



# City Council

CITY OF BROCKTON

CITY HALL

45 School Street • Brockton, Massachusetts 02301

TEL: (508) 580 - 7114

## MINUTES – ORDINANCE COMMITTEE December 18, 2018

The Standing Committee on Ordinances and Rules was called to order at 6:04 p.m. by Councilor Sullivan with Councilors Sullivan, Cruise, Monahan, Rodrigues and Farwell present.

Meeting held at the Arnone School Cafeteria due to broken elevator.

Councilor Sullivan read the agenda into the record.

The Committee first considered the following:

1. Acceptance of the minutes of the November 20, 2018 Ordinance Committee meeting.

Motion by Councilor Cruise to Accept the Minutes and Report of the November 20, 2018 Ordinance Committee Meeting, 2<sup>nd</sup> by Councilor Cruise, motion carried.

Next the Committee considered the following:

2. An Ordinance Amending Chapter 27 of the Revised Ordinance of the City of Brockton concerning the regulations and taxation of Marijuana be it ordained by the City Council of the City of Brockton. Article III. General Regulations and Permitted Modifications, is hereby amended by adding the following Section 27-24.4 Adult use of marijuana. (Postponed from November 7, 2018 and November 20, 2018 Ordinance Meetings).

Comments by District Attorney Tim Cruz

(re Wareham passed, spoke to state police, concerns regarding location downtown, traffic, insufficient parking, other towns struggling with traffic, hazard for emergency vehicles traveling, increase in nuisance crimes, consumption, court house, leaving and coming with cash/marijuana, private security, consumption/resale to minors, OUIs, no machines to detect, business in the area)

Comments by Councilor Cruise

(Committee holds the same worries, 7 meetings already on the issue)

Comments by Councilor Farwell

(Any training for Police Departments in Plymouth County?)

Comments by District Attorney Tim Cruz

(not yet, but there is a need for recognition experts, training for lawyers, hopeful there will be training, but will be a challenge, marijuana not alcohol, stays in system longer, need for legislative basis for parameters for criminal violations oversight and detection)

Comments by Councilor Monahan

(what do we do now for detection?)

Comments by District Attorney Tim Cruz

(observation, laws have changed, looking for operation of vehicle, costly for experts and doctors to testify at trial)

Comments by Attorney Savanagano

(quality of life issues in area of the downtown stores, hardest crime to prove is operation of vehicle under influence of drugs, worrisome)

Comments by Councilor Sullivan

(re drug task force)

Comments by District Attorney Tim Cruz

(marijuana issues discussed, discussed with all DAs)

**MOTION**

Title

Motion by COUNCILOR CRUISE 2<sup>nd</sup> by COUNCILOR RODRIGUES to strike “Taxation” in the title of the Ordinance and insert in its place “Zoning”.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR CRUISE to change the numeration of the sections to begin with successive order of “1, 2, 3” and continuing thereafter instead of “a,b,c”; to insert at the end of the section for PURPOSE the following language, “and the Brockton City Ordinance for the Establishment of Licensing and Regulation for Adult Use Marijuana Establishments”.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR MONAHAN, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following as a subsection (a) under 27-24.4 Section 2 Definitions, “Medical Marijuana Treatment Center also known as a Registered Marijuana Dispensary (RMD): means an entity registered under 105 CMR 725.100 that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use.”

Motion carried.

Comments by Councilor Farwell  
(re inserting Marijuana sales into the Industrial Zones)

Comments by Councilor Monahan  
(re does this change Industrial zone uses)

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR RODRIGUES to strike the words “Principal permitted uses” and insert in its place “Allowed uses.”; to begin subsection (a) and insert the words “Principal Permitted:” in front of the paragraph beginning with the words “Pursuant to standards.....”; to strike the following language: “Pursuant to standards enumerated herein, Marijuana Retailer and the retail sale of Marijuana Accessories shall be principal permitted uses in the Downtown Smart Growth Overlay Zone only.”

Motion carried.

Comments by Councilor Farwell  
(re hours of operation)

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR RODRIGUES to insert the following language to begin as subsection (b) in Section 27-24.4 Section 3:

- b. Special Permitted Uses: Pursuant to standards enumerated herein, Marijuana Retailer and the retail sale of Marijuana Accessories shall be special permitted uses in C-2 General Commercial Zones and C-3 Central Business Zones only.
  - i. Marijuana Retailer operations shall not be conducted or located on the ground floor in C-3 Zones.
  - ii. Marijuana Retailer hours of operation shall be no earlier than 8 a.m. and not later than 8 p.m.

