

TOWN OF GALWAY
LOCAL LAW NO. OF 2021

A Local Law Opting Out of Adult Use Cannabis Retail Dispensaries and On-Site
Consumption

1. Purpose

A local law to opt out of allowing cannabis retail dispensaries and on-site consumption sites is authorized under New York's Cannabis Law Article 4. It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Galway that would otherwise be allowed under Cannabis Law Article 4.

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 dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town of Galway and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

3. Local Opt-Out

The Town Board of the Town of Galway hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the town's jurisdiction.

4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or application thereof to any person, firm or corporation, or circumstances, 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 therefor, 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 circumstances, directly involved in the controversy on which such judgment or order shall be rendered.

5. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum petition in accordance with New York Cannabis Law §131 and the procedure outlined in Municipal Home Rule §24.

6. Effective Date

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