

**VILLAGE OF BUCHANAN
LOCAL LAW INTRODUCTORY NO. __ OF THE YEAR 2021**

**A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF BUCHANAN BY
ADDING A NEW CHAPTER 70 OPTING OUT OF THE LICENSING AND
ESTABLISHING OF RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS
CONSUMPTION ESTABLISHMENTS WITHIN THE VILLAGE OF BUCHANAN**

**Chapter 70. CANNABIS DISPENSARY AND ON-SITE CONSUMPTION
OPT-OUT**

Section One:

§ 70-1 Legislative Intent

It is the intent of this local law that the Village of Buchanan opt out of having retail cannabis dispensaries and on-site cannabis consumption establishments licensed to operate or established within the Village of Buchanan.

§ 70-2 Authority

This local law is adopted pursuant to New York Cannabis Law § 131, which expressly authorizes villages to opt-out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments to be licensed or established within their boundaries.

§ 70-3 Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

A. The Board of Trustees of the Village of Buchanan, County of Westchester, hereby opts out of having retail cannabis dispensaries and on-site cannabis consumption establishments licensed or established within the boundaries of the Village of Buchanan, Westchester County, New York.

B. Pursuant to the New York Cannabis Law § 131, the Village of Buchanan hereby requests the Cannabis Control Board to prohibit the establishment of retail dispensary licenses and on-site consumption licenses contained in Article Four of the New York State Cannabis Law (Chapter 7-A of the Consolidated Laws) within the jurisdiction of the Village of Buchanan, Westchester County, New York.

Section 2: Severability

If any section, subsection, clause, phrase, or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be

deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 3: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to New York State 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 a referendum has been conducted approving this local law.