- iii. Access to all retail locations must be designed and constructed to comply with applicable disability access requirements including but not limited to, the Americans with Disabilities Act (ADA).
- c. Notwithstanding anything herein to the contrary, nothing in this Ordinance shall be construed as preventing a Medical marijuana treatment center with a special permit to operate in the Humanitarian Medical Use of Marijuana Overlay Districts (HMMOD) pursuant to Ordinance Section 27-24.3 as of July 1, 2017 from applying for a permit and/or license to operate as a Marijuana Establishment at the same location as the Medical marijuana treatment center permitted in the HMMOD.

Motion carried.

Comments by Councilor Cruise

(retail sales in industrial may be difficult, zoning differences for a reason, concern about all of the licenses for retail to be in the industrial zone, may be more difficult to police, night time theft concerns)

Comments by Councilor Farwell

(may be mis-zoned in industrial)

#### **MOTION**

##### Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR MONAHAN to insert the following language as subsection (d) to section Section 27-24.4 Section 3:

- d. Seventy five percent (75%) of the recreational Marijuana Retailer licenses shall be reserved for establishments to be located in C-2 zoning Districts. Twenty five percent (25%) of the recreational Marijuana Retailer licenses shall be reserved for establishments to be located in the C-3 Zoning District. Registered Marijuana Dispensaries (“RMD”) provisionally licensed no later than July 1, 2017 are exempt from this provision.

Motion carried.

#### **MOTION**

##### Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following language to Section 27-24.4(3)(a) at the end of the paragraph: “Access to all retail locations must be designed and constructed to comply with applicable disability access requirements including but not limited to, the Americans with Disabilities Act (ADA).”

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR RODRIGUES to strike the language in the subsection “Requirements” in its entirety (include subparts 1-7).

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR MONAHAN, 2<sup>nd</sup> by COUNCILOR CRUISE to strike the entirety of subsection title “Prohibited uses” and insert in its place “*Prohibited uses*. Marijuana Establishments are prohibited from R-1 Single-Family Residential Zones, R-2 and R-3 Multi-Family Residential Zones, C-1 Neighborhood Commercial Zones, C-4 Planned Shopping Center Zones, C-5 Office Zones, C-6 Regional Shopping Center Overlay Zones, C-7 Sports and Convention Complex Zones, C-8 Highway Commercial Zones, and Thatcher Street Smart Growth Overlay District.”

Motion carried.

Comments by Councilor Rodrigues  
(re zones for prohibited uses)

Comments by Councilor Cruise  
(separate entrance for retail for RMDS)

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR RODRIGUES to insert the following subsection as subsection 5 in Section 27-24.4: “*Conversion*. RMDs registered no later than July 1, 2017 that engage in the cultivation, manufacture, or sale of marijuana or marijuana products to a marijuana establishment for adult use engaged in the same type of activity shall also be subject to these regulations.”

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR CRUISE to strike the entirety of the subsection titled “Additional Operation Control Considerations” including subsections “Use” and “Physical Requirements”.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR FARWELL to insert the following subsection as subsection 6 in Section 27-24.4: “*Operational Requirements, Restrictions, and Conditions*.”

- a. Prohibition Against Nuisances: Marijuana Establishments shall be located, constructed, and operated in such a way as to minimize any noise, safety, odor, and environmental impacts. Marijuana Establishment operations shall not create nuisance conditions in parking areas, sidewalks, streets and areas surrounding its premises and adjacent properties. “Nuisance” includes, but is not limited to, disturbances of the peace, open public consumption of Marijuana, excessive pedestrian or vehicular traffic, odors emanating from the Marijuana Establishment’s premises, electrical lighting, illegal drug activity under State or local law, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, excessive citation for violations of State traffic laws and regulations and/or Transportation Division Rules and Regulations, queuing of patrons (vehicular or pedestrian) in or other obstructions of the public way (sidewalks and streets), collisions between vehicles, bicyclists, and pedestrians, lewd conduct or police detentions and arrests.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following:

