

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Saratoga

Local Law No. 1 of the year 2021

A local law to opt out of permitting retail onsite consumption of cannabis in the Town of Saratoga pursuant to NYS Cannabis Law Section 131

Be it enacted by the Town Board of the  
(Name of Legislative Body)

Town of Saratoga as follows:

Be it enacted by the Town Board of the Town of Saratoga, Saratoga County, New York, as follows:

**Section 1. Legislative Intent:** It is the intent of this Local Law to opt out of retail on-site cannabis consumption sites in the Town of Saratoga 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 of Saratoga Town Board (“Town Board”) to adopt a local law, subject to permissive referendum governed by §24 of the Municipal Home Rule Law, requesting the Cannabis Control Board to prohibit the retail on-site consumption licenses for adult use cannabis within the jurisdiction of the Town.

**Section 3. Local Opt-Out:** The Town Board hereby opts out of allowing retail on-site cannabis consumption sites from being established and operated within the Town’s jurisdiction.

**Section 4. Request to Cannabis Control Board:** The Town Board hereby requests that the Cannabis Control Board prohibit the establishment of retail on-site consumption licenses for adult-use cannabis within the jurisdiction of the Town of Saratoga.

**Section 5. Severability** 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 adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 6. Permissive Referendum/Referendum on Petition** This Local Law is subject to a permissive referendum on petition in accordance with Cannabis Law §131, and the procedure outlined in Municipal Home Rule Law §24. If a valid petition protesting this Local Law is filed, a special election of the qualified electors shall be held.

**Section 8. Effective Date.** This Local Law shall take effect immediately.