

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING TO SOLICIT PUBLIC INPUT REGARDING LOCAL OPT-OUT PROVISIONS OF THE MARIJUANA REGULATION AND TAXATION ACT OF 2021.

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on December 6, 2021, at 7:05 p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to solicit public input in the opt-out provisions of the MRTA, as they relate to onsite locations for the retail dispensation of, and/or consumption of, marijuana and cannabis products.

Copies of the proposed local law are posted at <https://cliftonpark.org/government/legal-notices.html> , and are available for review in the Town Clerk's office during normal business hours.

Teresa Brobston Town Clerk

Local Law No. __ of 2021

A local law Opting out of Adult Use Cannabis On-Site Consumption Sites.

Local Law No _____ of the year 2021

A local law to opt out of allowing retails sales and/or on-site consumption sites as authorized under Cannabis Law Article 4

Be it enacted by the Town of Clifton Park County of Saratoga as follows:

That Chapter 59.1 of the Town Code is hereby amended as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing retail sales and/or on-site cannabis consumption sites in the Town of Clifton Park that would otherwise be allowed under Cannabis Law Article 4.

Section 2. 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 sales and/or on-site consumption licenses within the jurisdiction of the Town and is subject to a permissive referendum, pursuant to Municipal Home Rule Law § 24.

Section 3. Local Opt-Out

- (a) The Town Board of the Town of Clifton Park hereby opts out of the provisions of the Cannabis Laws that allow on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.
- (b) The Town Board of the Town of Clifton Park hereby opts out of the provisions of the Cannabis Laws that allow the retail sale or distribution of cannabis products within the Town's Jurisdiction.
- (c) The Town Board hereby requests that the Cannabis Control Board prohibit the establishment of retail sales dispensaries, stores or locations, for the sale or distribution of cannabis products within the Town of Clifton Park, Saratoga County, New York.
- (d) The Town Board hereby requests that the Cannabis Control Board prohibit the establishment of on-site locations, facilities, sites, or businesses for the consumption of cannabis products within the Town of Clifton Park, Saratoga County, New York.

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 Cannabis Law § 131 and the procedure outlined in Municipal Home Rule Law § 24.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.