

Chapter 44

CANNABIS

[HISTORY: Adopted by the Town Board of the Town of Skaneateles as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

On-Site Consumption Establishments [Adopted 12-6-2021 by L.L. No. 1-2022]

§ 44-1. Legislative intent.

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

§ 44-2. Authority.

This article 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.

§ 44-3. 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.

§ 44-4. 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 article to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

§ 44-5. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this article 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 article, 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.

§ 44-6. When effective.

This article 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 article by the Town Board. Pursuant to Cannabis Law § 131, this article 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 article.¹

1. Editor's Note: No valid petition for referendum was filed within the required timeframe.