

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
HTTPS://DOS.NY.GOV

KATHY C. HOCHUL
GOVERNOR
BRENDAN C. HUGHES
ACTING SECRETARY OF STATE

December 7, 2021

Barclay Damon LLP
120 Washington Street
Suite 500
Watertown, NY 13601

RE: Village of Cape Vincent, Local Law 3 2021, filed on 11/30/2021

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



**Department
of State**

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BARCLAY DAMON^{LLP}

Diane E. Collette

Paralegal

November 21, 2021

State Records and Law Bureau
Department of State
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231

Re: Village of Cape Vincent Local Law #3 of 2021

Dear Madam/Sir:

Enclosed please find Village of Cape Vincent Local Law #3 of 2021. Kindly file and return a filing receipt. Please advise of anything additional you may require.

Thank you.

Very truly yours,



Diane E. Collette

DEC: dec

Enclosures

LOCAL LAW FILING

**Village of Cape Vincent
Local Law No. 3 of the year 2021
Village of Cape Vincent, County of Jefferson**

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 Village of Cape Vincent.

Section 1. Legislative Intent. It is the intent of this local law to opt the Village of Cape Vincent out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority. This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes Villages 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 Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out. The Board of Trustees of the Village of Cape Vincent, County of Jefferson, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

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 judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to 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. Effective Date. 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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. **(Final adoption by local legislative body only.)** I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2021 of the Village of Cape Vincent was duly passed by the Village Board on _____, 2021 in accordance with the applicable Village Board provisions of law.

2. **(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Village)(Cape Vincent) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.

3. **(Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Village)(Cape Vincent) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20____, in accordance with the applicable provisions of law.

4. **(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)** I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2021 of the Village of Cape Vincent was duly passed by the Board of Trustees on September 28, 2021, and was (approved)(not approved) (repassed after disapproval) by the Mayor on October 28, 2021. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of October 28, 2021, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or Cape Vincent, or the supervisor of a Village where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

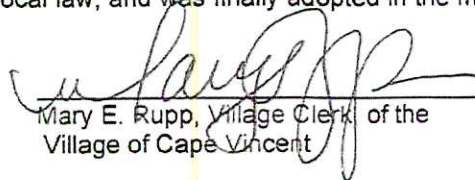
I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general)election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the Village of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 4 above.




Mary E. Rupp, Village Clerk of the
Village of Cape Vincent

Date: October 28, 2021

(seal)

(Certification to be executed by County Attorney, Corporation Counsel, Village Attorney, Cape Vincent Attorney or other authorized attorney of locality.)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature


Title Joseph W. Russell, Attorney
Village of Cape Vincent

Date: October 28, 2021