

## WARRANT ARTICLE

TOWN CLERK

2017 DEC 19 PM 12: 51

DUXBURY, MASS.

To see if the town will vote to amend its Zoning Bylaw as follows:

Add a new Section 619:

### **Section 619: Facilities for Marijuana Not Medically Prescribed**

#### 619.1 Intent

On November 8, 2016, the voters of the Commonwealth approved, but the Town of Duxbury did not support (56% voted in opposition), a law regulating the cultivation, processing, distribution, possession and use of marijuana for personal use (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The personal use of marijuana raises planning and public safety issues, such as, but not exclusively: a lack of specific measures to define toxic levels of marijuana use and determine impaired driving limits; and water and nutrient-intensive crop growth where the Town has been experiencing drought and Duxbury Bay, part of the Cape Cod Bay State Ocean Sanctuary, to which the Town's groundwater and surface water flow, is listed as an Impaired Water Body by the Massachusetts Department of Environmental Quality pursuant to the federal Clean Water Act due to excessive nutrient loading; which are not consistent with the purpose of the zoning bylaw, which is to protect the health, safety and general welfare of all inhabitants of the Town including the preservation of natural resources.

#### 619.2 Definitions

"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.

"Marijuana Establishment", a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

"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.

"Marijuana Products", products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

“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.

### 619.3 Prohibition

Marijuana Establishments are prohibited in all zoning districts in the Town in accordance with General Laws chapter 94G, section 3.

Or take any action relative thereto.

DUXBURY PLANNING BOARD

A 2/3 vote is required.

595452

TOWN CLERK  
2017 DEC 19 PM 12:51  
DUXBURY, MASS.