

# **MEETING NOTICE**

## Village of Scarsdale

A Work Session of the Scarsdale Village Board of Trustees is scheduled for Tuesday, October 26, 2021 at 6:00 PM. The meeting will be held in Village Hall and via Zoom video conferencing service. Members of the public wishing to participate in the meeting can do so via online link at <https://zoom.us/j/93183703358>, or call into the meeting using 1-929-436-2866 and entering the Meeting ID 931 8370 3358.\*

### **Agenda**

1. Marijuana Legislation
2. Smoking Local Law

CS: 10-21-21

E-MAIL: Journal News (Lohud)  
Scarsdale 10583  
Scarsdale Hamlet Hub  
Scarsdale Inquirer  
The Daily Scarsdale

cc: Lobby Bulletin Board

*\*For a brief Zoom tutorial or to troubleshoot a problem, see here: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>. For other user questions, please visit the Zoom Help Center: <https://support.zoom.us/hc/en-us>.*

Village of Scarsdale  
 Marijuana Legislation by municipality  
 21-Oct-21

Municipality	Contact	Opt out	Comments
<b>Villages</b>			
Ardsley	Ann Marie Rocco	Opt out (07/06/2021)	
Briarcliff Manor	Dan Pozin	No decision (Opt -out- on-site consumption- 11/09/2021)	The Briarcliff Board of Trustees has scheduled a public hearing for 11/09/21 on a draft law that would provide an opt-out as to on-site cannabis establishments (lounges) but not retail dispensaries.
Bronxville	Jim Palmer	Opt out (07/22/2021)	
Buchanan	Marcus Serrano	No decision	
Croton on Hudson	Bryan Healy	Opt out (on-site consumption) 09/20/2021	
Dobbs Ferry	Richard Leins	No decision	
Elmsford	Fran LeFevre	Opt out (08/09/2021)	
Hastings on Hudson	Anthony	No decision	
Irvington	Larry Schopfer	No decision (Opt-out 11-01-2021)	The Irvington Village Board will consider a local law to opt-out on November 1, 2021.
Larchmont	Justin Datino	Opt out (07/19/2021)	
Mamaroneck	Dan Sarnoff	No decision ( Opt-out - 10-25-2021)	The Mamaroneck Village Board will consider a local law to opt -out on October 25, 2021.
Mount Kisco	Lisette Hernandez	Opt out (07/12/2021)	
Ossining	Karen D'Attore	Opt out (on-site consumption) 09/01/2021	
Pelham Manor	Mary Alice	Opt out (09/27/2021)	
Pelham	Cara Farrell	No decision (Opt -out- 10/26/2021)	The Pelham Village Board will consider a local law to opt -out on October 26, 2021.
Pleasantville	Alyssa	No decision	The Pleasantville Village Board will host a public forum later in the fall.
Port Chester		No decision	The Village of Port Chester has convened a committee to provide a recommendation.
Rye Brook	Alex Marshall	Opt out (09/14/2021)	
Sleepy Hollow	Anthony Giaccio	No decision	
Tarrytown	Josh Ringel	No opt out	The Village of Tarrytown is investigating permit process procedures.
Tuckahoe	David Burke	No decision	The Village of Tuckahoe set, opened, held over a public hearing on September 14th and plans to hold the meeting through November.



indicates decision is pending.

