

PLEASE TAKE NOTICE: That the Town Board of the Town of Gerry will hold a Public Hearing on a proposed Local Law No. 3 of 2021 “A Local Law to Opt Out OF Allowing Cannabis Retail Dispensaries and On-Site Consumption Sites as Authorized Under Cannabis Law article 4” at 7:00PM, August 12th, 2021 at the Gerry Town Hall, 4519 Route 60, Gerry, NY as follows:

Section 1. LEGISLATIVE INTENT

It is the intent of this Local Law to opt out of allowing cannabis retail dispensaries and on- site consumption sites in the Town of Gerry 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 dispensary licenses and /or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law 24.

Section 3. Local Opt-Out

The Town Board of the Town of Gerry hereby opts out of allowing cannabis retail dispensaries and on- site cannabis consumptions sites from being established and operated with in the town’s jurisdiction.

Section 4. SERVABILITY

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, 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 6. EFFECTIVE DATE

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

By order of the Gerry Town Board
Jodie L. Fehlman,
Town Clerk
Town of Gerry