

**PUBLIC NOTICE  
TOWN OF BETHANY**

Notice is hereby given that the Town Board of the Town of Bethany, Genesee County, New York, at a regular meeting thereof, held on the 13th day of October 2021, duly adopted, subject to permissive referendum, a resolution, an abstract of which is as follows:

**RESOLUTION ADOPTING LOCAL LAW ENTITLED,  
“CANNABIS LOCAL LAW OPTING OUT OF RETAIL SALES  
AND ON-SITE CONSUMPTION ESTABLISHMENTS”  
SUBJECT TO PERMISSIVE REFERENDUM**

**WHEREAS**, the Town Board of the Town of Bethany held a socially distanced public hearing due to the COVID-19 regulations on the proposed adoption of said local law on the 13th day of October, 2021 at 7:30 p.m., at which time all interested parties and citizens for or against the proposed law were heard; and

**WHEREAS**, former Governor, Andrew Cuomo signed into law the Marijuana Regulation and Taxation Act (MRTA) on March 31, 2021; and

**WHEREAS**, the Town Board of the Town of Bethany has considered a proposed local law known as “Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments,” which would prohibit retail dispensaries and on-site consumption establishments within the boundaries of the Town of Bethany; and

**WHEREAS**, Tax Law §493(c) places a 4% local tax on the retail sale of adult-use cannabis. If the Town of Bethany adopts the proposed local law to opt-out of the retail sales and on-site consumption establishments of cannabis, the Town of Bethany will not receive 3% of the of the implemented local tax; and

**WHEREAS**, Local governments, such as the Town Board of the Town of Bethany must adopt a local law subject to permissive referendum to opt-out of the retail sales and on-site consumption establishments of cannabis on or before December 31, 2021. No laws opting out of retail sales and on-site consumption establishments of cannabis are eligible to be adopted after December 31, 2021; and

**WHEREAS**, in an effort to combat drug use in the County of Genesee, the Town Board of the Town of Bethany believes it to be wise to prohibit cannabis retail dispensaries and on-site consumption establishments within the Town of Bethany. With that being said, the Town Board of the Town of Bethany finds in the best interest of the Town of Bethany to adopt the proposed local law entitled, “Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments”; and

**NOW THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Bethany hereby adopts the local law entitled, “Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments,” subject to a permissive referendum as permitted by law.

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF BETHANY, NEW YORK.**

DATED: 14 October \_\_\_\_\_, 2021

RUTH A. BODKINS, CLERK  
TOWN OF BETHANY