

BE IT ORDAINED AND ENACTED DECEMBER 8, 2021 BY THE TOWN OF CICERO, COUNTY OF ONONDAGA, STATE OF NEW YORK, AS FOLLOWS:

LOCAL LAW FILING – Town of Cicero

Local Law No. 1 of the year 2022

A local law adopting a resolution established a local law to "opt-out" of allowing cannabis retail dispensaries and on site consumption sites in the Town of Cicero that would otherwise be allowed under the Cannabis Law Article 4 that the Cicero Town Board approved on December 8, 2021.

Be it enacted by the Town Board of the Town of Cicero as follows:

I. Local Law 1 of 2022

Adopting a resolution by the Town Board approving Local Law 1 of 2022 officially "Opting Out" of allowing adult use marijuana dispensary sales and on-site consumption facilities within the Town of Cicero pursuant to Section 131 of the New York State Cannabis Regulation and Taxation Act. Dispensaries and on-site consumption facilities are hereby not permitted within the Town of Cicero. The Cicero Town Board authorizes the Town Supervisor to sign and execute all documents with the New York Department of State, the Office of Cannabis Management and any other pertinent departments pertaining to the intent of the cannabis "OPTING-OUT" resolution passed by the Cicero Town Board on December 8, 2021.

A Local Law to opt out of allowing cannabis retail dispensaries and on-site consumption sites as authorized pursuant to the Cannabis Law Article 4.

Be it enacted by the Town of Cicero, County of Onondaga as follows:

Section 1-Legislative Intent:

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

Section 2-Authority:

This Local Law is adopted pursuant to the Cannabis Law Section 131 which expressly authorizes the Town Board to adopt a Local Law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and on-site consumption facility licenses within the Town of Cicero subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law Section 24.

Section 3-Local Opt-Out:

The Town Board of the Town of Cicero hereby opts-out of allowing cannabis retail dispensaries and on-site consumption sites from being established and operated within the Town of Cicero.

Section 4-Severability:

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjusted by any Court of competent jurisdiction or found 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 5-Permissive Referendum on Petition:

This Local Law is subject to Permissive Referendum on Petition in accordance with Cannabis Law Section 131 and the procedures contained in Municipal Home Rule Section 24.

Section 6-Effective Date:

This Local Law shall take effect immediately upon filing with the Secretary of State.

Please note: (Amended) Local Law #14 of 2021 that was adopted by the by the Cicero Town Board on December 9, 2021. Per Robert Germain, Town Attorney no board resolution is required to change the Local Law to #1 of 2022, per the NYS State letter attached. There was a permissive referendum for 45 days that was required before the Local Law could be filed with the state so that is why was filed in 2022. Please see Local Law #14 of 2021 adopted by the Cicero Town Board December 9, 2021 has to be changed to Local Law #1 of 2022