- b. Odor Control and Ventilation: All premises shall be equipped with odor control filtration and ventilation system(s) based on the then current industry-specific best control technologies and best management practices. No operable windows or exhaust vents shall be located on any building façade. Exhaust vents on rooftops shall direct exhaust away from residential uses or zones. The building, or portion thereof, used for marijuana retailing shall be designed or equipped to prevent detection of marijuana odors and other objectionable odors from the property line. All Marijuana Establishments shall be ventilated in such a manner that no:
  - i. Pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere;
  - ii. No odor from marijuana cultivation, processing, sale, storage or consumption can be detected by a person with an unimpaired and otherwise normal sense of smell at any adjoining use or adjoining property to the marijuana establishment; and

- iii. The exhaust system to control odor shall be designed by a licensed Professional Engineer recognized by the Commonwealth.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR MONAHAN, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following:

- c. Building: Marijuana Establishment uses shall be located only in a permanent building and not within any mobile facility. No outside storage is permitted. Marijuana waste shall also be stored within a permanent building. All sales shall be conducted either within the building or, if allowed by applicable state regulations, by home deliveries to qualified clients pursuant to applicable state and local regulations.
  - i. The use of a walk-up or drive-thru window service is strictly prohibited.
  - ii. Marijuana Establishments may only use their designated square footage for the purposes of operating such an establishment, as encompassed in this Ordinance and Ordinance Section 27-24.3.
  - iii. No Marijuana Retailer shall have a gross floor area in excess of 5,000 square feet.
  - iv. All Marijuana Establishments submit a secure solid waste disposal and recycling plan to be approved by the City of Brockton Board of Health

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR RODRIGUES, 2<sup>nd</sup> by COUNCILOR MONAHAN to insert the following:

- d. Visibility: No Marijuana Establishment shall allow cultivation, processing, manufacture, sale or display of Marijuana or Marijuana Products to be visible from a public place without the use of binoculars, aircraft, or other optical aids.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR RODRIGUES, 2<sup>nd</sup> by COUNCILOR MONAHAN to insert the following:

- e. Dimensional Requirements: Except where it is explicitly stated otherwise in this Section, a Marijuana Establishment shall conform to the dimensional requirements applicable to non-residential uses within the base zoning districts.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR MONAHAN to insert the following:

- f. Location (Buffer Zone): No Marijuana Retail Establishment shall be within:
  - i. Five hundred (500) feet of another presently existing or permitted Marijuana Dispensary or Recreational Retail Facility; or
  - ii. Five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.
  - iii. The distance under this section shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Retail Establishment is or will be located. Where any portion of a lot is within a required separation, the entire lot shall be considered to be within the required separation.

Motion carried with a 3-2 vote, Councilors Farwell and Sullivan voting in opposition.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE withdrawn

Motion by COUNCILOR MONAHAN, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following:

- g. Co-Location:
  - i. Marijuana and tobacco products shall not be smoked, ingested, or otherwise consumed in the building space occupied by the retailer.
  - ii. The simultaneous operation of a marijuana medical dispensary and an adult use recreational dispensary on the same lot or building is strictly prohibited. All Registered Medical Dispensaries registered no later than July 1, 2017 are exempt from this provision.

Motion carried with a 3-2 vote, Councilors Rodrigues and Sullivan voting in opposition.



Comments by Councilor Rodrigues  
(present foot traffic, vape shops)

Motion by COUNCILOR RODRIGUES, 2<sup>nd</sup> by COUNLOR SULLIVAN, to insert the following location as subsection (g)(iii) co-location to read as follows:

iii. Marijuana retailing shall not be co-located on the same parcel or within the same building with any retail shop that sells tobacco or marijuana paraphernalia, i.e. Vape Shops.

Motion carried with a 3-2 vote, Councilors Monahan and Farwell voting in opposition.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR MONAHAN, 2<sup>nd</sup> by COUNCILOR FARWELL to insert the following:

h. Age Requirement: No persons under the age of twenty-one (21) shall be permitted to be present in the building, or portion thereof, occupied by any Marijuana Establishment.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR MONAHAN to insert the following:

i. Hours of Operation: Operations, including deliveries to and from any Marijuana Establishment, may not occur within the hours of 8:00 p.m. to 8:00 a.m.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR MONAHAN, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following subsection as subsection 7 in Section 27-24.4: "*Special Permit/ Site Plan Review*. All Marijuana Establishments require Site Plan Review. Marijuana Retail operations require a Special Permit from the Zoning Board of Appeals.

a. Site Plan Review Procedure: An application for Site Plan Review shall be submitted and administered in accordance with the provisions of ARTICLE XV - SITE PLAN REVIEW of the Brockton Zoning Ordinances. Site Plan approval for all Marijuana Establishments shall be subject to the requirements indicated herein and shall be in addition to the provisions of ARTICLE XV - SITE PLAN

REVIEW. The applicant shall submit a copy of its provisions or final license, if issued by the Cannabis Control Commission (“CCC”), along with any materials submitted to the Cannabis Control Commission for the purpose of seeking such license.

