

DRAFT for INTRODUCTION

VILLAGE OF CHATHAM

Local Law No. __ of 2022

A Local Law to Amend the Zoning Code in Relation to the Retail Sale of Cannabis

[For introduction July 11, 2022]

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM AS FOLLOWS:

Section 1. Purpose and legislative intent.

The State of New York recently enacted the New York Cannabis Law, which, among other things, allows the retail sale of cannabis and cannabis products and provides for the licensing of cannabis dispensaries. The Cannabis Law also provides that “towns, cities and villages may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries * * * provided such law or regulation does not make the operation of such licensed retail dispensaries * * * unreasonably impracticable.” Pursuant to this authority, and in accordance with subdivision C of section 110-3 of the Village of Chatham Zoning Code, which enumerates as a purpose of the Village of Chatham Zoning Code: “To provide adequate and suitably located commercial facilities,” this local law is enacted to allow the establishment of cannabis retail dispensaries in locations and manners consistent with the zoning and land use goals of the Village of Chatham.

§ 2. Enacting authority.

This local law is enacted pursuant to the New York Municipal Home Rule Law, section 131 of the New York Cannabis Law, and chapter 110 of the Code of the Village of Chatham, as authorized by the New York State Constitution, the New York Municipal Home Rule Law, and Articles 4 and 7 and other relevant provisions of the Village Law of the State of New York.

§ 3. The following definition is added to section 110-5 of the Code of the Village of Chatham:

CANNABIS DISPENSARY: A commercial retail establishment operating under license of the New York State Cannabis Control Board, authorized to engage in the retail sale of cannabis products for off-site consumption, but in no case permitted or authorized to allow the on-site consumption of cannabis or cannabis products.

§ 4. Attachment 1 of Chapter 110 of the Code of the Village of Chatham (“Table of Use Regulations”) is amended as follows:

The use entitled “Cannabis Dispensary” is added to Attachment 1 of Chapter 110 of the Code of the Village of Chatham (“Table of Use Regulations”) as a Business Use permitted in the C-3 Commercial zoning district, contingent upon securing a special use permit, and prohibited in all other zoning districts.

§ 5. Effective Date.

This law shall become effective immediately upon filing with the Secretary of State.

END.