

BILL NO. 4 OF 2021

A LOCAL LAW to amend Russell Gardens Code Chapter 60 entitled “Zoning.”

Section One. Section 60-59 entitled “Reserved” is hereby retitled to read “Cannabis retail dispensaries and on-site cannabis consumption establishments” to read as follows:

§60-59. Cannabis retail dispensaries and on-site cannabis consumption establishments.

A. Legislative Intent.

It is the intent of this local law to opt the Village of Russell Gardens out of hosting cannabis retail dispensaries and on-site cannabis consumption establishments within its boundaries.

B. Authority.

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

C. Local Cannabis Retail Dispensary and on-site cannabis consumption opt-out.

The Board of Trustees of the Village of Russell Gardens, County of Nassau, hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Russell Gardens.

Section Two. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law 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 local law, 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 Three. This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law §131, this local law is subject to a permissive referendum and thus 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 local law.