

2018 Special Town Meeting #2
ARTICLE 4
Amend By-law Article 10: Board of Selectmen
(Town Administrator)

Motion:

Move that the Town amend Article 10: Board of Selectmen of the Town of Natick By-laws by adding a new Section 5: Marijuana Licensing, as follows:

Section 5 MARIJUANA LICENSING

5.1 Marijuana License Required. No person shall carry on the business operating an Adult Use Marijuana Establishment as defined in G.L. c.94G and 935 CMR 500, including the cultivation, processing, packaging, delivering, manufacturing, branding, selling or otherwise transferring or testing marijuana or marijuana products within the Town unless first duly licensed thereof by the Board of Selectmen, which license shall be renewed by said Marijuana Establishment annually.

5.2 Host Community Agreement Required. Any Marijuana Establishment operating within the Town shall at all times have a valid Host Community Agreement and operate in accordance with the terms and provisions thereof.

5.3 Regulations. The Board of Selectmen may adopt rules and regulations related to the issuance of such licenses, including the fees to be paid therefore and the conditions to be satisfied by any applicant for such a license.

5.4 Applications. Applicants for a license shall file an application on a form provided by the Board of Selectmen, signed under the penalties of perjury by the applicant, containing such information as the Board of Selectmen may reasonably require from time to time. Each applicant shall pay an application fee as may be reasonably determined from time to time by the Board of Selectmen.

5.5 Limitation on Licenses: The number licenses issued for Adult Use Marijuana Retailers, as defined in G.L. c.94G, §1 and 935 CMR 500.00, shall be limited to twenty percent (20%) of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold pursuant to G.L. c.138 §15. In the event that 20% of said licenses is not a whole number, the limit shall be rounded up to the nearest whole number.

5.6 Hearing. The Board of Selectmen shall hold a public hearing within 60 days of receipt of a completed application, with due written notice provided to the applicant of the time, date and location where such application will be heard.

5.7 Enforcement. The Board of Selectmen may issue orders as appropriate to aid in the enforcement of this regulation and may enforce these provisions in equity, including the request for injunctive relief, in a court of competent jurisdiction. Any failure to comply with any order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the

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Board of Selectmen may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.