

§63-3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out and Prohibitions.

- A. To the fullest extent permitted by law, the Village of Hewlett Bay Park hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within the Village of Hewlett Bay Park.
- B. On and after the effective date of this section, no governmental agency shall approve or issue any license or other authority to permit, establish or operate any cannabis retail dispensary and/or cannabis on-site consumption establishment within the Village of Hewlett Bay Park.
- C. No property or premises in the Village may be operated or used, in whole or in part, for a cannabis retail dispensary and/or cannabis on-site consumption establishment, as those terms are defined in the New York Cannabis Law.”

Section 2. Severability. If any 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 3. Effective date. This local law shall take effect immediately upon filing with the Secretary of State pursuant to the Municipal Home Rule Law. Pursuant to the provisions of Cannabis Law § 131, this local law is subject to a permissive referendum and may not be filed with the Secretary of State until either (a) the applicable time period has elapsed to file a petition for a referendum, and no such petition has been timely filed, or (b) if such a petition has been timely filed, a referendum has been conducted approving this local law.