



TOWN OF AMENIA TOWN BOARD

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

Resolution No. 28 of 2025

RE: ADOPTING “LOCAL LAW NO. 1 OF THE YEAR 2025, REPEALING LOCAL LAW NO. 1 OF 2022 AND OPTING-IN TO ALLOW CANNABIS RETAIL DISPENSARIES WITHIN THE TOWN OF AMENIA”

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Amenia introducing a proposal Local Law entitled “Local Law No. 1 of the Year 2025, Repealing Local Law No. 1 of 2022 and Opting-In to Allow Cannabis Retail Dispensaries within the Town of Amenia”; and

WHEREAS, a Public Hearing was duly advertised in the Millerton News, the official newspaper of the Town; and

WHEREAS, a Public Hearing was held on January 16, 2025 and continued on February 6, 2025, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board determined that the proposed Local Law was a Type II action and not subject to environmental review; and

WHEREAS, the Town Board after due deliberation, finds that it is in the best interest of the Town to adopt said Local Law; and

WHEREAS, said Local Law has been on the desks of the members of the Town Board for at least seven (7) days, exclusive to Sunday, prior to the adoption of this Resolution

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations set forth above are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board of the Town of Amenia hereby adopts the Local Law entitled “Local Law No. 1 of the Year 2025, Repealing Local Law No. 1 of 2022 and Opting-In to Allow Cannabis Retail Dispensaries within the Town of Amenia” in the form annexed hereto.
3. The Town Clerk is directed, within ten (10) days of the adoption of this Resolution, to publish a copy of the Local Law together with Notice of Adoption in the Millerton

News, the official newspaper of the Town of Amenia and to post a copy thereof on the Town's official signboard maintained pursuant to § 30(6) of Town Law and on the Town's website.

4. The Town Clerk is further directed to enter said Local Law in the minutes of this meeting into the Local Law book for the Town of Amenia and shall file the Local Law with the Secretary of State of New York upon the expiration of the permissive referendum as provided by law.

5. The Town Clerk is further directed to file a copy of the Local Law with the Office of Cannabis Management.

Motioned By: C/Winters

Seconded By: S/Blackman

The foregoing resolution was voted upon with all councilmembers voting as follows:

Supervisor Blackman	Aye
Councilmember Rebillard	Aye
Councilmember Hamm	Nay
Councilmember Winters	Aye
Councilmember Ahearn	Aye

Dated: Amenia, New York
February 6, 2025


DAWN MARIE KLINGNER, TOWN CLERK



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TOWN OF AMENIA **Local Law No. 1 of 2025**

A Local Law entitled “Repealing Local Law No. 1 of 2022 and Opting-In to Allow Cannabis Retail Dispensaries within the Town of Amenia” as authorized by the New York State Cannabis Law.

BE IT ENACTED by the Town Board of the Town of Amenia, County of Dutchess as follows:

Section I: LEGISLATIVE INTENT

It is the intent of this Local Law to repeal Local Law No. 1 of 2022, and opt-in to allow on-site cannabis retail dispensaries in the Town of Amenia under New York State Cannabis Law Article 4.

Section II: AUTHORITY

This Local Law is adopted pursuant to New York State Cannabis Law §131, which authorizes the Town Board to repeal a local law which prohibited establishment of cannabis retail dispensary licenses in the Town, subject to a permissive referendum under New York State Municipal Home Rule Law §24.

Section III: LOCAL OPT-IN

The Town Board repeals Local Law No. 1 of 2022, by which the Town Board opted-out of allowing cannabis retail dispensaries. By this new Local Law, the Town Board opts-in for allowing on-site cannabis retail dispensaries 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.



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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 February 6, 2025, duly adopted a resolution, subject to permissive referendum, that would enact Local Law No. 1 of 2025, which reads as follows:

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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
February 6, 2025

By Order of the Town Board of the Town of Amenia

DAWN MARIE KLINGNER, TOWN CLERK