

**PROPOSED**  
LOCAL LAW NO. 3 OF 2021  
TOWN OF NEW HAVEN, COUNTY OF OSWEGO

**A Local Law Opting-Out From The Issuance Of Retail Dispensaries And On-Site  
Consumption Licenses as Authorized By the Marijuana Regulation and Taxation Act**

BE IT ENACTED by The Town Board of the Town of New Haven, Oswego County, New York as follows:

**Section 1. Legislative Intent**

It is the intent of this local law for the Town of New Haven to opt-out of hosting retail cannabis dispensaries and on-site cannabis consumption sites within its boundaries, that would otherwise be allowed under Article 4 of the New York State Marijuana Regulation and Taxation Act (MRTA).

**Section 2. Authority**

This local law is adopted pursuant to MRTA § 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 cannabis consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by the Municipal Home Rule Law §24.

**Section 3. Local Law Opt-Out**

The Town Board of the Town of New Haven hereby opts-out of licensing and establishing cannabis retail dispensaries and cannabis on-site consumption establishments within its boundaries and requests the Cannabis Control Board to prohibit the establishment of such retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town.

**Section 4. Severability**

If a Court 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 5. Permissive Referendum**

This local law is subject to a referendum on petition in accordance with MRTA §131 and the procedure outlined in Municipal Home Rule §24.

**Section 6. Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.