duly adopted a resolution, subject to permissive referendum, that would enact Local Law No.x of 2021, which reads as follows:

“Section-I: LEGISLATIVE INTENT

It is the intent of this Local Law to opt out of allowing the licensing and establishment of cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Amenia that would otherwise be allowed under Cannabis Law Article 4. The Town Board, after careful examination of the law, has determined that it is in the best interest of the citizens of the Town of Amenia to opt out of the licensing and establishment of cannabis retail dispensaries and on-site consumption sites within the Town of Amenia.

Section II: 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.

Section III: LOCAL OPT-OUT

The Town Board of the Town of Amenia 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 IV: SEVERABILITY

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstances, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment 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, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section V: 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 VI: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State, provided that such filing occurs no sooner than 45 days after the adoption of this Local Law by the Town Board. Pursuant to Cannabis Law § 131, this Local Law is subject to a permissive referendum and 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.”

Pursuant to NYS Cannabis Law § 131, this action by the Town Board is subject to permissive referendum governed by NYS Municipal Home Rule Law § 24.

Dated: Amenia, New York
November 18, 2021

By Order of the Town Board of the Town of Amenia

DAWN MARIE KLINGNER, TOWN CLERK