

## **INTRODUCTORY LOCAL LAW NO. 3 OF THE YEAR 2026**

A Local Law Establishing a Moratorium on Smoke Shops in the Village of Frankfort

BE IT ENACTED, by the Board of Trustees of the Village of Frankfort, New York, as follows:

### **SECTION 1: TITLE**

This Local Law shall be known as the “Moratorium on Smoke Shops in the Village of Frankfort.”

### **SECTION 2: PURPOSE**

The Village Board of Trustees of the Village of Frankfort finds it necessary to protect the health, safety, and welfare of its residents and to preserve the character, economic vitality, and real estate values of its neighborhoods and business districts.

The Board recognizes the growing presence of retail stores commonly referred to as "smoke shops" and seeks time to consider proper zoning and land use regulations for such establishments. This Local Law imposes a temporary moratorium to allow time for such consideration and to avoid the negative impacts of unregulated proliferation of smoke shops.

### **SECTION 3: AUTHORITY**

This Local Law is enacted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

### **SECTION 4: TEMPORARY MORATORIUM**

For a period of six (6) months following the effective date of this Local Law, no applications for building permits, certificates of occupancy, land use approvals, or any other approvals or permits shall be accepted, reviewed, approved, or issued by any agency or official of the Village of Frankfort for the establishment, construction, or operation of a Smoke Shop, as defined herein.

### **SECTION 5: DEFINITION OF “SMOKE SHOP”**

**SMOKE SHOP** — A retail store less than 4,000 square feet in size in which 20% or more of its sales consist of smoking products, including but not limited to cigarettes, cigars, loose tobacco, vaporizing liquids and vaping supplies, hookahs and pipes, synthetic marijuana, “K2,” “Spice,” and other similar accessories/paraphernalia, as well as alcohol and lottery tickets.

This definition is intended to distinguish “Smoke Shops” from retail establishments which primarily sell food, household necessities, paper products, dairy, and pharmaceutical products.

### **SECTION 6: SEPARABILITY**

If any provision of this Local Law is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Local Law, which shall remain in full force and effect.

### **SECTION 7: EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.