**DRAFT LOCAL LAW NO. 2 OF 2021**

**VILLAGE OF TUXEDO PARK**

**A LOCAL LAW OPTING OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE VILLAGE OF TUXEDO PARK**

BE IT ENACTED by the Board of Trustees of the Village of Tuxedo Park, Orange County, New York as follows:

**Section 1. Legislative Intent.**

It is the intent of this local law to opt the Village of Tuxedo Park out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

**Section 2.  Authority.**

This local law is adopted pursuant to the provisions of NYS Cannabis Law § 131, which expressly authorizes villages to opt-out of permitting retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3.  Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out**

The Board of Trustees of the Village of Tuxedo Park, County of Orange, hereby opts-out of licensing and establishing cannabis dispensaries and cannabis on-site consumption establishments within Village Boundaries.

**Section 4.  SEQRA.**

 The adoption of this Local Law is a Type II Action under SEQRA regulations.

**Section 5.  Severability.**

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 6.  Effective date.**

This local law shall be effective immediately upon the filing with the Secretary of State. Pursuant to NYS Cannabis Law § 131, this Local Law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or the referendum has been conducted and approves this local law.