

**TOWN OF BETHANY RESOLUTION # ___-2021
RELATING TO A PROPOSED LOCAL LAW ENTITLED "CANNABIS LOCAL LAW
OPTING OUT OF RETAIL SALES AND ON-SITE CONSUMPTION
ESTABLISHMENTS"**

A LOCAL LAW ADOPTED PURSUANT TO CANNABIS LAW 131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF BETHANY.

SECTION 1. LEGISLATIVE INTENT

IT IS THE INTENT OF THIS LOCAL LAW FOR THE TOWN OF BETHANY TO OPT OUT OF HOSTING RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS ESTABLISHMENTS WITHIN ITS BOUNDARIES.

SECTION 2. AUTHORITY

THIS LOCAL LAW IS ADOPTED PURSUANT TO CANNABIS LAW 131, WHICH EXPRESSLY AUTHORIZES CITIES, TOWN, AND VILLAGES TO OPT-OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES AND ONSITE CANNABIS CONSUMPTION ESTABLISHMENTS TO LOCATE AND OPERATE WITHIN THEIR BOUNDERIES.

SECTION 3. LOCAL CANNABIS RETAIL DISPENARY AND ON-SITE CONSUMPTION OPT-OUT

THE TOWN BOARD OF THE TOWN OF BETHANY, COUNTY OF GENESEE, HEREBY OPT-OUT OF LICENSING AND ESTABLISHING CANNABIS RETAIL DISPENSARIES AND CANNABIS ON-SITE CONSUMPTION ESTABLISHMENTS WITHIN ITS BOUNDARIES.

SECTION 4. SEVERABILITY

IF A COURT DETERMINES THAT ANY CLAUSE, SENTENCE, PARAGRAPH, SUBDIVISION, OR PART OF THIS LOCAL LAW OR APPLICATION THEREOF TO ANY PERSON, FIRM OR CORPORATION, OR CIRCUMSTANCE IS INVALID OR UNCONSTITUTIONAL, THE COURT'S ORDER OR JUDGEMENT SHALL NOT AFFECT, IMPAIR, OR INVALIDATE THE REMAINDER OF THIS LOCAL LAW, BUT SHALL BE CONFINED IN ITS OPERATION TO THE CLAUSE, SENTENCE, CORPORATION OR CIRCUMSTANCE, DIRECTLY INVOLVED IN THE CONTROVERSAARY IN WHICH SUCH JUDGEMENT OR ORDER SHALL BE RENDERED.

SECTION 5. EFFECTIVE DATE

THIS LOCAL LAW SHALL TAKE EFFECT IMMEDIATELY UPON FILING WITH THE SECRETARY OF STATE. PURSUANT TO CANNABIS LAW 131, THIS LOCAL LAW IS SUBJECT TO A PERMISSIVE REFERENDUM AND THIS 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.