- b. Special Permit Procedure: The special permit shall conform to this Section of the Zoning Ordinance and to M.G.L. Chapter 40A, Section 9, as well as to regulations which the Zoning Board of Appeals shall adopt from time to time for carrying out its requirements under this Section. An application for special permit under this Section shall be submitted and administered in accordance with the provisions of Ordinance Section 27-49.

Motion carried.

## **MOTION**

### Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR MONAHAN to insert the following subsection as subsection 8 in Section 27-24.4: “*Materials for Review*. In addition to the materials required under ARTICLE XV - SITE PLAN REVIEW, an application to the Planning Board of the City of Brockton, as a part of a public hearing for a Site Plan Review, shall include, at a minimum, the following information:

- A. Description of Activities: The applicant shall submit a narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of marijuana or marijuana infused products (MIPs), on-site sales, off-site deliveries (if allowed by state regulation), distribution of educational materials, and other programs or activities.
- b. Service Area: A map and narrative describing the area proposed to be served by the Marijuana Establishment and the anticipated number of customers that will be served within the area. This description shall indicate where any RMDs and/or Marijuana Establishments, including Marijuana Retailers, exist or have been proposed within the expected service area.
- c. Context Map: The applicant shall submit a context map depicting all properties and land uses within a one thousand foot (1,000' ) radius (minimum) of the project site, whether such uses are located in Brockton or within surrounding communities, including but not limited to all educational uses. Required Buffer Zones as defined under provision 7(i) of this Section shall also be included for review.
- d. Transportation Analysis: The applicant shall provide a Transportation Demand Management Plan to establish the impacts of the peak traffic demand and shall adequately address issues of traffic demand, parking, and queuing, especially at

peak periods at the facility, and its impact on neighboring uses. The transportation demand management plan shall also model expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.

- e. Security Plan: The applicant shall submit a security plan that has been reviewed and approved by the Brockton Police Department that indicates that the site is designed as such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users. The applicant shall also submit a security plan for review and approval by the Brockton Police Department for its transportation vehicles if applicable to their license issued by the Massachusetts Cannabis Control Commission or Massachusetts Department of Public Health. The Security Plan shall not be considered public document subject to the Massachusetts Public Records Law or Freedom of Information Act.
- f. Site Plan: A plan or plans depicting all proposed development on the property, including the dimensions of the building, the layout of the automobile and bicycle parking, the location of pedestrian, bicycle and vehicular points of access and egress, the location and design of all loading, refuse and service facilities, the location, type and direction of all outdoor lighting on the site, stormwater facilities, and landscape design including landscape buffers along abutting properties and public ways.
- g. Building Elevations and Signage: For all new buildings, architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used, shall be submitted by the applicant. Perspective drawings and illustrations of the site from public ways and abutting properties are also required. For existing buildings and structures, any changes to the exterior of the building shall be shown along with location of proposed entrances, loading areas and signage. All signage and advertising materials shall be consistent with underlying zoning requirements and comply with the provisions and prohibitions within 935 CMR 500.
- h. Emergency Response Plan. All Marijuana Establishments shall meet with the Brockton Fire Department and the Brockton Police Department to discuss and identify emergency plans/contingency plans for the site prior to the issuance of a certificate of occupancy. A written Emergency Response Plan shall be filed with the Brockton Fire Department and the Brockton Police Department pursuant to M.G.L. c. 94G, §12. All Marijuana Establishments shall designate a single on-site staff member as the community liaison with direct interaction with on-site security and City police. Emergency Response Plans shall not be considered public document subject to the Massachusetts Public Records Law or Freedom of Information Act.

- i. Solid Waste Disposal and Recycling Plan. All Marijuana Establishments shall submit a secure solid waste disposal and recycling plan to be approved by the City of Brockton Board of Health.

Motion carried.

## **MOTION**

### Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following subsection as subsection 9 in Section 27-24.4:” *Special Permit Criteria*. In granting a Special Permit for a Marijuana Retailer, in addition to the general criteria for issuance of a Special Permit as set forth in Ordinance Section 27-49, the Zoning Board of Appeals shall find that the following criteria are met:

- i. The site is designed such that it provides convenient, safe and secure access and egress for customers and employees arriving to and from the site using all modes of transportation, including drivers, pedestrians, bicyclists, and public transportation users.
- ii. Loading, refuse, and service areas are designed to be secure and shielded from abutting uses.
- iii. The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building’s interior.

