

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Port Jervis

FILED
STATE RECORDS

JAN 11 2024

Local Law No. 1 of the year 2024

DEPARTMENT OF STATE

A local law EXTEND THE MORATORIUM PROHIBITING THE REVIEW AND APPROVAL OF
(Insert Title)
APPLICATIONS FOR THE RETAIL SALE OF CANNABIS, CBD AND TOBACCO

PRODUCTS WITHIN THE CITY OF PORT JERVIS FOR AN ADDITIONAL SIX MONTHS

Be it enacted by the Common Council of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Port Jervis as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

(Name of Legislative Body)

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. ¹ _____ of 20²⁴ of the (County)(City)(Town)(Village) of Port Jervis was duly passed by the Common Council on JANUARY 8 20²⁴, and was (approved)(not approved) _____, in accordance with the applicable provisions of law.

(Name of Legislative Body)

(repassed after disapproval) by the Mayor and was deemed duly adopted _____
(Elective Chief Executive Officer)*

on JANUARY 2024, 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)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____, in accordance with the applicable provisions of law.

(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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____, in accordance with the applicable provisions of law.

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

(Elective Chief Executive Officer)*

* 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 village, or the supervisor of a town 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.)

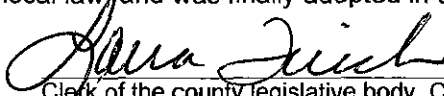
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 towns 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 _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 1/8/24

(Seal)

CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 1 OF 2024

A LOCAL LAW AMENDING LOCAL LAW NO. 5 OF 2023 TO EXTEND THE MORATORIUM PROHIBITING THE REVIEW AND APPROVAL OF APPLICATIONS FOR THE RETAIL SALE OF CANNABIS, CBD AND TOBACCO PRODUCTS WITHIN THE CITY OF PORT JERVIS FOR AN ADDITIONAL SIX MONTHS

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York as follows:

Section 1. Purpose and Intent.

The Common Council of the City of Port Jervis previously adopted Local Law No. 5 of 2023 establishing a moratorium with respect to the submission and processing of any applications of land use approvals, including building permits, certificates of occupancy or completion, site plan approvals, subdivision plats, special use permits, and variances (hereinafter “Land Use Approvals”) for all development, construction and operation of retail sales establishments for cannabis, CBD and tobacco products within the City, as such terms are defined in Chapter 535 of the Port Jervis City Code, without the approval of the Common Council of the City of Port Jervis pending the City Council’s review of City Code Section 535-38 and consideration of any necessary amendments to same. The Common Council has determined it is in the best interest of the City to extend the subject moratorium for an additional six months to ensure that the appropriate regulations are developed in order to adopt any necessary changes to the City’s zoning code.

Local Law No. 5 of 2023, shall be and hereby are amended by this Local Law as follows:

Section 2. Term.

The moratorium established by Local Law No. 5 of 2023, which prohibits the review and approval of applications for all development, construction and operation of retail sales establishments for cannabis, CBD and tobacco products within the City, as such terms are defined in Chapter 535 of the Port Jervis City Code, is hereby extended for a period of six months from the date that this local law is filed with the New York State Department of State.

All other provisions of Local Law No. 5 of 2023 shall remain in full force and effect for the stated term provided for in this Section.

Section 3. Severability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the

validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.