

**RESOLUTION NO. 103 JANUARY 17, 2024  
ADOPTING LOCAL LAW NO. 3 OF 2024  
AMENDING THE CODE OF THE TOWN OF BABYLON,  
CHAPTER 213 (G INDUSTRIAL DISTRICT)**

The following resolution was offered by Councilman Manetta and seconded by Councilman Martinez

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 17<sup>th</sup> day of January, 2024, upon the question of the enactment of Local Law No. 3 of 2024 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.5(c).(26), State Environmental Quality Review (SEQR), the adoption of this local law is classified a Type II Action and not subject to environmental review under SEQR; and NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law No. 3 of 2024 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and is effective upon its filing with the New York State Department of State:

**LOCAL LAW NO. 3 OF 2024  
AMENDING THE CODE OF THE TOWN OF BABYLON**

AMEND as follows:

**CHAPTER 213  
ARTICLE XIV  
G INDUSTRIAL DISTRICT**

§ 213-166.3 **Restriction on location of Cannabis establishments.**

B. The lot line of any property whereupon exists a microbusiness, on-site consumption site, or retail dispensary shall not be located within a 750-foot radius of a residential area.

ADD as follows:

**CHAPTER 213  
ARTICLE XIV  
G INDUSTRIAL DISTRICT**

§ 213-166.3 **Restriction on location of Cannabis establishments.**

**J.** All microbusiness, on-site consumption, or retail dispensary for the sale of cannabis, cannabinoid, cannabinoid hemp, medical cannabis, hemp, hemp extract or cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids or other substances of any type as defined in Section 213-129.3 of this Code making an application for a special use permit shall provide a certification from their design professional. The certification shall attest that the proposed business operation and premises are in compliance with this section of the Code pertaining to special use permits specifically A-J above. The design professional's certification shall include a detailed assessment of compliance with the specified code paragraphs. The certification shall be submitted as part of the special use permit application and shall be reviewed by the Department Planning and Development. Failure to provide a complete and accurate certification may result in the denial of the special use permit application. The design professional providing the certification shall be licensed and qualified in accordance with local, state, and federal regulations. The Town of Babylon reserves the right to verify the accuracy of the certification through inspections or other means as deemed necessary. Businesses found to be in non-compliance with the certification may be subject to penalties or the revocation of their special use permit and subject to the Enforcement provisions of this section below.

VOTES: 5      YEAS: 5      NAYS: 0

The resolution was thereupon declared duly adopted.