Motion carried.

## **MOTION**

### Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR FARWELL, 2<sup>nd</sup> by COUNCILOR CRUISE to insert the following subsection as subsection 10 in Section 27-24.4: “*Conditions of Approval*. Special Permits and/or Site Plan Approval under this Ordinance shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any specific conditions applicable to the Marijuana Retailer the following conditions shall be included in any permits or approvals granted under this Section:

- a. Licensed to Operate: All permitted Marijuana Establishments shall be properly licensed by the CCC and shall comply will all applicable state and local regulations, laws, and rules at all times. No Building Permit or Certificate of Occupancy shall be issued for a Marijuana Establishment that is not properly licensed with the CCC.

- b. Limitation of Approval: A Special Permit and/or Site Plan approval authorizing the location of a Marijuana Establishment shall be valid only for the licensed entity to which the Special Permit or Site Plan approval was issued and only for the site at which the Marijuana Establishment has been authorized by the Special Permit or Site Plan approval.
- c. Operations and Security Measures: The Marijuana Enterprise shall comply with all regulations promulgated by the CCC, as well as any additional security measures imposed by the City of Brockton Zoning Board of Appeals or Planning Board.
- d. Host Community Agreement: The applicant shall provide documentation in the form of a single-page certification signed by the contracting authorities for the municipality and the applicant evidencing that the applicants for licensure and host municipality have executed a Host Community Agreement.
- e. Hours of Operation: The hours of operation shall be set by the Zoning Board of Appeals, but in no event shall a Marijuana Establishment that dispenses marijuana or marijuana products to the public be open earlier than 8 am and not later than 8 pm.
- f. Validity of Permits and Cessation of Operations:
  - i. The Special Permit and/or Site Plan approval shall lapse one (1) year from the date the Zoning Board of Appeals files its decision with the City Clerk, pursuant to M.G.L. c. 40A, §9 if a substantial use thereof has not sooner commenced.
  - ii. The Special Permit and/or Site Plan approval shall be limited to the permit holder and shall lapse if the permit holder ceases operating the Marijuana Establishment. Any changes in the entity of the Special Permit holder, to the scope and scale of operations, or other material facts stated in the initial application to the CCC, shall be submitted to the City of Brockton Planning Board and Zoning Board of Appeals. If the City of Brockton Planning Board determines that there are substantial changes to the original approval, the City of Brockton Planning Board or Zoning Board of Appeals may require the permit holder to file an application for major modification to the current permit, which shall be acted upon following a public hearing.
  - iii. The Special Permit and/or Site Plan approval shall automatically lapse upon the expiration or termination of the permit holder's license issued by the CCC.
  - iv. The permit holder shall notify the City of Brockton Planning Board and Zoning Board of Appeals in writing within 48 hours of the cessation of operation of the Marijuana Establishment or the expiration or termination of the permit holder's license issued by the CCC.

Motion carried.

**MOTION**

Section 27-24.4 Adult use of marijuana

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR FARWELL to insert the following subsection as subsection 11 in Section 27-24.4: “*Inspections.* The City and its agents, including representatives from the Building Department, Board of Health, Fire Departments, Compliance Officer/Code Enforcement Officer, and Police Departments, may conduct unannounced unscheduled, periodic inspections of the premises of any Marijuana Establishment to determine the Marijuana Establishment’s compliance with the requirements of state and local laws, regulations, licenses, and permits, including this Section.”

Motion carried.

**MOTION**

Motion by COUNCILOR CRUISE, 2<sup>nd</sup> by COUNCILOR RODRIGUES to recommend FAVORABLE AS AMENDED, Motion carried unanimously.

Comment by Councilor Farwell  
(re missing anything)

Comment by City Solicitor Nessralla  
(fine job of the ordinance committee)

Comments by Councilor Cruise  
(tremendous job by the ordinance committee, new venture, good job of vetting issues, 8 meeting thank yous to Sullivan, Megan, Resnick, and Mr. May)

Comments by Councilor Sullivan  
(thanks yous to Megan, Phil, Shannon, May, charged with the job, thank you to colleagues)

Motion by Councilor Monahan to adjourn, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried.

The meeting was adjourned at 8:18 p.m.