

Chapter 73

CANNABIS

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Cannabis Retail Dispensary and On-Site Consumption Establishment Opt-Out

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Cannabis Retail Dispensary and On-Site Consumption Establishment Opt-Out [Adopted 12-14-2021 by L.L. No. 1-2022]

§ 73-1. Legislative intent.

It is the intent of this article to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Village of Camden that would otherwise be allowed under Cannabis Law Article 4.

§ 73-2. Statutory authority.

This article is adopted pursuant to Cannabis Law § 131 which expressly authorizes the Village 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 Village and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24 and Article 9 of the Village Law of the State of New York.¹

§ 73-3. Local opt-out.

The Village Board of the Village of Camden hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Village's jurisdiction.

§ 73-4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this article 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

1. Editor's Note: No valid petition for referendum was filed.

affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article 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.

§ 73-5. Permissive referendum/referendum on petition.

This article is subject to a referendum on petition in accordance with New York State Cannabis Law § 131 and the procedures outlined in New York Municipal Home Rule Law § 24 and Article 9 of the Village Law of the State of New York.

§ 73-6. When effective.

This article shall take effect immediately upon filing in the office of the Secretary of State.