



Braintree Town Council

ORDER NO: 17 055 (1)

DATE FILED: OCTOBER 4, 2018

REQUEST OF: THE MAYOR

**UPON THE REQUEST OF HIS HONOR, THE MAYOR, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:**

That the Town Council vote to amend the Town's General Ordinances, by inserting within Title 5, Licenses and Permits, Chapter 5.600, "Marijuana Not Medically Prescribed", which shall state:

**5.600 – MARIJUANA NOT MEDICALLY PRESCRIBED**

**Section 5.600.010. Prohibition of Marijuana Establishments**

The operation within the Town of any marijuana establishment, as defined in G.L. c. 94G, § 1, including, without limitation, "a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business", is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012 and regulations adopted thereto or any successor statute.

YEAS: Bowes, Carey, Hume, Kokoros, O'Brien, Powers, Ringius, Ryan, Whalen

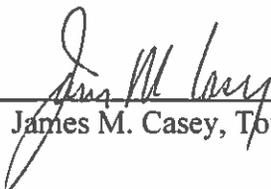
NAYS: NONE

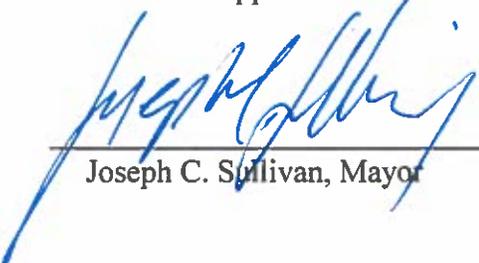
ABSENT: NONE

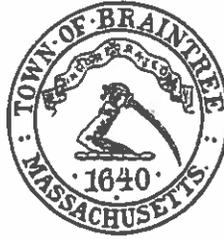
PASSED IN COUNCIL: MARCH 27, 2018

PRESENTED TO MAYOR: MARCH 28, 2018

A True Record, Attest:

  
James M. Casey, Town Clerk

March 29, 2018  
Date Approved  
  
Joseph C. Sullivan, Mayor



Braintree Town Council

ORDER NO: 17 055 (2)

DATE FILED: OCTOBER 4, 2018

REQUEST OF: THE MAYOR

**UPON THE REQUEST OF HIS HONOR, THE MAYOR, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:**

That the Town Council vote to amend the Zoning By-laws and Zoning Ordinances, dated May 1940 as most recently amended, by adopting a new Article XVIII entitled "Prohibition of Non-Medical Marijuana Establishments," which shall state:

**ARTICLE XVIII. PROHIBITION OF NON-MEDICAL MARIJUANA ESTABLISHMENTS**

**§135-1801. Purpose.**

To prohibit the cultivation, manufacturing, testing, retail sale, or any other type of licensed non-medical marijuana-related business in the Town of Braintree.

**§135-1802. Definition.**

MARIJUANA ESTABLISHMENT – As defined in G.L. c. 94G, § 1, a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

**§135-1803. Prohibition.**

A Marijuana Establishment shall not be permitted in any zoning district in the Town of Braintree. No building permit, special permit, variance, site plan or other permit may be issued under the Zoning Ordinance, and no use of land or structures shall be allowed, for the purpose of establishing or operating a Marijuana Establishment within the Town.



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PAGE 2 OF 2

YEAS: Bowes, Carey, Hume, Kokoros, O'Brien, Powers, Ringius, Ryan, Whalen

NAYS: NONE

ABSENT: NONE

PASSED IN COUNCIL: MARCH 27, 2018

PRESENTED TO MAYOR: MARCH 28, 2018

A True Record, Attest:

MARCH 29, 2018

Date Approved

James M. Casey  
James M. Casey, Town Clerk

Joseph C. Sullivan  
Joseph C. Sullivan, Mayor