



**WARRANT FOR 2018 SPECIAL TOWN MEETING  
MAY 2, 2018  
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To either of the Constables in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in elections and Town Affairs, to meet at the Belmont High School Auditorium on **MONDAY, MAY 2, 2018, at 7:30 P.M.**, and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles:

ARTICLE 1:

**Amend General Bylaws: Opt-out Regarding  
Marijuana Establishments**

To see if the Town will vote to amend the Town's General Bylaw (with the understanding that in accordance with M.G.L. c.94G, § 3(a)(2), such amendment shall not become effective until approved at an election by the voters of the Town) by inserting, into the title of Chapter 60, Article 1, after the word "Tobacco," a comma (",") and the word "Marijuana," and by adding a new Section 60-107 as follows:

**§ 60-107 Marijuana Establishments**

Consistent with M.G.L. c.94G, § 3(a)(2), all types of marijuana establishments as defined in M.G.L. c.94G, §1, shall be prohibited within the Town of Belmont; provided, however, that a Registered Marijuana Dispensary shall not be deemed to be a marijuana establishment.

Or take any action relative thereto.

Submitted by Pam Eagar (5)

*This article is submitted in the exact form as provided by the Citizens.*

The Board of Selectmen and the petitioners will report on this Article.

**Majority vote required for passage.**



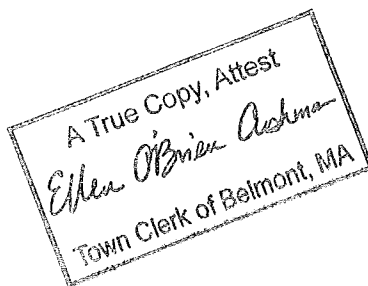
Given under our hands this 9th day of April, 2018.

**BELMONT - BOARD OF SELECTMEN**

Adam Dash, Chair

Mark A. Paolillo, Vice Chair

Thomas Caputo





**MOTIONS**  
**2018 SPECIAL TOWN MEETING**  
**May 2, 2018**  
*(Subject to Change)*

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**ARTICLE 1:**

**Amend General Bylaws:  
Opt-out Regarding Marijuana Establishments**

MOVED: That the Town vote to amend the General Bylaws pertaining to Section 60, 'Public Health, Safety, Welfare and Environmental Protection, as set forth under Article 1 of the Warrant for this Town Meeting. *(Majority vote)*

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## **Special Town Meeting Article 1**

### **Opt-Out for Marijuana Establishments**

On Tuesday, November 8, 2016, Massachusetts voters adopted State Ballot Question 4, “The Regulation and Taxation of Marijuana Act” by a margin of 53.7/46.3% (Belmont’s Margin was 52.5/47.5%). However (i) statewide legalization and regulation of recreational marijuana and (ii) local authorization of non-medical, adult-use marijuana dispensaries are two separate issues.

*The 2016 Ballot Question #4 stated: “The proposed law would authorize cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses and to limit the number of marijuana establishments in their communities. A city or town could hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments.”*

[https://www.sec.state.ma.us/ele/elepdf/IFV\\_2016.pdf](https://www.sec.state.ma.us/ele/elepdf/IFV_2016.pdf) (Massachusetts Information Voter Guide, see p. 12)

This provision in the ballot question allows every town or municipality to make a decision about sales of marijuana and marijuana products. If a municipality voted yes on Question 4, the local decision involves two-steps: (1) a by-law must be approved by Town Meeting, and (2) must then be approved by the voters of the Town at an election. (More information available in this powerpoint presentation to the Massachusetts Municipal Association: <http://www.k-plaw.com/wp-content/uploads/2018/02/MMA-PPT-on-Marijuana.pdf>.)

The authors of the citizens’ petition to put this question on a town-wide ballot are not necessarily taking a position on the question’s merits. This measure before Town Meeting, therefore, is an effort to give the residents of Belmont the important chance to weigh in on the matter of local sales, not an effort to revisit Question 4, which has already legalized marijuana use by individuals state-wide.

Many members of Town Meeting lack information about their constituents’ wishes on this matter. Allowing a Town vote to go forward gives all of us an opportunity to have meaningful discussions with our constituents about what they want in their town.

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Submitted April 13, 2018 by  
Emma Thurston, Town Meeting Member Precinct 1  
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2018 APR 13 PM 2:46

1. April 13, 2018

Amendment to Article 1: Amend General Bylaws: Opt-out Regarding Marijuana Establishments

Definitions:

(j) "Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

(n) "Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

To amend Article 1 to prohibit all Marijuana Establishments as defined in M.G.L. c.94G §1, except for Marijuana Retailer, as defined in M.G.L. c.94G §1.

2. April 13, 2018

Amendment to Article 1: Amend General Bylaws: Opt-out Regarding Marijuana Establishments

Definitions:

(j) "Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

(n) "Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

To amend Article 1 to prohibit Marijuana Establishments as defined in M.G.L. c.94G §1, except for Marijuana Retailer, as defined in as defined in M.G.L. c.94G §1, with a sunset clause of April 30, 2021.

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3. April 13, 2018  
Amendment to Article 1: Amend General Bylaws: Opt-out Regarding Marijuana Establishments

Definition

(i) "Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

To amend Article 1 to prohibit only Marijuana Cultivator as defined in in M.G.L. c.94G §1.

4. April 13, 2018  
Amendment to Article 1: Amend General Bylaws: Opt-out Regarding Marijuana Establishments

Definition

(i) "Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

To amend Article 1 to prohibit only Marijuana Cultivator as defined in in M.G.L. c.94G §1, with a sunset clause of April 30, 2021.

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5. April 13, 2018

Amendment to Article 1: Amend General Bylaws: Opt-out Regarding Marijuana Establishments

Definitions:

(i) "Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

(k) "Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

To amend Article 1 to prohibit only Marijuana Cultivator and Marijuana Product Manufacturers as defined in in M.G.L. c.94G §1.

6. April 13, 2018

Amendment to Article 1: Amend General Bylaws: Opt-out Regarding Marijuana Establishments

Definitions:

(i) "Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

(k) "Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

To amend Article 1 to prohibit only Marijuana Cultivator and Marijuana Product Manufacturers as defined in in M.G.L. c.94G §1, with a sunset clause of April 30, 2021.

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**SPECIAL TOWN MEETING – ARTICLE 1 AMENDMENT #7**  
**Submitted by Emma Thurston, Town Meeting Member Precinct 1**  
**April 27, 2018**

2018 APR 27 PM 1:16

7.

Moved that Article 1 be amended by deleting the text of the §60-107 in its entirety and substituting the following text:

§60-107 Marijuana Establishments

Consistent with M.G.L. c.94G, § 3(a)(2), the number of Marijuana Retailers in Belmont shall not exceed 20% of the number of licenses issued within the Town of Belmont for the retail sale of alcoholic beverages not to be drunk on the premises where sold under M.G.L. c. 138, section 15, and if that number is not a whole number, it shall be rounded up to the next higher whole number.