

**COMMITTEE ON ORDINANCES, CHARTER AND RULES
AUGUST 28, 2017 AT 7:26 PM
COMMITTEE ROOM
WOBURN CITY HALL**

Voting Members:

Attending: Chair Michael Anderson, Alderman Michael Concannon,
Alderman Mark Gaffney, Alderman Darlene Mercer-Bruen,
Alderman Lindsay Higgins
Absent: None

Non-Voting Members:

Attending: Alderman Joanne Campbell, Alderman Richard Gately,
Alderman Edward Tedesco, President Richard Haggerty
Absent: None.

* * * * *

On the Order to amend 1985 Woburn Zoning Ordinance of the City of Woburn, as amended, by amending Section 5, Use Regulations, of the Woburn Zoning Ordinance, by adding the following:

Business Licenses and Regulations of the Woburn Municipal Code by adding the following:

Article XVIII - Marijuana Establishments

Section 5-89 Forbidden

The operation of any marijuana establishment, as defined in G.L. c. 94G, § 1, including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, within the City 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,

Be it Ordained by the City Council of the City of Woburn that the 1989 Woburn Municipal Code, as amended, be further amended as follows: By amending Title 5, Business Licenses and Regulations of the Woburn Municipal Code by adding the following:

Article XVIII - Marijuana Establishments

Section 5-89 Forbidden

The operation of any marijuana establishment, as defined in G.L. c. 94G, § 1, including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, within the City 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.

Chairman Anderson said the proposed amendments were written by City Solicitor Ellen Callahan Doucette. The ordinance changes are designed to replace the existing city ordinance in section 5-89, which expired on January 1, 2013, and will ban marijuana establishments anywhere in the city. Alderman Campbell said she is concerned what will happen if the city bans recreational marijuana establishments and state law H.3818 is reversed allowing communities that voted against the 2016 state referendum to prohibit recreational marijuana uses by local legislative

action. Motion made by Alderman Higgins and seconded by Alderman Mercer-Bruen to replace the existing 5-89 in the Woburn Zoning Ordinance and the Woburn Municipal Code with the amendments suggested by City Solicitor Callahan Doucette; approved, 5-0. Alderman Campbell said she was advised by City Solicitor Callahan Doucette that the council has until its meeting on September 19 to decide whether to remove from the ballot of the November 7 municipal election the referendum question about banning recreational marijuana uses. President Haggerty said he is kind of torn about whether to remove the ballot question, because if H.3818 is overturned, the city may be on uncertain ground. President Haggerty asked rhetorically whether it is better to remove the question from the November 7 ballot, or keep the question and hope the voters reject recreational marijuana uses again, and further asked what will happen if the voters approve recreational marijuana uses in November. Chairman Anderson agreed if the voters allow recreational marijuana uses in November, the council would be back to square one. President Haggerty said the city may still be on good footing, even if H.3818 is overturned. President Haggerty said if the council does vote to remove the referendum question from the ballot, it would be important to let the voters know why. Alderman Campbell said the best way to proceed would be removing the referendum question from the November ballot and hoping H.3818 is not overturned. Chairman Anderson said it might be a good idea to discuss whether to remove the recreational marijuana referendum from the ballot at the City Council's next meeting Alderman Campbell reminded the committee the deadline to remove the ballot question is September 19.

Alderman Mercer-Bruen made a motion to adjourn, seconded by Alderman Higgins and approved, 5-0. Chairman Anderson adjourned the meeting at 7:36 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees