

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF SKANEATELES**

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member McCormack has introduced for consideration Local Law No. 5 of 2021 entitled A Local Law Adopted Pursuant to Cannabis Law § 131 to Opt Out of Licensing and Establishing Cannabis On-Site Consumption Sites Within the Town of Skaneateles" (the "Local Law"); and

WHEREAS, New York State Cannabis Law § 131 expressly authorizes the Town Board to adopt a local law requesting that the Cannabis Control Board prohibit the establishment of cannabis on-site consumption licenses within the jurisdiction of the town (hereafter referred to as "Opting Out"); and

WHEREAS, if the Town Board decides to Opt Out, that decision is subject to a permissive referendum pursuant to Municipal Home Rule Law § 24; and

WHEREAS, the Town Board classified the Local Law as a Type II Action under SEQRA because it involves the "adoption of regulations, policies, procedures and local legislative decisions" 6 NYCRR 617.5 (c)(33); and

WHEREAS, the Town held a public hearing on December 6, 2021 to hear public input on the Local Law; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby adopts the Local Law; and

BE IT FURTHER RESOLVED that the Town Clerk is directed to file the Local Law with the Secretary of State and to arrange for the publication of a notice of permissive referendum pursuant to the Municipal Home Rule Law § 24.

The adoption of the foregoing Resolution was moved by Councilor Alexander, seconded by Councilor Legg, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Aye
Courtney Alexander	Voting	Aye
Chris Legg	Voting	Aye
Kevin McCormack	Voting	Absent
Mark Tucker	Voting	Aye

The resolution was thereupon declared duly adopted.

Dated December 6, 2021

CERTIFICATE


STATE OF NEW YORK)
COUNTY OF ONONDAGA)

I, the undersigned Clerk of the Town of Skaneateles, Onondaga County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing resolution setting public hearing with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on December 6, 2021.


Julie Stenger
Town Clerk

Town of Skaneateles
Local Law No. G of the Year 2021
A Local Law Adopted Pursuant to Cannabis Law § 131 to Opt Out of Licensing and Establishing
Cannabis On-Site Consumption Sites Within the Town of Skaneateles

Be it enacted by the Town Board of the Town of Skaneateles (the “Town Board”) as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Town of Skaneateles out of hosting on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis on-site consumption licenses within the jurisdiction of the town, subject to a permissive referendum pursuant to Municipal Home Rule Law § 24.

Section 3. Local Cannabis On-Site Consumption Opt-Out

The Town Board hereby opts-out of licensing and establishing cannabis on-site consumption establishments within its boundaries.

Section 4. State Environmental Quality Review Act (SEQRA)

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law (“SEQRA”) and the regulations adopted thereunder at 6 NYCRR Part 617 and finds this Local Law to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

Section 5. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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. Effective date

This local law shall take effect immediately upon filing with the Secretary of State, provided that such filing occurs no sooner than 45 days after the adoption of this local law by the Town Board. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and 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.