

TOWN OF EDEN
LOCAL LAW NO. 6 OF THE YEAR 2023

A local law imposing a temporary moratorium on the issuance of applications and the granting of zoning permits or approvals for the siting and operation of New York State licensed adult-use cannabis retail dispensaries and on-site consumption sites (hereinafter collectively referred to as "licensed cannabis facilities"), in order to allow for the consideration and possible adoption of appropriate amendments to existing regulations pertaining to such uses,

Be it enacted by the Town Board of the Town of Eden ("Town") as follows:

WHEREAS, on March 31, 2021, the Cannabis Law of the State of New York was signed into law by Governor Hochul legalizing and regulating the possession, sale and use of cannabis products in New York State, and

WHEREAS, the Town of Eden did not "opt-out" of hosting licensed cannabis facilities, and

WHEREAS, the Cannabis Law allows municipalities which have not opted-out of such hosting to enact local laws and regulations governing "the time, place and manner" of the operation of licensed cannabis facilities within the municipality and current local laws, ordinances and regulations do not adequately address the issues and concerns which must be considered to fairly address the impacts of siting such uses in the Town, and

WHEREAS, the Town Board has determined that it is necessary to protect the public interest and welfare by imposing a temporary moratorium on new siting, location and establishment of licensed cannabis facilities while the Town undertakes a close review of the issues raised by the siting and operation of these uses, and

WHEREAS, such moratorium is intended to allow the Town sufficient and necessary time to address such concerns and issues and enact new laws or regulations, and/or appropriate amendments to existing laws or regulations to properly address community impacts, concerns or issues related to the siting and operation of licensed cannabis facilities in a manner which is meaningful and consistent with the Town's comprehensive plan and community welfare.

NOW, THEREFORE, the Town Board of the Town of Eden hereby declares that no new applications shall be issued and no permits or approvals shall be granted by any officer, department, board or agency of the Town of Eden with respect to the siting, location or establishment of licensed cannabis facilities within the Town of Eden for a period of six (6) months from the effective date of this local law, unless earlier terminated by other local law, duly adopted.

This local law is intended to supersede all applicable provisions of the Town of Eden Code, to the extent required to give effect to the provisions hereof for the effective period hereof.