

Town Board Special Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, December 21, 2021 9:00 AM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

CALL TO ORDER

The Special Meeting was called to order at 9:02 a.m. by Dan Broughton, Supervisor.

BUSINESS

The purpose of this Special Meeting is to discuss Local Law #5 Cannabis Opt-Out. No public was present at the Public Hearing.

LOCAL LAW

Local Law 5-2021
Cannabis Opt-Out

A Local Law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Town of Hornellsville.

SECTION 1. Legislative Intent.

It is the intent of this local law to opt the Town of Hornellsville out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries, that would otherwise be allowed under Cannabis Law §131 (4).

SECTION 2. Authority.

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes a town, city or village to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. Local Opt-out.

The Town Board of the Town of Hornellsville, County of Steuben, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

SECTION 4. Severability.

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction 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 said clause, sentence, paragraph, section 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 order or judgment shall be rendered.

SECTION 5. Permissive Referendum/Referendum on Petition.

This Local Law is subject to a permissive referendum pursuant to Cannabis Law§131 and the procedure outlined in Municipal Home Rule Law §24.

SECTION 6. Effective Date.

This local law shall take effect immediately upon its filing with the Secretary of State.

Motion was made by Mauro, seconded by Giglio to adopt Local Law 5-2021.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

ADJOURNMENT

With no further business, on a motion made by Giglio, seconded by Yanni, the meeting was adjourned at 9:02 a.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
January 14, 2022