New York State Department of State
41 State Street, Albany, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Claverack
Town
~~Village~~

Local Law No. 2 of the year 2021

A local law to opt-out of allowing adult use on-site cannabis consumption sites to locate within the Town of Claverack as authorized under Article 4 of the Marijuana Regulation and Taxation Act.

Be it enacted by the Town Board (Name of Legislative Body) of the

~~County~~
~~City~~ of Claverack as follows:
Town
~~Village~~

SECTION 1. LEGISLATIVE INTENT

It is the intent of the Town of Claverack to opt out of allowing on-site cannabis consumption sites in the Town of Claverack that would otherwise be allowed under the New York State Marijuana Regulation and Taxation Act.

SECTION 2. AUTHORITY

This Local Law is adopted pursuant to New York State Marijuana Regulation and Taxation Act § 131, which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of on-site consumption licenses within the jurisdiction of the Town. This Local Law is subject to a permissive referendum/referendum on petition pursuant to Municipal Home Rule Law § 24.

SECTION 3. LOCAL OPT-OUT

The Town Board hereby opts out of allowing on-site cannabis consumption sites from being established and operated within the Town's jurisdiction. In accordance with the New York State Marijuana Regulation and Taxation Act § 131(1), the Town Board requests the Cannabis Control Board to prohibit the establishment of on-site consumption licenses contained in Article four of the New York State Marijuana Regulation and Taxation Act within the jurisdiction of the Town of Claverack.

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 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 5. PERMISSIVE REFERENDUM / REFERENDUM ON PETITION

This Local Law is subject to a referendum on petition in accordance with New York State marijuana Regulation and Taxation Act § 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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2021 of the Town of Claverack was duly passed by the Town Board on 12/9/21, in
(Name of Legislative Body)
accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.*)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20___ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20___, and was (approved)(not
(Name of Legislative Body)
approved) (repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer*)
on _____, 20___, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20___, and was (approved)(not
(Name of Legislative Body)
approved)(repassed after disapproval) by the _____ on _____,
(Elective Chief Executive Officer*)
20___. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20___, and (approved)(not
(Name of Legislative Body)
approved) (repassed after disapproval) by the _____ on _____, 20____.
(Elective Chief Executive Officer*)
Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, _____, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Mary Hoose

Mary Hoose, Town Clerk

(Seal)

Date: December 09, 2021