

**Town of Westerlo**  
**Local Law No 1 of the year 2022**

**A local law adopted pursuant to the Marijuana Regulation and Taxation Act and specifically Cannabis Law § 131 opting out of allowing cannabis retail dispensaries and on-site consumption establishments within the Town of Westerlo**

**Be it enacted by the Town Board of the Town of Westerlo as**

**follows:**  
**Section 1. Legislative Intent**

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

**Section 2. Authority**

This local law is adopted pursuant to the terms of the Marijuana Regulation and Taxation Act and specifically Cannabis Law § 131, which expressly authorizes cities, towns and villages to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

**Section 3. Local Opt-Out**

The Town Board of the Town of Westerlo, County of Albany, hereby opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the town's jurisdiction.

**Section 4. Severability**

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 5. Permissive Referendum/Referendum on Petition**

This local law is subject to a referendum on petition in accordance with 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 filing with the Secretary of State.