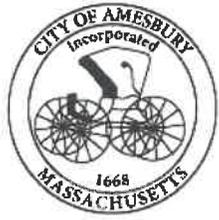


Rec'd 9/30/24



**CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY-FOUR**

SPONSORED BY: [Signature] **BILL No.** 2024.132
Steven Stanganelli, Councilor-at-Large

[Signature]
Anthony Rinaldi - District 2

An Ordinance to amend Chapter 334 Licenses and Permits within the municipal code to allow for licensing of adult cannabis retailers within the Retail Marijuana Overlay District.

Summary:

An Ordinance to update the municipal code or ordinances to provide a section for the licensing of Adult Retail Marijuana Establishments within the Retail Marijuana Overlay District as amended.

Whereas, there is a compelling public policy benefit to regulate the retail sales of cannabis products by licensed establishments within the City's limits, and

Whereas, a companion change to zoning (2024-099) has been submitted as deemed necessary by the City's legal counsel (KP Law) and detailed in multiple communications, including, most recently, in an email to Chief of Staff Casey on December 8, 2023 and further circulated to City Council on December 13, 2023 detailing the necessary approach of limiting licenses through Zoning Ordinance; and

Whereas, the Planning Board in late 2023 recommended but did not require that certain provisions proposed for inclusion within the Zoning Ordinance be codified within the City's municipal code to provide proper regulatory powers to the City Council or Chief Executive Officer related to limitations on the issuance of licenses related to retail marijuana sales;

so therefore

Be it Ordained by the City Council of the City of Amesbury assembled and by the authority of the same, as follows:

That the City of Amesbury shall adopt the addition of Chapter 334 – Licenses and Permits, Section 6 – Licensing Adult Use Marijuana Establishments

That Chapter 334, Section 6 – Adult Use Marijuana Establishments be inserted to read: In accordance with the Amesbury Zoning Ordinance, Section XI.01.2,4.01.1(d) (also referred to as Section 11.01.2,4.01.2(d)), the Chief Executive Officer of the City of Amesbury or the City’s “licensing authority” shall limit the number of Adult Use Marijuana Retail Establishments, as defined in G.L. c.94G, §1 and 935 CMR 500.00, permitted to be located within the City of Amesbury, to not exceed forty percent (40%) of the number of licenses issued within the City for the retail sale of alcoholic beverages not to be drunk on the premises where sold under G.L. c.138, §15. For the purpose of determining this number, any fraction shall be rounded up to the next highest whole number. The minimum number of allowed retail licenses shall be two (2).

REFERENCE:

- See Email dated 12/08/2023 from Nicole Costanzo, KP Law to Ann Marie Casey regarding “2023-066 Cannabis Retail License Limit REVISED Version” forwarded by Ann Marie Casey 12/13/2023
- See Memo dated 11/17/2023 from Nipun Jain, Planning Director, OCED regarding Council Referral 2023-066 referenced in Ann Marie Casey email 12/13/2023