

# VILLAGE OF POTSDAM

Civic Center - Park Street - P.O. Box 5168 - Potsdam, NY 13676

Phone (315) 265-7480

Fax (315) 265-3149

---

## RESOLUTION

Trustee Lee Moved and Trustee Jacobs-Wilke Seconded a resolution as follows:

### LOCAL LAW # 4-2023

#### **Section 1. Purpose.**

The Purpose of this Local Law is to Add Chapter 180, Zoning, Article XIV, Cannabis Law, of the Village of Potsdam Municipal Code.

#### **Section 2. Amendment.**

#### **ADD:**

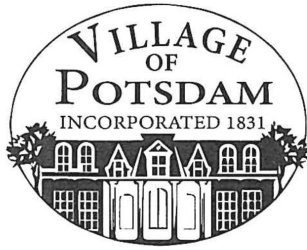
### ARTICLE XIV Cannabis Law

#### **§ 180-58. Cannabis Law**

- A. Purpose. The purpose of this article is to provide for the placement of cannabis establishments in appropriate places; to minimize the adverse impacts of cannabis establishments on residential neighborhoods, schools, and other places where children commonly congregate; to regulate the siting, design, placement, security, safety, monitoring, and modification of cannabis establishments.
- B. Definitions. As used in this article, the following terms shall have the meanings indicated:

**CANNABIS ESTABLISHMENT:** A cannabis retailer or any other type of New York State licensed marijuana-related business, or any combination thereof at a single location.

**CANNABIS LOUNGE:** An entity or individual licensed by New York State for the sale and on-site consumption of cannabis products.



# VILLAGE OF POTSDAM

Civic Center - Park Street - P.O. Box 5168 - Potsdam, NY 13676

Phone (315) 265-7480

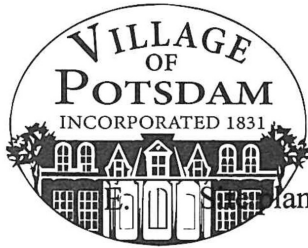
Fax (315) 265-3149

---

**CANNABIS PRODUCTS:** Products that have been manufactured and contain cannabis or an extract from cannabis, including concentrated forms of cannabis and products composed of cannabis and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils, and tinctures.

**CANNABIS RETAILER:** An entity or individual licensed by New York State to purchase and deliver cannabis and cannabis products from cannabis establishments and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments and to consumers.

- C. Findings. The Village of Potsdam finds that the orderly development of commercial business is essential to maintaining and protecting the health, safety, and welfare of Village residents. Businesses which cater to adults should be located and regulated to minimize the impact to residents.
- D. Applicability. These regulations shall apply to all structures and uses of retail sales and/or consumption lounges where cannabis can be purchased or consumed.
  - 1. No cannabis establishment shall be established except in compliance with the provisions of this chapter.
  - 2. When a cannabis establishment is created in an existing building, regardless of prior site Plan (including approval for retail sales on the property), that establishment will apply to the Planning Board for site plan review for that use. Final approval of the site plan review application will be the responsibility of the Village Planning Board.
  - 3. Location: Cannabis establishments are permitted in the Central Business District (CBD) and Business District (B-1) zoning districts subject to site plan approval.



# VILLAGE OF POTSDAM

Civic Center - Park Street - P.O. Box 5168 - Potsdam, NY 13676

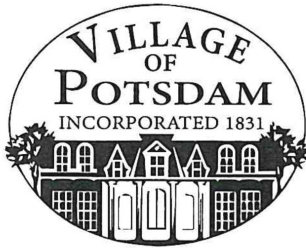
Phone (315) 265-7480

Fax (315) 265-3149

Any approval shall include:

---

1. All cannabis establishments shall be contained within a permanent building or structure and shall not be located in a trailer, cargo container, motor vehicle or other similar nonpermanent enclosure.
  2. The hours of operation of cannabis establishments are limited to 10:00 A.M. – 10:00 P.M.
  3. Cannabis establishments shall not be located within a 500-foot radius from any school pre-k through 12.
  4. Cannabis establishments shall not be located within a 200-foot radius from a center or Facility where the primary purpose of which is to provide recreational opportunities or services to children or adolescents, a community facility that provides day care to children, a public park, a playground, a library, or a building containing a place of worship.
  5. Cannabis establishments shall not be located within 2,000 feet of another cannabis establishment.
  6. No outside storage of cannabis, related supplies, or promotional materials is permitted.
  7. No smoking, burning or consumption of any product containing cannabis or cannabis-related products shall be permitted on the premises of a cannabis retailer.
- F. Signs. Size of sign shall be dictated relative to the zone where the cannabis establishment is located per § 180-23 Sign Requirements of the Village of Potsdam Code.
- G. State Approval. All cannabis lounges and cannabis retailers approved pursuant to this section must be licensed in accordance with New York State Cannabis Law, Article IV, Use Cannabis.



# VILLAGE OF POTSDAM

Civic Center - Park Street - P.O. Box 5168 - Potsdam, NY 13676

Phone (315) 265-7480

Fax (315) 265-3149

---

- H. Authorization. This section is authorized under New York State Cannabis Law, Article VI, § 131.
- I. Severability: The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgement of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

### **Section 3. Enactment.**

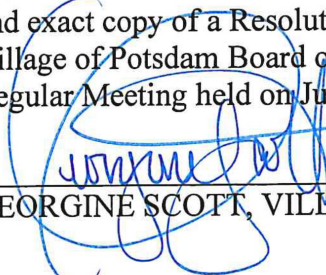
This Local Law shall become effective immediately upon the notification of the filing of same with the Secretary of State.

Ayes 4 (Deputy Mayor Warr)  
(Trustee Lee, Tirion, Jacobs-Wilke)

Nays 0

### **CERTIFICATION**

I, GEORGINE SCOTT, Clerk of the Village of Potsdam,  
County of St. Lawrence and State of New York,  
DO HEREBY CERTIFY that the above is a true  
and exact copy of a Resolution duly passed by the  
Village of Potsdam Board of Trustees at their  
Regular Meeting held on June 20, 2023.

  
\_\_\_\_\_  
GEORGINE SCOTT, VILLAGE CLERK