Village of Scarsdale  
 Marijuana Legislation by municipality  
 21-Oct-21

Municipality	Contact	Opt out	Comments
<b>Towns</b>			
Canandaiga	Douglas E. Finch	Opt out (07/19/2021)	
Bedford	Tanya Holt	No decision	
Cortlandt	Claudia	No decision	
Eastchester	Dawn Donovan	Opt out (06/15/2021)	
Greenburgh	Garrett Duquesne, AICP	No decision	Greenburgh will hold a public forum in the upcoming months.
Harrison	Jackie Greer	No decision	
Lewisboro	Janet Donohue	Opt out (07/12/2021)	
Mamaroneck	Meredith Robson	No decision	The Town Board of Mamaroneck is planning to have a public discussion in September.
Mount Pleasant	Amanda Jasilli	No decision	The Town Board of Mt. Pleasant is currently discussing MRTA.
New Castle (includes hamlet of Chappaqua)	Jill Shapiro	Opt out	
North Castle	Kevin Hay	Opt out	The Town Board opted out due to the uncertainty of the effects of dispensaries and on site consumption businesses on the community. The Board did not believe that the potential revenue would have a large impact on the budget. The Board also believed that they could always opt in at a later date.
North Salem	Maria Hlushko	Opt out (06/22/2021)	
Ossining	Victoria Cafarelli	Opt out (on site consumption) 09/14/2021	
Pelham	Antoinette Clemente	No decision	
Pound Ridge	Erin Trostle	No decision	
Scarsdale		No decision	
Somers	Patricia Kalba	Opt out (June 10, 2021)	
Yorktown	Article	Opt out (July 13, 2021)	

Village of Scarsdale  
 Marijuana Legislation by municipality  
 21-Oct-21

Municipality	Contact	Opt out	Comments
<b>Cities</b>			
<b>Canandaigua</b>	John D. Goodwin	Opt out (onsite consumption)	
<b>Mount Vernon</b>	William Holmes	No decision	
<b>New Rochelle</b>	Chuck Strome	No opt out	The City of New Rochelle will not opt out. The City is investigating local regulations for the opening of retail cannabis shops- further discussions will be conducted in September.
<b>Peekskill</b>	Andy Stewart	No decision	The City of Peekskill has distributed an online survey to the community. There have been 900 responses which trend 65-70% AGAINST opting out. The Council supports participation in MRTA, which has been stated in political debates, however no decision has been made.
<b>Rye</b>		Opt out (09/ 22/ 2021)	
<b>White Plains</b>	Tom Roach	No opt out	The City of White Plains will not opt out.
<b>Yonkers</b>	Teresa	No decision	

**INTRODUCTORY LOCAL LAW # \_\_\_\_ OF 2021  
A LOCAL LAW CREATING CHAPTER 252 OF THE SCARSDALE VILLAGE CODE  
ENTITLED “SMOKING”**

**BE IT ENACTED** by the Board of Trustees of the Village of Scarsdale as follows:

Section 1: Purpose and Intent: The Board of Trustees finds that it is necessary to provide a smoke-free environment for members of the public using Village facilities or land and for Village employees in accordance with section 1399-o of the Public Health Law of New York State, while helping to protect air quality.

Section 2: The Village Code of the Village of Scarsdale is hereby amended to add a new Chapter 252 entitled “Smoking” to read as follows:

**“§ 252-1. Definition.**

The words and phrases set forth below have the following meanings when used in this chapter:

**SMOKING**

The burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, or cannabis or cannabinoid hemp as such terms are defined in section 3 of the New York State Cannabis Law, including the use of an electronic smoking device that delivers vapor which is inhaled by an individual user, and shall include any refill, cartridge and any other component of such a device, or any electronic nicotine delivery system (NDS).

**§ 252-2. Restrictions.**

**A.** The following shall be a violation of this chapter:

- (1)** Smoking within any building or structure, including any main entrance to such facilities, owned, and controlled by the Village of Scarsdale.
- (2)** Smoking anywhere within the confines of the Village of Scarsdale Swimming Pool Complex or on any playfield, playground, park, or parking lot owned or operated by the Village of Scarsdale.
- (3)** Smoking within any vehicle owned by the Village of Scarsdale.

(4) Smoking upon any street or sidewalk owned by the Village of Scarsdale and located within the Village Center Area District as defined in section 310-12 of this Code, or upon any street or sidewalk owned by the Village of Scarsdale and located within the Village's Business A, Business C, and Buffer Parking zones.

**B.** Smoking indoors in the Village of Scarsdale shall be governed by the Article 13-E of the New York State Public Health Law, which is also known as the Clean Indoor Air.

**§ 252-3. Penalties for offenses.**

Each violation of § 252-2 shall be a violation punishable by a fine of not more than \$100.00. The penalty provided in this section shall be in lieu of all other penalties prescribed in this Code.

**§ 252-6. Other applicable laws.**

This article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws, rules or regulations.”

Section 3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 4: Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.